

**IN THE COURT OF CLAIMS OF OHIO**

Application to Broadcast, Record or Photograph Proceedings

*(Must be filed before the proceedings)*

Case No. \_\_\_\_\_

In accordance with L.C.C.R. 18, permission is hereby requested to broadcast, record or photograph proceedings of the Court of Claims at the time and date indicated below with respect to the subject court case, upon the representation that such activity will be so conducted as not to distract (\*) the participants nor impair or interfere with such proceedings while they are in progress.

Name of applicant & media affiliation \_\_\_\_\_

Person(s) who will perform activity \_\_\_\_\_

Type of activity (broadcast, record or photograph) \_\_\_\_\_

Equipment to be used \_\_\_\_\_

Date & time of activity to be conducted \_\_\_\_\_

Case number and caption \_\_\_\_\_

By making this application, applicant agrees to comply with any instructions concerning conduct that the Judge may deem necessary during the course of the proceedings. Applicant certifies having familiarity with Rule 18 of the Local Rules of the Court of Claims and Regulation 13 of the Ohio Judicial Center Building and Grounds Regulations (attached hereto).

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

*\* "To distract" includes unreasonable use of lighting, devices emitting discernible sound, or loading and unloading equipment.*

**COURT APPROVAL**

It is ordered that the foregoing application is hereby approved.

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date

Local Rule 18. CONDITIONS FOR BROADCASTING AND PHOTOGRAPHING COURT OF CLAIMS PROCEEDINGS

(A) **Permission for Broadcasting, Recording by Electronic Means or Photographing.** Except as supplemented by this rule, the provisions of Rule 11 of the Rules of Superintendence for Courts of Common Pleas shall be applicable to requests for permission to broadcast, record by electronic means or photograph proceedings in the court of claims.

(B) **Administration.**

1. **Requests for Permission, When and Where Filed.** Requests for permission to broadcast, televise, record or photograph in the courtroom shall be in writing to the clerk as far in advance as reasonably practical, but in no event later than one work day prior to the courtroom session to be broadcast or photographed unless otherwise permitted by the trial judge. Request forms may be obtained from the clerk's office.

2. **Duty of Clerk Upon Receipt; Duty of Court.** The clerk shall immediately inform the trial judge of the request. The trial judge shall grant the request in writing consistent with Canon 3(A)(7) of the Code of Judicial Conduct, Superintendence Rule 11, and this local rule. Written permission shall be made a part of the record of the proceeding.

(C) **Pooling.** Arrangements shall be made between or among media for pooling equipment and personnel authorized by this rule to cover the court sessions. Such arrangements are to be made outside the courtroom and without imposing on the trial judge or court personnel to mediate any dispute as to the appropriate media "pool" representative or equipment authorized to cover a particular session. In the event disputes arise between or among media representatives, the trial judge may exclude all contesting representatives from the proceeding.

(D) **Equipment and Personnel.**

1. **Television, Videotape or Movie Equipment and Personnel.** Not more than one portable camera (television, videotape or movie), operated by not more than one in-court camera person, shall be permitted without authorization of the trial judge.

2. **Photographic Equipment and Personnel.** Not more than one still photographer, utilizing not more than two still cameras of professional quality with not more than two lenses for each camera, shall be permitted without authorization of the trial judge.

3. **Radio Equipment.** Not more than one audio system for radio broadcast purposes shall be permitted without authorization of the trial judge.

4. **Audio Tape Equipment.** If audio arrangements cannot be reasonably made in advance, the trial judge may permit one audio portable tape recorder at the bench which will be activated prior to commencement of the courtroom session. Audio portable tape recorders may not be used without prior permission of the trial judge.

(E) **Light and Sound Criteria.**

1. **Distracting Equipment.** Only professional quality telephonic, photographic and audio equipment which does not produce distracting sound or light shall be employed to cover courtroom sessions. No motor driven still cameras shall be permitted.

2. **Artificial Light.** No artificial lighting device other than that normally used in the courtroom shall be employed. However, if the normal lighting in the courtroom can be improved without becoming obtrusive, the trial judge may permit modification.

3. **Audio Pickup.** Audio pickup by microphone for all media purposes shall be accomplished from existing audio systems present in the courtroom. If no technically suitable audio system exists in the courtroom, microphones and related wiring essential for all media purposes shall be unobtrusive and located in places designated by the trial judge in advance of any session.

(F) **Location of Equipment and Personnel.**

1. **Location of Equipment.** Court of Claims trials to be heard in Franklin County where media coverage is requested pursuant to this rule shall, to the extent possible, be held in Court Room 1 of the Court of Claims. In the event that the subject trial is a jury trial, one television camera shall be positioned on a tripod in the northwest corner of the court room, but shall not interfere with the jury's access to the jury room. If the subject trial is not a jury trial, one television camera shall be positioned on a tripod in the southeast corner of the jury box. Videotape recording equipment or other technical equipment which is not a component part of an in-court television or broadcasting unit shall be located in a room adjacent to or outside of the courtroom.

2. **Conduct of Operators.** The television, broadcast and still camera operators shall position themselves in a location in the courtroom as directed by the trial judge, either standing or sitting, and shall assume a fixed position within that area. Having established themselves in a shooting position, they shall act so as not to call attention to themselves through further movement. Sudden moves, pans, tilts or zooms by any camera operators are prohibited. Operators shall not be permitted to move about in order to obtain photographs or broadcasts of courtroom sessions, but only to leave or enter the courtroom.

