

**WHITLEY COUNTY COURTS POLICY  
FOR BROADCASTING, TELEVISION, RECORDING OR PHOTOGRAPHING  
COURT PROCEEDINGS**

**I. Definitions.**

- (A) “New media” is defined as persons employed by or representing a newspaper, periodical, press association, radio station, television stations, or wire service and covered by Ind. Code § 34-46-4-1. Members of the general public do not fall under the definition of “news media”.
- (B) “Presiding judge” means the judge, magistrate, commissioner, referee, or any other judicial officer who is scheduled to preside or is presiding over the proceeding in the Whitley Circuit and Superior Courts.
- (C) “Proceeding” means any trial, hearing, motion, argument, or other matter held in open court which the public is entitled to attend.

**II. General Rule.** Except as provided below, consistent with Indiana Code of Judicial Conduct Rule 2.17, the broadcasting, televising, recording, or taking photographs in the courtroom and areas immediately adjacent thereto during sessions of court or recesses between sessions is prohibited.

**III. Media Coverage.**

**(A) General Provisions.**

1. Representatives of the media may use video, still cameras or recorders to cover proceedings in the Whitley Circuit and Superior Courts at the discretion of the presiding judge.
2. Media representatives must give ten days’ notice to the presiding judge or his/her designee of a request to **photograph or record** a proceeding, except for court hearings in which Zoom or other internet platform credentials have been provided to the media in advance pursuant to paragraph 4 of this section. The form attached as Addendum A shall be used as the means for providing notice and must be emailed to [clerk@whitleygov.com](mailto:clerk@whitleygov.com). The request will be shared with counsel of record and parties who appear without counsel. Unless the presiding judge excuses the failure to provide timely notice, no recording of the proceedings will be permitted.
3. The presiding judge may prohibit, limit, or terminate media coverage of an entire case, portions thereof, or testimony of particular witnesses at the presiding judge’s discretion.
4. The presiding judge may elect to provide Zoom credentials to a media representative for hearings that are held in whole or in part via Zoom or similar online platform, such as Microsoft Teams or WebEx. Media representatives shall not attempt to be interactive during a Zoom or other online platform proceeding by verbal, written, or non-verbal communication.

**(B) Limitations.**

1. Coverage of proceedings which are otherwise closed to the public by state statute or Indiana Supreme Court Rule is prohibited.
2. There shall be no audio recording or broadcast of conferences between attorneys and their clients, between co-counsel of a client, between adverse counsel, and no audio or video recording between counsel and the presiding judge during a side bar when counsel is at the bench.
3. The members and prospective members of the jury may not be broadcast, televised, recorded, or photographed.
4. At no time should the ingress or egress of any individual be obstructed or impeded by media representatives, personnel, or equipment.
5. The media shall not broadcast, televise, record or photograph minors; victims of violent offenses, sex offenses, and domestic abuse; jurors; attorney-client communications; bench conferences; materials on counsel tables and the judicial bench; and any other persons or materials designated by the presiding judge.

**(C) Equipment and Personnel.**

1. Use of a TV camera, radio recorder, and still camera, and all related equipment, shall be approved by the presiding judge in advance of the hearing. Media may be required to pool.
2. The media may not use recording devices that are more sensitive than the human ear.

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

1. Equipment shall not produce distracting sound or light.
2. Except as otherwise approved by the presiding judge, existing courtroom sound and light systems shall be used without modification. Audio pickup for all purposes shall be accomplished from existing audio systems present in the court facility or from a television camera's built-in microphone.
3. Court proceedings shall not be interrupted by a reporter or technician because of a technical or equipment problem.

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

1. The presiding judge shall designate the location in the courtroom for media equipment and operators.
2. During proceedings, operating personnel shall not move about nor shall there be placement or removal of equipment.

**(F) Compliance.** Any media representative who fails to comply with this policy shall be subject to an appropriate sanction as determined by the presiding judge.

**WHITLEY COUNTY COURTS  
CAMERAS IN COURT REQUEST FORM**

The Indiana Code of Judicial Conduct Rule 2.17 permits judges to authorize the broadcasting, televising, recording, digital streaming, or photographing of court proceedings of the courtroom by members of the news media as defined in Comment [2] of Rule 2.17.

Thank you for requesting broadcast coverage of a Whitley County Court proceeding. Upon receipt of your request, the Judge will provide a copy of the request to the counsel of record and parties appearing without counsel.

Requests to broadcast court proceedings shall be submitted at least ten (10) business days prior to the proceedings. If media are unable to submit the request with more than ten (10) business days prior to the proceedings, indicate an expedited review of the application and the reason. The Court will work to review expedited requests but cannot guarantee review.

Each request will be carefully considered, and the Court will inform the requester whether it has been denied or granted, and what conditions may apply. For example, the Judge may require media to use a pool camera, and the media will be required to work out the details with their fellow journalists. I understand the Judge has the discretion to approve or deny this request for broadcast coverage; require pool coverage; interrupt, limit, or terminate broadcast coverage at any time during proceeding if deemed appropriate; determine location and quantity of broadcast equipment.

All requests granted may be withdrawn at the sole discretion of the Judge.

**Requestor Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**News Media Organization:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Website:** \_\_\_\_\_

I hereby certify to the Judge that I am a member of the news media as defined in Comment [2] of Indiana Code of Judicial Conduct Rule 2.17: “[2] News media is defined as persons employed by or representing a newspaper, periodical, press association, radio station, television station, or wire service and covered by Ind. Code § 34-46-4-1.”

Any previous requests with the Court?  Yes  No

This request is for: (Check all that apply)

- Audio - Describe equipment: \_\_\_\_\_
- Video - Describe equipment: \_\_\_\_\_
- Still photography – Describe equipment: \_\_\_\_\_
- Recording of a remote hearing
- Pool coverage – This is a request for coverage by a pool camera

Timeline (Check all that apply)

Live broadcast

Delayed broadcast

Date of request submission: \_\_\_\_\_

Is this an expedited request (less than 10 days prior to proceeding)?

Yes. If yes, please explain: \_\_\_\_\_

No

### COURT AND CASE INFORMATION

Whitley Circuit Court

Whitley Superior Court

Court Cause Number: \_\_\_\_\_

Caption of case (example: State vs. John Doe): \_\_\_\_\_

Date of court proceeding: \_\_\_\_\_

Portion of the proceeding to be covered: \_\_\_\_\_

***Note that you may be required by the Judge to provide additional information regarding camera angles and size, and location of the equipment.***

Please email completed form to [clerk@whitleygov.com](mailto:clerk@whitleygov.com)

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FOR COURT USE:

Court action: Granted \_\_\_\_\_ Denied \_\_\_\_\_