

ADMINISTRATIVE ORDER  
NO. 2023-23

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE AND OSCEOLA  
COUNTIES, FLORIDA

**ADMINISTRATIVE ORDER GOVERNING MEDIA**

The Florida Supreme Court has established rules entitled “Technological Coverage of Judicial Proceedings” which provide standards of conduct and technology governing electronic media and still photography coverage of judicial proceedings. Media coverage of public judicial proceedings is “[s]ubject 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,” Fla. R. Gen. Prac. & Jud. Admin. 2.450(a).

The Court must balance the constitutional right to a free press with the constitutional right to a fair trial. Special interest/high-profile proceedings require procedures and special accommodations to ensure media access without compromising the right of any litigant to a fair and orderly trial. The standards must contain certain safeguards to ensure media coverage will not diminish court proceedings, impede the orderly procedures of the Court, or otherwise interfere with a fair trial.

The lack of a uniform, state-wide definition for media that has kept pace with the dramatic and rapidly evolving use of new technologies, forums, and mediums for gathering and disseminating information and news to the public has posed significant challenges. Traditional media such as newspaper, television, and radio are relatively easy to identify and define. However, with the growth of digital platforms, new types of media not directly associated with television, radio, or newspaper have developed that have not yet been addressed by court rule or by the Florida Supreme Court.

It is within the Court’s discretion whether to permit the use of laptops or similar devices during a court proceeding. There is no court rule or statute specifically allowing laptops or similar devices in a

courtroom<sup>1</sup>. Therefore, the media must be required to display a Court-issued media authorization card for the privilege of using equipment that is not generally allowed otherwise. These cards are the most effective and least burdensome method for court security to identify media and permitted equipment without unduly interfering with their primary duty of providing security.

The presiding judge has the authority to determine if the case they are presiding over is a special interest/high-profile case and whether to invoke the special interest/high-profile case procedures established by this Order.

By the power vested in the chief judge under Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and rule 2.215 of the Florida Rules of General Practice and Judicial Administration, **effective January 1, 2024**, to continue until further order and superseding any provisions in prior Administrative Orders which may be inconsistent, it is **ORDERED**:

## **I. MEDIA DEFINITION AND COURT-ISSUED MEDIA AUTHORIZATION CARDS**

**A. Media Definition:** For purposes of this Order, “media” is defined as: 1) traditional print and broadcast communication channels, such as radio, television, newspapers, and magazines, through which news and information is disseminated to reach or influence people widely, and 2) new media, the next generation of digital or networked information and communication technologies not directly associated with traditional print and/or broadcast media meeting the following:

An independent, previously established online site containing regularly updated original news content above and beyond links, forums, troubleshooting tips, and reader contributions; has covered the judicial branch for six months immediately prior to requesting authorization cards; has content that is thoroughly reviewed by an independent editor before publication; and has a readership of more than 1,000 hits per month.

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<sup>1</sup> As used herein, the word “courtroom” includes courtrooms, hearing rooms, and any other rooms used to conduct court proceedings, unless specifically stated otherwise.

To obtain media authorization cards<sup>2</sup>, media meeting the definition as set forth herein must submit all of the following:

1. Links to two bylined articles referencing the judicial branch clearly displaying publication title and published within the past six months of the date of request; and
2. Either a copy of the current masthead or business card with the name, title, and media entity's logo; or a copy of the online publication homepage and the masthead page with the media representative's name and title appearing in an editorial capacity; or an official letter of assignment from the media entity.

The Court, via Court Administration, will determine whether an entity is media. Fan sites, web logs, or blogs and portable websites do not qualify.

**B. Media Authorization Cards.** Members of the media must display their agency credentials and a Court-issued media authorization card while utilizing any device in a courtroom. Each media agency may obtain ten cards at no cost. Additional cards may be purchased for \$20.00 each. Cards cannot be transferred to others. Lending out a card will result in loss of media privileges and forfeiture of the card. If a member of the media loses their card, they must immediately notify Court Administration. There is a \$20.00 fee to replace lost cards. Media cards issued by other circuits are not valid in the Ninth Circuit.

Applications for cards must be submitted online via the Court's website. Before a card can be issued, media must confirm they have read this Administrative Order, Administrative Order 2023-24, as may be amended, governing cellphone and electronic devices, and Florida Rules of General Practice and Judicial Administration 2.450 governing technological coverage of judicial proceedings. Cards are valid through the end of the two-year renewal period and should be surrendered once expired.

