

**IN THE SUPREME COURT OF TEXAS**

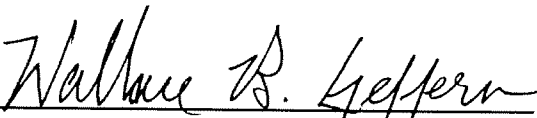
Misc. Docket No. 07- 9134


**APPROVAL OF AMENDED LOCAL RULES FOR THE  
RECORDING AND BROADCASTING OF COURT PROCEEDINGS  
IN THE CIVIL DISTRICT COURTS OF HARRIS COUNTY**

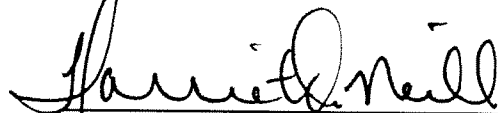
**ORDERED** that:

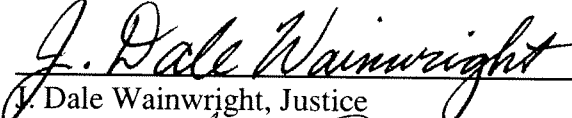
Pursuant to Texas Rule of Civil Procedure 3a, the following Amended Local Rules Governing the Recording and Broadcasting of Court Proceedings in the Civil District Courts of Harris County are approved.


In Chambers, this 21st day of August, 2007.

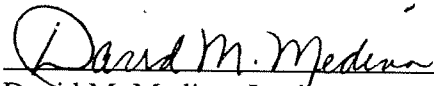
  
Wallace B. Jefferson, Chief Justice

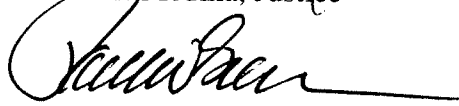
  
Nathan L. Hecht, Justice


  
Harriet O'Neill, Justice


  
J. Dale Wainwright, Justice

  
Scott Brister, Justice

  
David M. Medina, Justice

  
Paul W. Green, Justice

  
Phil Johnson, Justice

  
Don R. Willett, Justice

**Recording and Broadcasting of Court Proceedings**  
**District Courts of Harris County**  
**Civil Trial Division**

1. **Policy.** The policy of these rules is to guarantee a just, fair, equitable and impartial adjudication of the rights of the litigants and allow an opportunity for the recording or broadcasting of public civil court proceedings to facilitate the free flow of information to the public concerning the judicial system and to foster better public understanding about the administration of justice.
2. **Construction.** These rules are to be construed to maintain the dignity, decorum, and impartiality of the court proceeding, while at the same time providing the greatest access possible.
3. **Approval.** Approval of these rules by the Texas Supreme Court meets the requirements of Rule 18c(a) of the Texas Rules of Civil Procedure.
4. **Definitions.**
  - 4.1. "Recording" means photographing, audio recording or video recording by any means.
  - 4.2. "Broadcasting" means disseminating or transmitting to the public through newspapers, television, radio, internet or other means.
  - 4.3. "Media" means any person or organization engaging in news gathering or reporting and includes any newspaper, radio or television station or network, news service, magazine, trade paper, in-house publication, professional journal, or other news reporting or news gathering agency, whether the information is transmitted or disseminated by broadcasting, cable, satellite, internet, or other means.
  - 4.4. "Court proceedings" do not include investitures or ceremonial proceedings
5. **Recording or broadcasting prohibited.**
  - 5.1. Except as permitted by these rules and by the trial court, the recording or broadcasting of court proceedings is prohibited.
  - 5.2. Recording or broadcasting of proceedings held in chambers, proceedings closed to the public, jury selection, and jury deliberation is prohibited, unless all persons involved agree to the recording or broadcasting by written waiver.
  - 5.3. Recording or broadcasting of conferences between an attorney and client, witness or aide, between attorneys, or between counsel and the court at the bench is prohibited, unless all persons involved agree to the recording or broadcasting by written waiver.

6. **Recording for Personal or Academic Use.** With permission of the court, the court may permit recording of court proceedings for personal use or for academic purposes subject to the requirements of Rule 7 below.

7. **Recording or Broadcasting by the Media**

7.1 **Request permission.** A party or the media may request permission to have the media record or broadcast court proceedings.

