

STANDING ORDER OF THE 369TH DISTRICT COURT
REGARDING
COURTROOM DECORUM AND MEDIA ACCESS

In the exercise of its inherent power to provide for the orderly disposition of all pretrial and trial proceedings, the court ORDERS, *sua sponte*, as follows:

I.
COURTROOM DEMEANOR

1. In all cases, the atmosphere in the courtroom must be quiet, calm and deliberative. Evidence in a case may be complex, graphic, emotional, and sometimes very tedious. All persons attending proceedings must be willing to commit to a serious attitude.
2. Persons in the courtroom must remain silent during all proceedings. There will be no talking, whispering, shaking of heads, gestures, or any other signals or signs of approval or disapproval of the proceedings.
3. Persons may not cause distractions with devices, books, papers, or other materials during the court proceedings in the courtroom. Devices must be silenced in the courtroom. No one may make voice calls in the courtroom. A person who does not silence his/her device and causes a courtroom disruption and/or distraction is also subject to a fine for direct contempt.
4. There will be no drinks, snacks, or chewing gum in courtroom, except for bottled water used by witnesses, jurors or counsel, with the permission of the Judge.
5. Persons in the courtroom must be dressed in appropriate courtroom attire. This means the best business attire at your disposal. All shirts must be tucked in the waistband. Shorts, t-shirts, jogging suits, and flip-flops are not appropriate courtroom attire.
6. No signs, banners, company or media logos, messages, clothing with messages, or other distracting, disruptive, or potentially improperly prejudicial material may be brought into, worn, or displayed in the courtrooms or security areas.
7. Any attempt by anyone to communicate with or influence a member of the jury panel, juror or alternate, before the return of a final judgment in the trial may be punished as a criminal cause of action and as criminal contempt of court and such other sanctions as deemed by the judge to be necessary for the due and proper administration of justice.

II.
GALLERY SEATING

1. These gallery seating orders apply to all proceedings except jury selection, due to severe space limitations. Very limited gallery seating may be provided during jury selection, depending on the size of the panel.

2. The first two rows of the gallery are reserved for family members, attorneys, staff, witnesses and other participants, unless additional rows are designated by the court. The remaining rows of the gallery of the courtroom will be assigned to the general public during proceedings on a first come, first serve basis each day. The court may specify the placement of media personnel and equipment to permit reasonable coverage without disruption to the proceedings.
3. Seats in the gallery of the courtroom may be reserved for court use as needed to enforce the orders of the court and to ensure the due and proper administration of justice and security.
4. All spectators, public and family, must be seated before court is in session and must remain in the courtroom (except for emergencies) until the next recess is called. No spectators will be admitted while court is in session. Any person may leave anytime, but will only be readmitted after the next recess.
5. The courtroom will be cleared: (i) of the public until thirty minutes before court is scheduled to begin; (ii) for the duration of the luncheon recess, and (iii) no later than thirty minutes after adjournment.

III. **PHOTOGRAPHY AND RECORDING**

1. Except upon advanced written request and subsequent approval by the court, the recording or broadcasting of court proceedings is strictly prohibited. Only members of the media who have received approval by the court may capture video, audio, or photograph inside the courtroom subject to the restrictions below.
2. Recording or broadcasting of proceedings held in chambers, proceedings closed to the public, jury selection, and jury deliberation is strictly prohibited. Additionally, recording or broadcasting of conferences between an attorney and client, between attorneys, or between counsel and the court at the bench is strictly prohibited.
3. Filming, photographing, or recording a potential juror, juror, or alternate juror in the courtroom or in the jury deliberation room is strictly prohibited. Once a final judgment has been entered in the trial, then a potential juror, juror, or alternate juror may voluntarily consent to his/her filming, photographing, or recording.
4. If approved by the trial court, one television camera will be permitted in the courtroom with a tri-pod and operator. A monitor must be set up so that the court can simultaneously view the video coverage. Media may make pool arrangements and designate a pool coordinator to interact with the court. Media logos or proprietary trademarks shall not be displayed on cameras, microphones, other equipment used in court and shall not be displayed on clothing or nametags on media personnel.

5. Any equipment permitted by this order must be set up prior to the hearing time or it will not be allowed. No equipment shall be placed in or removed from the courtroom while court is in session. No equipment may be placed in a way that presents a safety hazard as determined by the bailiff or judge. Media equipment and personnel shall remain in their designated locations at all times when court is in session.
6. No visual recording or photographing of court employees is permitted in the courtroom. This includes the judge, bailiff, sheriff's deputies, court reporter, court coordinator, and others.
7. No audio recording is permitted of conferences involving counsel at the respective counsel tables or bench conferences with the judge. No visual recording of the lips, so as to be readable by a lip reader, of conferences involving counsel at the respective counsel tables or bench conferences with the judge is permitted.
8. Only equipment that does not produce distracting sound or light may be used to cover the proceedings. Artificial lighting may not be used. The court may require media personnel to demonstrate that proposed equipment complies with these rules. Equipment such as film or lenses may not be changed within the courtroom in any manner which is distracting or disruptive to the proceedings.
9. Media personnel operating outside of the courtroom shall not create a distraction and shall withdraw whenever necessary to avoid restricting movement of persons passing through entry doors into the courtroom. Entrance ways and corridors of the courthouse shall be kept clear at all times.
10. **LIMINE ORDER** – Attorneys shall not discuss the cameras or media coverage in the presence of the jury.

IV. **SANCTIONS**

There are no warnings. Any violation of this or any other court order, and any conduct the judge finds disruptive of the proceedings may result in, but not limited to:

1. An order of temporary or permanent exclusion of the offender from the courtroom and security areas.
2. An order of temporary or permanent exclusion of the media organization represented by the offender from the courtroom and security areas.
3. Contempt of court sanctions, punishable by confinement in the Cherokee County jail for a period up to six months and a fine not to exceed \$500.00, for each offense; and
4. Any such other sanctions as deemed necessary by the judge to ensure the due and proper administration of justice.

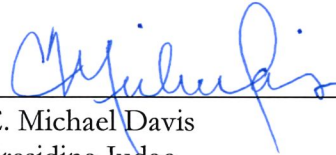
V.

NOTICE OF THIS STANDING ORDER

Notice of this standing order shall be given by the posting in the Cherokee County courthouse, publication on the webpage for the 369TH District Court of Cherokee County, and service upon lead counsel.

This standing order is subject to revision and amendment by the 369TH District Court at such times as may be deemed proper for the due and proper administration of justice in all cases.

SIGNED this 25th day of November, 2019.



C. Michael Davis
Presiding Judge
369TH District Court of Cherokee County, Texas