## **II. COVERING COURT PROCEEDINGS**

**A. Decorum:** All media representatives must exhibit proper courtroom decorum and dress

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<sup>2</sup> A limited number of temporary media authorization cards may be available on a case-by-case basis.

professionally at all times. There is no eating, drinking, or gum chewing in court proceedings.

**B. Courtroom Access:** All members of the media may view open proceedings provided there is available seating. Unless otherwise specified by the presiding judge, seating for members of the media is on a first-come basis. Media access to a courtroom is granted at the time the deputy opens the courtroom to the public. All media equipment is subject to search at any time. Members of the media shall not engage in any movement or discussions that attract undue attention.

**C. Pool Camera:** As outlined in Rule 2.450, only one video recording device and operator, one still camera and operator, and one audio recording device and operator are permitted to serve as pool unless additional equipment is authorized by the presiding judge. Any additional video recording equipment, including those not turned on or recording, must remain outside the courtroom. All set-up and breakdown of cameras and recording devices must be done when court is not in session or during breaks. Media may not set-up once a proceeding has begun. Video cameras must be operated from a tripod. Cameras and recording devices must operate silently and not produce distracting light. Photographers must position themselves near the courtroom media panel unless otherwise designated by the judge. Still photographers shall not shoot video, unless no other video camera is present. When recording video, still photographers must coordinate with other media to share pool footage.

**D. Pool Camera Responsibilities:** Assignment of a video and/or still pool camera is the sole responsibility of the media. The video pool camera operator must provide BNC and XLR cables to feed or receive audio and video signal into the courtroom media panel. The pool operator must contact Court Administration's Audio Visual (AV) Department at the number listed on the panel, regardless of whether any other media entity is present at the courthouse facilities, to coordinate routing of the signal to other media. All pool audio is provided by courtroom microphones. Placement or use of additional microphones is prohibited without prior approval of the presiding judge. Additional camera lighting is also prohibited in the courtroom.

E. **Miscellaneous**: Media representatives may not cover “side bar” or “bench” conferences.

There shall be no recording or broadcast of conferences that occur in court between attorneys and their clients, between co-counsel, or between counsel and the presiding judge held at the bench. For court proceedings held outside of the courthouse, such as jury viewings of the scene of the crime, the media shall comply with the instructions of the presiding judge, Court Administration, and the Orange or Osceola County Sheriffs’ Offices.

### III. TRANSMISSION GUIDELINES

A. **Devices**: Credentialed media may use cellphones and laptops pursuant to Administrative Order 2023-24, as may be amended, but not to record or livestream any audio, video, or photographs. Use of an “on-board” microphone is prohibited, including by the pool camera. Cabling of extension cords and power supplies is prohibited in the courtroom, except by the pool camera.

B. **Streaming**: Use of portable signal distribution systems (e.g. portable microwave systems, streaming devices, etc.) within the courthouse facility and livestreaming from the courtroom is prohibited without permission from the presiding judge. All audio and video streaming signals must be sourced through the media pedestal. Contact Court Administration via email at [ctadk11@ocnjcc.org](mailto:ctadk11@ocnjcc.org) or [ctadjs1@ocnjcc.org](mailto:ctadjs1@ocnjcc.org) to coordinate notice of livestreaming requests twenty-four hours prior to the court event.

C. **Media Pedestals**: Media cabling and equipment cannot cross or block vehicle lanes or walkways at any courthouse facility. Please note, in any courtroom that does not have the necessary feed, interested media must share pool audio, video, and photographs when covering proceedings held in such locations.

1. **Orange County Courthouse**: a media pedestal for connection to “live vehicles” is available at the courtyard semicircle located adjacent to Orange Avenue. Media vehicles may only park in the area closest to the courthouse. Vehicles parked in the area farthest from the courthouse, on

sidewalks, or along Orange Avenue are subject to being towed.

2. Orange County Booking and Release Center (BRC): a media pedestal is located in the parking lot outside the main entrance with limited parking available.

3. Thomas S. Kirk Juvenile Justice Center: no media pedestal is available. Media representatives interested in covering proceedings at this facility must arrange among themselves to share pool audio, video, and photographs.

4. Osceola County Courthouse: a media pedestal is available and parking is available in the public parking spaces off Patrick Street.