3. **Time for Placing or Removing Equipment.** Television cameras, microphones and taping equipment shall not be placed in, moved about or removed from the courtroom except prior to commencement or after adjournment of the session (the trial judge has not gavelled the proceeding to order or adjournment), or during a recess. Neither television film magazines, rolls or lenses, still camera film, nor audio portable tape cassettes shall be changed within a courtroom except during a recess.

(G) **Miscellaneous.** Proper courtroom decorum shall be maintained by all media pool participants. All media representatives shall be properly attired, in a manner that reflects positively upon the journalistic profession.

(H) **Limitations.**

1. **Audio Pickup of Conferences.** There shall be no audio pickup or broadcast of conferences conducted in a courtroom between counsel and clients, co-counsel, or the trial judge and counsel.

2. **Jurors; Witnesses.** The photographing, filming, videotaping, televising or recording of any juror shall not be permitted. The trial judge shall inform victims and witnesses of their right to object to being photographed, filmed, videotaped, televised or recorded and shall prohibit the photographing, filming, videotaping, televising or recording of any victim or witness who does object.

3. Revocation of Permission. Upon the failure of any media representative to comply with the conditions prescribed by the trial judge, the Rules of Superintendence of the Supreme Court, or this Rule, the trial judge may revoke the permission to broadcast, photograph or record the trial or hearing.

**Ohio Judicial Center Regulation 13. News Conferences.**

(A) **Promotion of public understanding.** The Supreme Court promotes the general understanding of the judicial process by providing maximum public access and exposure to the proceedings of the Court. This access and exposure can be enhanced by news conferences. However, news conferences should not interfere with the dignity and decorum befitting the judicial branch of Ohio government, nor create an impression that judicial determinations may be influenced by direct advocacy at such conferences. The purpose of this regulation is to balance the promotion of public awareness and discussion with the need for the courts, tribunals, and organizations that maintain offices in the Thomas J. Moyer Ohio Judicial Center to conduct their work without the appearance of direct advocacy outside the courtroom setting.

(B) **News conferences within the Thomas J. Moyer Ohio Judicial Center.** A news conference may be conducted within the Thomas J. Moyer Ohio Judicial Center as set forth herein.

(1) **By persons employed in the Thomas J. Moyer Ohio Judicial Center.** A news conference may be conducted within the Thomas J. Moyer Ohio Judicial Center by any person who is employed by any court, tribunal, or organization that maintains an office in the Thomas J. Moyer Ohio Judicial Center pursuant to policies and guidelines established by that court, tribunal, or organization. However, the news conference may be conducted in an area of the building outside the business offices of the court, tribunal, or organization where the person is employed only upon providing notice to the Supreme Court Director of Public Information, who shall coordinate the event with the Supreme Court Office of Facilities Management.

(2) **Regarding litigation.** A news conference regarding pending litigation before a court or tribunal housed in the Thomas J. Moyer Ohio Judicial Center may be conducted within the building by persons involved with the litigation only on the days that the court or tribunal is in session hearing the matter. The news conference may only be conducted in an area of the building designated by the court or tribunal upon consultation with the Supreme Court Director of Public Information, who shall coordinate the event with the Supreme Court Office of Facilities Management.

A news conference regarding contemplated or completed litigation before a court or tribunal housed in the Thomas J. Moyer Ohio Judicial Center is not permitted within the building. This includes impromptu news conferences and media events, such as videographing or photographing the filing of a complaint or other pleading with the clerk of the court or tribunal.

(3) **Regarding other issues.** A news conference by any person not employed by a court, tribunal, or organization that maintains an office in the Thomas J. Moyer Ohio Judicial Center may be conducted in the building on issues other than pending litigation as follows:

- On issues involving the history of the Supreme Court or the judicial branch of Ohio government;
- On issues involving the awareness and understanding of the role of the bar and the judiciary, and the significance of the principle of the rule of law, in a constitutional democracy; principle of the rule of law, in a constitutional democracy;
- On issues involving the study of law and the scholarly comparison of legal systems;
- On issues involving the promotion and understanding of art and architecture and the preservation of historic public places, or the artistic, architectural, and historic features of the Thomas J. Moyer Ohio Judicial Center.

A news conference on any of these issues may be conducted only upon the approval of the Supreme Court Director of Public Information, who shall coordinate the event with the Supreme Court Office of Facilities Management.

(C) **News Conferences on the grounds of the Thomas J. Moyer Ohio Judicial Center.** A news conference may be conducted on the grounds of the Thomas J. Moyer Ohio Judicial Center as set forth herein.

(1) **By persons employed in the Thomas J. Moyer Ohio Judicial Center.** News conferences may be conducted on the grounds of the Thomas J. Moyer Ohio Judicial Center by any person who is employed by any court, tribunal, or organization that maintains an office in the building pursuant to policies and guidelines established by that court, tribunal, or organization, except that the conference may only be conducted at locations authorized by OJC Reg. 12 (Public Demonstrations) for public demonstrations, and upon providing reasonable notice to the Supreme Court Director of Facilities Management and the Supreme Court Director of Public Information that the news conference is scheduled to take place.

(2) **By other persons.** A news conference regarding any issue may be conducted on the grounds of the Thomas J. Moyer Ohio Judicial Center by any person who does not work in the building or by a group or organization that does not maintain an office in the building, except that the conference may only be conducted at locations authorized by OJC Reg. 12 (Public Demonstrations) for public demonstrations.

Effective Date: July 1, 2005  
Amended Effective: March 1, 2013