7.2 **Equipment and personnel.** The court may require the media to demonstrate that their proposed equipment complies with these rules, and may exclude from the courtroom any media who fails to comply with these rules. The court may specify the placement of personnel and equipment to permit reasonable coverage without disruption to the proceedings. Unless the court in its discretion orders otherwise, the following standards apply to the placement and operation of media equipment:

7.2.1 One television camera, one audio recording machine, and one still photographer are permitted. In appropriate circumstances, the court in its discretion may allow an unmanned second camera into the courtroom.

7.2.2 Equipment shall not produce distracting sound or light. Signal lights or devices which show when equipment is operating shall not be visible. Moving lights, flash attachments, or sudden lighting changes shall not be used.

7.2.3 Existing courtroom sound and lighting systems shall be used without modification unless the court specifically approves modification.

7.2.4 Operators shall not move equipment while the court is in session, or otherwise cause a distraction. All equipment shall be in place in advance of the commencement of the proceeding or session that is the subject of the coverage.

7.2.5 Media logos or proprietary trademarks shall not be displayed on cameras, microphones, other equipment used in court, or clothing or nametags on personnel.

7.2.6 If more than one member of the Media requests to cover a proceeding or session, they shall make pool arrangements. If they are unable to agree, the court may designate one agency or one representative as pool coordinator, specifying such other conditions of pool coverage as may be necessary.

7.3 **Outside the Courtroom.** Media operating outside the courtroom shall not create a distraction and shall withdraw whenever necessary to avoid restricting movement of persons passing through the courtroom door.

8. **Delay of proceedings.** No proceeding or session will be delayed or continued for the sole purpose of allowing its recording or broadcasting. Upon request, the court will

attempt to make the courtroom available in advance for the purpose of installing equipment.

9. **Official record.** Photographs and audio or video recordings made of court proceedings shall not be considered part of the official court record.
10. **Enforcement.** The court may enforce these rules by any legal or equitable process.
11. **Effective date.** Effective 1991; amended January 3, 1996; amended March 6, 2007.



## Second Administrative Judicial Region of Texas

Olen Underwood

Presiding Judge

*Kassi Cranfill*  
*Regional Administrator*

*Nathan Jensen*  
*Regional Assistant*

March 28, 2007

Honorable Nathan L. Hecht  
Justice, Supreme Court of Texas  
Attn: Jody Hughes, Rules Attorney  
P.O. Box 12248  
Austin, Texas 78711

Re: Recording and Broadcasting of Court Proceedings  
District Courts of Harris County  
Civil Trial Division

Dear Judge Hecht:

Pursuant to, and in accordance with Rule 3a, Texas Rules of Civil Procedure, and Rule 8, Regional Rules of Administration, Second Administrative Judicial Region of Texas, I am requesting that the Justices approve the enclosed, Recording and Broadcasting of Court Proceedings, District Courts of Harris County, Civil Trial Division.

I hereby approve the amendment to the above referenced rules. Please advise this office of the Courts actions.

Thank you for your usual courtesies.

Sincerely,

A handwritten signature in black ink that reads "Olen Underwood".

Olen Underwood  
OU/kc

cc: Jack Thompson, Harris County District Court Administrator

# Administrative Office of the District Courts

*Harris County, Texas*

*Jack E. Thompson*  
DISTRICT COURT ADMINISTRATOR  
Fax No. 755-8973

1201 Franklin, 7<sup>th</sup> Floor  
Houston, Texas 77002-2022  
713-755-6575

March 7, 2007

Hon. Olen Underwood  
Montgomery County Courthouse  
207 West Phillips, 3<sup>rd</sup> Floor  
Conroe, Texas 77301

Dear Judge Underwood:

At the March 6, 2007 meeting of the Board of District Judges Trying Civil Cases, the Board approved the attached Recording and Broadcasting of Court Proceedings District Courts of Harris County Civil Trial Division as amended by adding section 5.1, which states: Except as permitted by these rules and by the trial court, the recording or broadcasting of court proceedings is prohibited.

I am requesting your approval on the attached. If so approved, please transmit them to the Chief Justice of the Supreme Court of Texas for his consideration for approval.

Very truly yours,

Jack E. Thompson

JT:lr  
Attachment