

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 08-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 08-11**

**IN RE: ESTABLISHMENT OF
PROCEDURES FOR SPECIAL
INTEREST/HIGH VISIBILITY
PROCEEDINGS AT DADE COUNTY
COURTHOUSE**

WHEREAS, the Supreme Court of Florida, in Rule 2.450, Florida Rules of Judicial Administration, has promulgated standards of conduct and technology for electronic media and still photography coverage of public judicial proceedings; and

WHEREAS, pursuant to Rule 2.215, Florida Rules of Judicial Administration, the Chief Judge shall develop an administrative plan for the efficient and proper administration of all courts within his/her circuit; and

WHEREAS, special interest/high visibility proceedings require procedures and special accommodations to ensure full access without compromising the right of any litigant to a fair and orderly trial; and

WHEREAS, as a part of the administrative plan, in accordance with Rule 2.450, Florida Rules of Judicial Administration, the undersigned has developed certain procedures for media coverage of special interest/high visibility proceedings taking place at various court facilities, to include, amongst other things, designating the location within the respective court facilities where television camera equipment shall be positioned; and

WHEREAS, notwithstanding the undersigned's authority to establish procedures for media coverage in the court facilities, within a specific courtroom, any media coverage of public judicial proceedings is subject at all times to the authority of the presiding judge to: (i) control the conduct of proceedings before the Court; (ii) ensure decorum and prevent distractions; and (iii) ensure the fair administration of justice in the pending cause;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, I hereby establish the following procedures to be implemented for special interest/high profile proceedings scheduled to be heard at the

Dade County Courthouse, located at 73 West Flagler Street, Miami, Florida (hereinafter referred to as "DCC"):

1. The undersigned Chief Judge, independently, or at the request of the administrative or trial judge assigned to preside over a proceeding of great public interest, may instruct the Court Public Information Officer ("PIO") to implement the procedures set forth within this Administrative Order.

2. Upon implementation of this Order, the Court PIO, shall as soon as practicable, convene a meeting of interested media representatives for the purpose of establishing a media committee ("Media Committee") which will establish media protocols for the specific case. The Court PIO will continue to act as liaison between the Court and the media for the duration of the case.

3. The Media Committee shall consist of at least one representative from the video broadcast, audio broadcast and print media, as well as the Court PIO, the Court Operations Director, the Administrative Judge or his designee, and the Clerk of Court or his designee. Other media representatives or Court personnel may also be included when necessary.

4. The duties of the Media Committee shall include: designating pool coverage and camera locations in accordance with Rule 2.450(b)(4), Florida Rules of Judicial Administration; recommending to the administrative judge suitable interview and press conference areas, except as limited by paragraph #7 herein below; assisting with the allocation of Court-issued press credentials and courtroom seating assignments; overseeing the dissemination of information and providing a clearinghouse for media/Court issues arising during the case; equipping the media room(s); working with the Court to accommodate other special needs of the media; and setting up a final meeting of media personnel a few days prior to the commencement of the proceedings to explain procedures and instructions.

5. A media room may be designated within close proximity to the special interest proceeding. The media room, under the supervision of the Court PIO or Court Operations Director, will be open to all media representatives with Court-issued credentials, as long as the proceedings are in session and for a reasonable period of time after the proceedings conclude. The room will accommodate monitors and other equipment provided by the Media Committee to permit coverage of the proceedings by media representatives who are unable to obtain seating in the courtroom.

6. The following technological coverage of judicial proceedings shall be allowed:

- a. At least one (1) portable television camera, operated by not more than one (1) camera person, shall be permitted in any proceeding. The number of permitted cameras shall be within the sound discretion and authority of the presiding judge. Locations for these cameras will be coordinated in advance with the Court PIO.

- b. Not more than one (1) still photographer, using not more than two (2) cameras, shall be permitted in any proceeding.
 - c. Not more than one (1) audio system for radio broadcast purposes shall be permitted in any proceeding.
7. So as not to interfere with court proceedings or with a litigant or interested party's rights, no interviews are permitted within or immediately outside the courtroom at any time.
8. To ensure safety and security in the hallways and other areas of ingress and egress in the DCC, and to assist Court security personnel in the uniform enforcement of issues related to Rule 2.450, Rules of Judicial Administration, no person may conduct interviews, photography or audio or visual recording in the interior of the DCC.
9. Due to public access issues and security and life safety concerns, any interviews to be conducted immediately outside the DCC shall be held in the areas designated for that purpose. Designated areas to conduct interviews may be provided by the Court on a case by case basis as circumstances permit.
10. For trials held in courtrooms of the DCC, the areas both inside and outside the courtrooms will be monitored by Court Liaison Officers of the Miami-Dade Police Department. All persons entering the courtroom areas may be asked to pass through a metal detector and conform to such other appropriate security measures as is deemed appropriate by the Miami-Dade Police Department. Such measures may include requiring photo identification from any person who wishes to enter a courtroom.
11. All persons, including media personnel, shall recognize and comply with the order of any judge regarding the order and control of persons in the DCC hallways, corridors, courtrooms, and judicial chambers.
12. Satellite trucks and other media vehicles will be parked in an area designated by Court Administration so as not to interfere with normal traffic and parking regulations. Court Administration will work with the appropriate authorities for parking decisions and determinations. Any unauthorized vehicle parked in a reserved space will result in the vehicle being towed.
13. At the close of each day during the trial or proceeding, there will be an opportunity for the defense counsel, plaintiff's counsel, state attorney, and/or their respective representatives, to answer questions from the media. Whether they avail themselves of this opportunity is solely at their discretion and convenience. An area to conduct such interviews will be determined on a case by case basis and as needed after the undersigned Chief Judge has conferred with the administrative judge, trial judge, PIO and other such interested parties.
14. In responding to such media questions, as prescribed in Fla. Bar Rule 4-3.6,

counsel shall not make an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication if counsel knows or reasonably should know that it will have a substantial likelihood of materially prejudicing an adjudicative proceeding due to its creation of an imminent and substantial detrimental effect on that proceeding.

15. No communication shall ever be permitted between the media and the jury or any alternate juror while in the jury box, courtroom, or in the jury deliberation room during recess, entering, or exiting the DCC. This includes the time period when the jurors are having their meals, or if sequestered, at any lodging facility. Any ban on juror interviews will expire at the conclusion of the jurors' participation in the trial.

16. No disruptions, interference, outbursts, public demonstrations, loud or intrusive noises or distractions shall be permitted in the courtroom or its immediate surroundings. Anyone who fails to maintain decorum may be removed from the courtroom and/or banned from the courtroom for the duration of the trial.

17. All public, press and media activities within, outside of, and around the DCC must be in conformance with all City and County ordinances and State and Federal laws and statutes. Court staff and County staff will accommodate the media and the general public to the fullest extent possible within the guidelines of this Order and Rule 2.450, Florida Rules of Judicial Administration.

18. Violation of this Order could result in the suspension of an individual, or the media organization they represent, from the DCC for the duration of the trial or proceeding, or in the arrest of, or charge of contempt of Court, or a combination thereof, whichever may be deemed appropriate.

This Order shall be effective immediately upon the date it is signed, and shall remain in effect until vacated, amended, or supplemented by order of the Court.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 31st day of July, 2008.

**STUART M. SIMONS, ACTING CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**