

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2024-018 PA/PI-CIR

RE: USE OF ELECTRONIC DEVICES BY THE PUBLIC AND THE MEDIA

Florida Rules of General Practice and Judicial Administration 2.450 and 2.451 govern the use of technology in judicial proceedings. Rule 2.450 addresses technological coverage of judicial proceedings. Rule 2.451 defines electronic devices and addresses the use of electronic devices by jurors and the use of electronic devices in a courtroom or court facility.

Recent technological advancements in consumer electronics, coupled with the installation of wireless technology in many court facilities, now make it more difficult for the presiding judge or quasi-judicial officer and court security to ensure that individuals attending court proceedings or otherwise utilizing court facilities are not photographing, recording, or broadcasting court proceedings, court facilities, or court staff without prior approval. Rules 2.450 and 2.451 vest the presiding judge or quasi-judicial officer and the chief judge with broad authority to control the use of electronic devices in courtrooms, courthouses, and court facilities to ensure decorum and prevent distractions, to ensure the fair administration of justice, and to preserve court security. Rule 2.215(b) also authorizes the chief judge to regulate the use of all court facilities.

Without restricting the ability of the media to cover public judicial proceedings, but to prevent disruptions to court business and court proceedings in a neutral forum free of actual or perceived partiality; to prevent non-approved photography, audio, or visual recordings; to ensure safety and security in the courtrooms and other areas of ingress and egress in the courthouses and other court facilities; and to assist court security in the uniform enforcement of issues related to the use of electronic devices, it is hereby

ORDERED:

1. Definitions

- a. “The public” is defined as any member of the general public who accesses court facilities, or participates in or observes court proceedings. “The public” as used herein does not include credentialed professional journalists or jurors.¹
- b. “The media” is defined as a credentialed professional journalist regularly engaged in collecting, photographing, recording, writing, editing, reporting, or publishing news, for gain or livelihood, who obtained the information sought while working as a salaried employee of, or independent contractor for, a newspaper, news journal, news agency, press association, wire service, radio or television station, network, or news magazine. This definition does not include an advocate or advocacy group or party to any litigation, nor fan sites, web logs, or other personal sites.

¹ The use of electronic devices by prospective and empaneled jurors is controlled by Florida Rule of General Practice and Judicial Administration 2.451(b)-(c).

- c. “News” is defined as information of public concern relating to local, statewide, national, or worldwide issues or events.
- d. “Electronic device” is defined as any device capable of making or transmitting still or moving photographs, video recordings, or images of any kind; any device capable of creating, transmitting, or receiving text or data; and any device capable of receiving, transmitting, or recording sound. Electronic devices include, without limitation, film cameras, digital cameras, video cameras, any other type of camera, cellular telephones, smart phones, tablets, tape recorders, digital voice recorders, any other type of audio recorders, laptop computers, personal digital assistants, or other similar technological devices with the ability to make or transmit video recordings, audio recordings, images, text, or data.
- e. “Court proceeding” is defined as any judicial or quasi-judicial proceeding before a judge, magistrate, or hearing officer held in the Sixth Judicial Circuit, whether held in person or through communication technology. This also includes, but is not limited to, court-adjunct activities such as mediation sessions, arbitration hearings, and juvenile diversion program activities.
- f. “Court facility” is defined as the interior of any building or other structure in which judicial or quasi-judicial proceedings or court-related functions are being conducted, including, but not limited to, the following court facilities in the Sixth Judicial Circuit:

Pinellas County Justice Center & Annex	14250 49 th Street North Clearwater, FL 33762
Clearwater Courthouse	315 Court Street Clearwater, FL 33756
Robert D. Sumner Judicial Center	38053 Live Oak Avenue Dade City, FL 33523
West Pasco Judicial Center	7530 Little Road New Port Richey, FL 34654
Clearwater Historic Courthouse	324 South Ft. Harrison Avenue Clearwater, FL 33756
St. Petersburg Judicial Building	545 1 st Avenue North St. Petersburg, FL 33701

“Court facility” also includes, but is not limited to, those areas for ingress and egress from these buildings or structures, as well as courtrooms, hearing rooms, judicial chambers, offices of court staff, witness rooms, juror assembly rooms, jury deliberation rooms, the offices of the Clerk of the Circuit Court, and adjacent areas such as courthouse lobbies, hallways, stairwells, escalators, elevators, restrooms, break rooms, conference rooms, and reception areas.

2. Use of electronic devices by the public

- a. Use of electronic devices during court proceedings. Electronic devices may not be used for the purpose of photography, videography, audio recording, or broadcasting in any area where a court proceeding is conducted, unless prior approval by the presiding judge or quasi-judicial officer is obtained.
 - i. Members of the public seeking prior approval to use an electronic device for purposes of photography, videography, audio recording, or broadcasting during a court proceeding must present their request to the Public Information Officer (PIO) of the Sixth Judicial Circuit as far in advance of the scheduled proceeding as circumstances permit. The PIO will communicate all requests made under this provision to the presiding judge or quasi-judicial officer, or to the Chief Judge or the Chief Judge's designee, as appropriate. The PIO will then inform the requester whether or not their request was approved.
 - ii. Members in good standing with The Florida Bar appearing before the Court are permitted to operate electronic devices to the extent customarily allowed by the presiding judge or quasi-judicial officer.
- b. Use of electronic devices in court facilities. Electronic devices may not be used for photography, videography, audio recording, or broadcasting in any area used for the operation and administration of the courts. Other uses of electronic devices are permitted if such uses do not disrupt a court proceeding or court operation, threaten to disrupt a court proceeding or court operation, or is otherwise deemed a safety or security threat by law enforcement or security personnel. Areas used for the operation and administration of the courts where photography, videography, audio recording, or broadcasting are not permitted, include, but are not limited to, courtrooms, judges' chambers, conference rooms, offices, service counters, the secure areas in court facilities, and areas where law enforcement or security personnel are engaged in security procedures.