**D. Routing Signals:** Members of the media wishing to send/receive audio and video signals utilizing the Court's infrastructure must contact the AV Department at least twenty-four hours prior to the court event to ensure timely routing. For requests in Orange County, call 407-836-0522. For requests in Osceola County, call 407-742-2488. If necessary, leave a message with the contact's name and number, and the requested signal path. The on-call AV engineer will respond to the message. Members of the media are strongly encouraged to also contact Court Administration twenty-four hours prior to the scheduled court event by emailing [ctadk11@ocnjcc.org](mailto:ctadk11@ocnjcc.org) or [ctadjs1@ocnjcc.org](mailto:ctadjs1@ocnjcc.org).

**E. Interviews and Additional Footage:** Interviews of jurors after their release from service is at the individual juror's discretion. So as not to interfere with court proceedings or with a litigant's rights, no interviews shall be permitted in the presence of a juror or prospective jurors. No interviews are permitted within any courthouse facility that unreasonably interferes with the safety, security, or movement of persons in any courtroom, doorway, hallway, or other areas of any courthouse facility, or that disrupts any court proceeding. Additionally, members of the media shall not station themselves or their equipment in public areas of the courthouse in any manner that unreasonably interferes with the safety, security, or movement of persons or which is disruptive to any court proceeding. Incidents shall be determined on a case-by-case basis at the discretion of Court Administration or the Orange or

Osceola County Sheriffs' Departments. Further, when court is not in session, media may not film in courtrooms without prior permission from Court Administration. Members of the media must request permission in advance from the respective county prior to setting up tents and other temporary structures and equipment on any court facility grounds.

**F. Conflicts of Interest:** No member of the media is allowed to use a Court-issued media card in any proceeding where they are a party or have a personal interest, such as a relative's proceeding. No member of the media is allowed to record audio, video, or photographs, or in any way report in any proceeding where they are a party or have a personal interest. No person, including members of the media, is allowed to hire, retain, or otherwise engage a company, person, or other entity qualifying as media to record video, audio, or photographs, or in any way report on any proceeding where they are a party or have a personal interest.

#### **IV. ADDITIONAL PROCEDURES FOR SPECIAL INTEREST/HIGH-PROFILE PROCEEDINGS**

**A.** The Chief Judge may instruct Court Administration to implement the special interest/high-profile procedures set forth in this Administrative Order.

**B.** Upon implementation of these procedures, Court Administration will, as soon as possible, hold a meeting of interested media representatives for the purpose of creating a media committee to establish protocols for the specific case.

**C.** The committee shall consist of at least one print media representative, one television broadcast media representative, and one audio broadcast representative, as well as a member of Court Administration. Additionally, representatives from facilities, court operations, the Clerk of Court's Office, the AV Department, and local law enforcement may be asked to sit on the committee as deemed necessary.

**D.** The duties of the media committee shall include:

1. Selection of a committee representative to act as a liaison between the media and the

Court for the duration of the case.

2. Designation of the pool camera positions in accordance with Florida Rules of General Practice and Judicial Administration 2.450.

3. Evaluation of parking needs and availability and, if necessary, facilitation of a lottery system for media parking.

4. Evaluation of available courtroom seating and, if necessary, facilitation of a lottery system for media seating in the courtroom.

5. Determination of a process for dissemination of information to include timely access to examine and photograph submitted evidence.

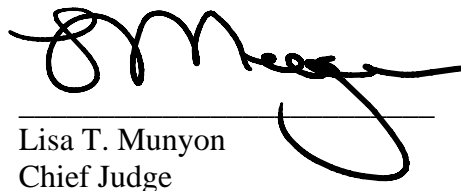
6. Coordination of notices for livestreaming.

7. Identification of other special needs regarding media credentials, access through courthouse security, staging of equipment, additional power requirements, and any other issue.

**E.** At all times, the procedures set forth in this Administrative Order are subject to the authority of the presiding judge or organizing agency. These procedures may be modified to control the conduct of pending proceedings or other events to ensure the fair administration of justice or public safety.

**F.** Administrative Order 07-96-19-04 is vacated and set aside except to the extent that it has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

**DONE AND ORDERED** at Orlando, Florida, this 8<sup>th</sup> day of December, 2023.

  
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Lisa T. Munyon  
Chief Judge



Copies to:

Clerk of Courts, Orange County  
Clerk of Courts, Osceola County  
General E-Mail Distribution List  
<http://www.ninthcircuit.org>