

ALASKA COURT SYSTEM
OFFICE OF THE ADMINISTRATIVE DIRECTOR
ADMINISTRATIVE BULLETIN NO. 45
(Revised July 24, 2023)

TO: All Justices
All Judges
Area Court Administrators
Clerk of the Appellate Courts
Rural Court Administrators
All Clerks of Court
All Magistrate Judges
Law Libraries at Anchorage, Fairbanks & Juneau

Senior Staff
Central Services
Judicial Services
APD Warrants

SUBJECT: Use of Cameras and Electronic Devices in Court Facilities

The court system strives to be as open and accessible as possible. Court proceedings are presumed to be open to the public unless otherwise ordered by the court or provided by statute or court rule. Members of the public, including media representatives, may attend these open court proceedings. Certain restrictions under Administrative Rule 50, however, apply to the public's (including the media's) use of cameras and electronic devices at these courtroom proceedings and at courthouses throughout the state. These restrictions are designed to meet four goals: (1) ensure decorum and prevent distractions in court proceedings; (2) ensure the fair administration of justice in a pending case and future proceedings; (3) protect the reasonable privacy interests of victims, minors, and other persons; and (4) provide security for court users and court facilities. This bulletin addresses photographing, filming, and recording in courtrooms and areas immediately adjacent to courtrooms. It is adopted under Administrative Rule 50(a)(4) to outline specific procedures and standards implementing Rule 50. This bulletin does not apply to use of cameras or electronic devices used for film industry purposes. See Administrative Bulletin 26 for film industry requests.

On July, 24, 2023, the presiding judges issued *Presiding Judges' Statewide Order on Use of Cameras and Electronic Devices in Common Areas of Court Facilities* regarding the use of cameras and electronic recording devices outside the courtroom in court facilities. Photographing, filming, and making audio or video recordings are prohibited in common areas of the courthouse except as specified in the order. "Common areas of the courthouse" include all areas within the exterior walls of the building or, in buildings used by tenants other than solely the court system, in the spaces designated for use by the court system. Common areas include, but are not limited to, entrances and exits, lobbies, hallways, stairs, elevators, and business offices. "Common areas of the courthouse" do not include areas immediately adjacent to courtrooms or security

screening areas. Photographing, filming, and making audio or video recordings are strictly prohibited in security screening areas.

1. Number of Television Cameras. Up to three television cameras, operated by one person each, will be permitted in a courtroom or adjacent areas in a court proceeding or during a recess. A judicial officer may limit the number of television cameras if the courtroom size warrants this limitation. These provisions do not apply to a courtroom which the administrative director has designated as a media courtroom.
2. Number of Still Cameras. Up to three still cameras, operated by one person each, will be permitted in a courtroom or adjacent areas in a court proceeding or during a recess. A judicial officer may limit the number of still cameras if the courtroom size warrants this limitation. These provisions do not apply to a courtroom which the administrative director has designated as a media courtroom.
3. Number of Audio Systems for Broadcast. Up to three audio systems for broadcast purposes will be permitted in a courtroom or adjacent areas in a court proceeding or during a recess. A judicial officer may limit the number of audio systems if the courtroom size warrants this limitation. These provisions do not apply to a courtroom which the administrative director has designated as a media courtroom.
4. Audio Pickup. Audio pickup must be made from existing courtroom audio systems unless the courtroom does not have audio connections for microphone level output.
5. Pooling. "Pooling" arrangements caused by the limits on equipment and personnel in paragraphs 1 through 3 are the sole responsibility of the applicants without resort to the court or court personnel to mediate any dispute.
6. Sound and Light Criteria. Only cameras and electronic devices that do not produce distracting sound or light may be used in a courtroom. No artificial lighting device of any kind may be used.
7. Location of Equipment. Cameras and electronic devices must be positioned in a location or locations in the courtroom or adjacent areas as designated by the judicial officer presiding at the proceeding or the judicial officer's designee.
8. Movement of Equipment and Personnel During Proceedings. Television, audio equipment, and tripod-mounted still cameras must not be placed in or removed from the courtroom except prior to commencement or after adjournment of proceedings each day, or during a recess. An equipment operator's movements in the courtroom must be unobtrusive. For example, a photographer should not

assume body positions which would be inappropriate for other spectators, such as lying on the floor to get a better camera angle.

9. Confidential Communications. Conferences which occur in the courtroom or the court facility between attorneys and their clients, between clients, between co-counsel of a client, or between counsel and the judicial officer held at the bench may not be filmed, videotaped, recorded, broadcast, streamed, or posted on the internet. As a further precaution, due to the sensitivity of courtroom recording equipment, the judicial officer presiding at the proceeding may inform counsel at the outset of the proceeding that the court will entertain requests from counsel to go off record for attorney-client conferences. Party or counsel notes may not be photographed, filmed, videotaped, sketched, recorded, broadcast, streamed, or posted on the internet.
10. General Restrictions. Use of cameras and electronic devices is prohibited in security screening areas of a courthouse. Cameras and electronic devices may not be used to harass court personnel or interfere with their work duties.
11. Behavior and Dress. Persons using cameras and electronic devices are expected to present a neat appearance in keeping with the dignity of the proceedings and be sufficiently familiar with court proceedings to conduct themselves so as not to interfere with the dignity of the proceedings, or to distract counsel or the court.
12. Identification. A person who has obtained approval to use a camera or electronic device may be required to show identification and their approved application request.
13. Procedures for Obtaining Approval to Use a Camera or Electronic Device.
 - (a) Trial Court Proceedings. A person or organization who wants to use a camera or electronic device at a trial court proceeding must submit an application to the court through the area court administrator on a form provided by the area court administrator's office.
 - (b) Appellate Proceedings. A person or organization who wants to use a camera or electronic device at a supreme court or court of appeals proceeding must submit a request to the court through the office of the clerk of the appellate courts on a form provided by the appellate clerk's office.

- (c) Timing. The application must be submitted sufficiently in advance for the judicial officer or clerk of the appellate courts to review and decide the application prior to the beginning of the proceedings and not cause delay. In general, the application should be submitted two business days prior to the proceeding.
 - (d) Acknowledgment. The person must read and agree to follow Administrative Rule 50 and this bulletin.
14. Objections. A party may file a motion objecting to a person's use of a camera or electronic device if it is distracting, effects the fair administration of justice, infringes on their reasonable privacy interests, or creates a security risk. The judicial officer, upon a party's or the judicial officer's own motion, may order coverage to cease until a distraction has been eliminated, limit the coverage, or terminate coverage, if warranted under the circumstances of the case.
15. Judicial Discretion. The judicial officer presiding over a proceeding may alter the foregoing provisions of this bulletin for that particular proceeding upon a showing of good cause.

Date: July 24, 2023

/s/
Stacey Marz
Administrative Director

In Effect Since: September 12, 1989; revised April 15, 2019; revised November 18, 2019; COVID-19 related amendment October 14, 2020; revised July 24, 2023.