

**Rules for Expanded Media Coverage in the Nebraska County Court
of Judge John P. Rademacher, Ninth Judicial District**

In the discretion of the judge presiding, courtroom proceedings may be broadcast, both by audio and video, and may be televised, recorded, or photographed (hereafter collectively referred to as “broadcast”) under the following conditions:

(1) On an interim basis, these rules regarding expanded media coverage apply only to proceedings over which Judge Rademacher is presiding, [i] taking place within the Ninth Judicial District of the State of Nebraska.

(2) Only members of the media as defined below shall be permitted to broadcast, record, televise, photograph, or otherwise broadcast those proceedings set out below.

Media is defined as a representative of a radio or television station licensed by the Federal Communications Commission or a reporter/photographer employed by a recognized news outlet.

(3) The trial judge overseeing the proceeding sought to be broadcast, recorded, or photographed retains sole and complete discretion to terminate the broadcast, recording, or photography (without explanation or warning) at any time during such proceeding.

(4) Cameras and sound equipment of a quality and type approved by the judge presiding in the case will be fixed in place in the courtroom with field of view of the camera and field of range of microphones being approved by the judge presiding over the proceedings. Other than the cameras identified herein, no other camera will be permitted in the courtroom, including a still camera, cell phone camera, or any other digital recording device equipped to take photographs or video recordings. The images produced by the camera in the courtroom should be of such a nature that still images may be retrieved.

(5) The audio broadcast shall include only the statements made in open court and shall not include communications between counsel, between counsel and their clients, or bench conferences between counsel and the court.

(6) Under no circumstances shall images of, or statements from, jurors be broadcast, recorded, televised, photographed, or otherwise broadcast.

(7) Jury selection shall not be broadcast.

(8) The following cases shall not be broadcast: matters involving grand juries, juveniles (persons under 19 years old), [ii] child custody, parenting time, protection orders, paternity cases, and any other cases that the trial judge may determine.

(9) The testimony of certain witnesses may not be broadcast. Those witnesses are as follows: persons under age 19, [iii] a person who claims to be a victim of sexual abuse or sexual assault who will be called upon to testify about the abuse or assault, or a confidential informant whose testimony is about the matter upon which the person informed. Any witness may make a request to prevent that person’s testimony from being broadcast by making application to the judge presiding over the proceeding indicating the reason the witness does not want his or her testimony broadcast.

(10) Upon application of any party or counsel, the court may, in its sole and complete discretion (and without further explanation), determine to not broadcast courtroom proceedings or terminate the broadcast of courtroom proceedings.

(11) Upon application at least 14 days in advance of a scheduled hearing that may be broadcast, the court may, in its sole and complete discretion (and without further explanation), permit other types of broadcast or recording equipment in the courtroom.

The images and sound produced from the courtroom will be available to any broadcast media licensed by the Federal Communications Commission and any print media published in the State of Nebraska on a pool basis.

The overriding principle shall be the guarantee of a fair trial to the litigants. Criteria may change from time to time based on factors which the court has not yet considered and the circumstances of individual cases.

[i] Typically, these would be proceedings in Buffalo and Hall Counties within the Ninth Judicial District of the State of Nebraska.

[ii] This includes juvenile court proceedings, adoptions, guardianship/conservatorship proceedings in which a juvenile is the ward or protected party, and portions of proceedings in which a juvenile is a witness or victim and has been called to the stand to testify.

[iii] If the witness or victim is under the age of 19 years old, but has been emancipated by a prior order of a court of competent jurisdiction in this, or any other State, then such witness or victim will not be considered a juvenile for purposes of this exclusionary rule. Such a witness or victim may qualify for “exclusion” under this rule for another stated reason (i.e., emancipated minor as victim of sexual abuse or assault).

Approved February 1, 2016.