

EXPERIMENTAL RULES ON AUDIO COVERAGE IN  
LIMITED NEBRASKA TRIAL COURTS

- I. Purpose; general provisions.
- A. These experimental rules pertain only to audio pickup by broadcasters as defined in II B below.
  - B. These rules shall be effective, on an experimental basis, beginning November 21, 2007, and shall apply in district court judicial proceedings presided over by District Court Judges Paul W. Korslund and Daniel E. Bryan, where experimental audio coverage has been authorized by the Supreme Court of Nebraska pursuant to these rules.
  - C. Nothing in these rules is intended to restrict any pre-existing right of the broadcasters to appear at and to report on judicial proceedings in accordance with law.
  - D. Nothing in these rules is intended to restrict the power and discretion of the presiding judge to control the conduct of judicial proceedings.
  - E. No judicial proceeding shall be delayed or continued for the sole purpose of allowing its audio coverage.
  - F. Audio coverage shall be conducted without disruption of court activities, without detracting from the dignity or decorum of the court, without compromise of the safety or welfare of persons having business before the court, and without adversely affecting the administration of justice.
  - G. The official record of the trial court shall, at all times, remain the record produced by the Official Court Reporter or comparable staff employed by the court for such purpose.

II. Definitions.

For purposes of these rules:

- A. “Audio coverage” or “coverage” shall mean the broadcasting or other transmission to the public of audio signals from the courtroom or the recording of sound from the courtroom for later transmission or reproduction by recognized broadcasters.
- B. “Broadcasters” shall mean Nebraska radio or television stations licensed by the Federal Communication Commission.

- C. “Trial judge” shall mean the judge presiding over judicial proceedings at which audio coverage is authorized pursuant to these rules.
- D. “Judicial proceedings” shall mean (1) criminal sentencings, arraignments, and any other hearings so long as there is no pre-trial evidence at issue which has not yet been ruled admissible by the court; and (2) only those phases of non-jury civil proceedings which are presented in open court, except proceedings in which the interests of minors are involved.

### III. General authorization for audio coverage.

- A. During the experimental period, audio coverage shall be permitted of only those judicial proceedings defined above.
- B. Any party or prospective witness in a civil proceeding and any victim in a criminal proceeding involving a sexual crime shall have the right to object to audio coverage. In the event of such objection, the trial court shall determine whether good cause has been shown and, if so, coverage shall not be permitted.

### IV. Use and deployment of equipment and personnel by broadcasters.

- A. Equipment and personnel.
  - 1. No more than one audio system for broadcast purposes shall be permitted in any proceeding. Audio pickup for all broadcast purposes shall be effectuated through existing audio systems in the court facility. If no technically suitable audio system is available, microphones and related wiring essential for media purposes shall be supplied by those persons providing coverage. Any microphones and sound wiring shall be unobtrusive and placed where designated by the trial judge.
  - 2. Notwithstanding the provision of paragraph 1 of this subdivision, the trial judge, on a finding of special circumstances, may modify any restriction on the amount of equipment or number of operating personnel in the courtroom, compatible with the dignity of the court or the judicial process.
- B. Sound criteria.
  - 1. Only audio equipment that does not produce distracting sound or signal light may be employed to cover judicial proceedings.
  - 2. No light or signal visible or audible to trial participants shall be used on any equipment indicate whether it is operating during coverage.

- C. Location of equipment and personnel. Equipment that is not necessary for audio coverage from inside the courtroom shall be located in a safe area outside the courtroom.
  - D. Movement of equipment and media personnel. During the proceedings, operating personnel shall not move about, nor shall there be placement, movement, or removal of equipment. All such activities shall take place each day before the proceeding begins, after it ends, or during a recess.
  - E. Identifying insignia. Identifying marks, call letters, words, and symbols shall be concealed on all equipment. Persons operating such equipment shall not display any identifying insignia on their clothing.
  - F. The trial judge may impose any other restrictions on the use and deployment of equipment and personnel as may be appropriate.
  - G. Coverage of judicial proceedings shall be subject to the continuing supervision of the trial judge. No coverage shall take place within the courtroom during recesses or at any time when the trial judge is not present and presiding.
- V. Reports.
- A. The trial judges shall file with the Office of the State Court Administrator, P.O. Box 98910, Lincoln, NE 68509, periodic assessments regarding the effect of the coverage upon the proceedings.