3. Use of electronic devices by the media

- a. Use of electronic devices during court proceedings. Electronic devices used for the purposes of photography, videography, audio recording, or broadcasting may not be operated inside any room in which a court proceeding is taking place or immediately prior to a scheduled court proceeding unless prior approval is obtained from the presiding judge or quasi-judicial officer, the Chief Judge, or the Chief Judge's designee, as appropriate.
 - i. Members of the media seeking prior approval to use an electronic device for purposes of photography, videography, audio recording, or broadcasting during a court proceeding must present their request to the PIO as far in advance of the scheduled proceeding as circumstances permit to allow for coordination among the requesters and placement of electronic devices in the courtroom. Requests will be considered in accordance with Florida Rule of General Practice and Judicial Administration 2.450. The PIO will communicate all requests made under this provision to the presiding judge or quasi-judicial officer and, if necessary, the Chief Judge or the Chief Judge's designee. The PIO will then communicate the decision to the requester.

- ii. Once approval is obtained, an electronic device may be used by a member of the media for sending and receiving written information only if the electronic device is on silent or vibrate modes and does not disrupt the court proceeding. Approved use of electronic devices must comply with Florida Rule of General Practice and Judicial Administration 2.450. The presiding judge or quasi-judicial officer may revoke any approved use of electronic devices if such use becomes disruptive.
- b. Use of electronic devices in court facilities. Electronic devices may not be used by a member of the media for photography, videography, audio recording, or broadcasting in any area used for the operation and administration of the courts without prior approval of the PIO. This includes hallways, common areas of court facilities, or areas primarily used for ingress and egress from interior rooms in the courthouse, as well as the jury assembly room, court administration offices, and judges' chambers.
 - i. Members of the media seeking prior approval to operate an electronic device for purposes of photography, videography, audio recording, or broadcasting in any common area of the courthouse or court facility, except a court proceeding in a courtroom, must present their request to the PIO as far in advance as circumstances permit. If necessary, the PIO will communicate a request made under this provision to the Chief Judge or the Chief Judge's designee. The PIO will communicate the decision to the requester.
- c. Responsibility for damage. Should a member of the media or media equipment damage the courthouse or its facilities, or any of its furnishings or property, it will be the sole responsibility of the media that caused the damage to pay for the appropriate repair.

4. Enforcement

- a. If an electronic device is used in violation of chapter 934, Florida Statutes, the Sheriff of Pasco County and the Sheriff of Pinellas County ("Sheriffs"), or their designees, may take appropriate measures in accordance with their executive authority.
 - b. If an electronic device is operated during a court proceeding or in a court facility in violation of this Administrative Order or other applicable law, the Sheriffs, or their designees, or the presiding judge, as appropriate under the circumstances, will warn the violator to stop operating the electronic device in such manner. If the violator continues to violate this Administrative Order after such warning, the Sheriffs, or their designees, will bring the matter to the attention of the presiding judge or the Chief Judge, as appropriate, or take other action deemed appropriate within their executive authority. Upon the direction of the Chief Judge or other judge, such individual may be issued a trespass warning or may be held in contempt of court or both. Members of the media who violate this Administrative Order may also be prohibited from obtaining future approval for use of electronic devices as outlined herein.
5. The Chief Judge may delegate their authority under Florida Rules of General Practice and Judicial Administration 2.450 and 2.451 to determine the location and placement of approved electronic devices, including, but not limited to, audio systems, microphones, television cameras and equipment, still camera photographers and equipment, light sources, and related

technological devices to the presiding judge or quasi-judicial officer in order to accomplish the orderly administration of justice.

6. Nothing in this Administrative Order may be construed to limit or impair a presiding judge's or quasi-judicial officer's authority to grant, deny, or otherwise respond to a request by a member of the public or the media to operate an electronic device for photography, videography, audio recording, or broadcasting during a court proceeding over which that judge or quasi-judicial officer is presiding.
7. Nothing in this Administrative Order may be construed to limit or impair a presiding judge's or quasi-judicial officer's authority to exclude any items from a courtroom or court facility in which they are presiding to ensure safety or other orderly administration of justice.

Administrative Order 2008-076 PA/PI-CIR is hereby rescinded.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida on this _____ day of May, 2024.

ORIGINAL SIGNED ON MAY 28, 2024
BY SHAWN CRANE, CHIEF JUDGE

cc: All Judges
The Honorable Bruce Bartlett, State Attorney
The Honorable Sara Mollo, Public Defender
The Honorable Chris Nocco, Sheriff, Pasco County
The Honorable Bob Gaultieri, Sheriff, Pinellas County
The Honorable Nikki Alvarez-Sowles, Clerk of the Circuit Court, Pasco County
The Honorable Ken Burke, Clerk of the Circuit Court, Pinellas County
Regional Counsel
Jennifer Parker, Trial Courts Administrator
Michele Emmerman, Deputy Trial Courts Administrator
Bailiff's Office, Pasco County Sheriff
Court Security Division, Pinellas County Sheriff
Bar Associations, Pasco and Pinellas Counties
Law Library, Pinellas County