

## **PIKE TOWNSHIP SMALL CLAIMS COURT POLICY ON MEDIA REQUEST FOR CAMERAS IN THE COURTROOM**

Rule 2.17 of the Indiana Code of Judicial Conduct controls broadcasting and the use of cameras in a courtroom.

**RULE 2.17: Prohibiting Broadcasting of Proceedings** A judge shall prohibit broadcasting, televising, recording, or taking photographs in the courtroom and areas immediately adjacent thereto. However, a judge may authorize:

- (1) the use of electronic or photographic means for the presentation of evidence, for the perpetuation of a record, or for other purposes of judicial administration;
- (2) the broadcasting, televising, recording, or photographing of investitive or ceremonial proceedings; or
- (3) the broadcasting, televising, recording, digital streaming, or photographing of court proceedings or the courtroom by members of the news media under the following conditions:
  - (a) the means of recording will not distract participants or impair the dignity of the proceedings; and
  - (b) the broadcasting is restricted to non-confidential proceedings.

Rule 2.17 is clear that a judge may not allow or permit a member of the public to use a camera in the court. However, a judge is allowed to permit news media to use cameras in the court subject to compliance with Rule 2.17.

All Media request to allow cameras in the Pike Township Small Claims Court must be submitted on a Media Request Form subject to the following rules:

- (1) Media Request forms must be submitted five (5) business days prior to the proceedings.
- (2) Media request that include a request to deviate from the requirement that the request be submitted five (5) days prior to the proceeding must provide an explanation for expediting the process.
- (3) Media Request must be submitted in hard copy to the Office Manager at the Court Office.
- (4) A Media Request Form should not be efiled with the court or treated as a motion.
- (5) A copy of a Media Request Form submitted to the court will be provided to Counsel of record and parties appearing without counsel for the matter that is the subject of the request.

A media Request Form can be found on the Forms page of the Pike Township Small Claims Court website.

Small claims proceedings are generally composed of mass calendars where at least 50% of the litigants are self-represented. The proceedings tend to be very personal and challenging to each litigant. In particular, defendants appearing in eviction proceedings tend to be facing financial challenges that make public attention embarrassing. The court has adopted the following general principles for media coverage of court proceedings in the Pike Township Small Claims Court in recognition of the vulnerability of self-represented litigants facing eviction:

- (1) The court disfavors the use of cameras to photograph the faces of litigants whether in the court room or while conducting business at the public service window for the court.
- (2) The court disfavors recording individual hearings without the consent of all participants.
- (3) The proposed means of recording must not distract participants
- (4) The proposed means of recording must not impair the dignity of the proceedings

The court will balance competing interests in each case to determine if permission should be granted.

**PIKE TOWNSHIP SMALL CLAIMS COURT CAMERA IN COURT  
REQUEST FORM**

The Indiana Rules of Court are clear: Judges have the authority to control access to obtain video and still photography and to dictate courtroom decorum.

The Indiana Code of Judicial Conduct Rule 2.17 permits judges to authorize the broadcasting, televising, recording, digital streaming, or photographing of court proceedings or 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 Pike Township Small Claims 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.

Request to broadcast court proceedings shall be submitted at least five (5) 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 requestor 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 media will be required to work out the details with their fellow journalist.

All request granted may be withdrawn at the sole discretion of the judge.

**REQUESTOR**

Name: \_\_\_\_\_

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

Certification: I certify to the judge that I m a member of the news media as defined in Comment [2] of the Indiana Code of Judicial Conduct 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 Section 34-46-4-1”

Yes  
 No

Phone number: \_\_\_\_\_

Website: \_\_\_\_\_

Any previous request with the Court?

- Yes
- No

Is the request for (Check all that apply)

- Audio
- Video
- Still Photography
- Remote recording of a court's live stream

Pool Coverage

- This is a request for coverage by pool camera

Timeline (Check all that apply)

- Live Broadcast
- Delayed Broadcast

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

Is this an expedited request?

- Yes
- No

If this is an expedited request, please explain why this is an expedited request?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CASE INFORMATION**

Cause number: \_\_\_\_\_

Plaintiff: \_\_\_\_\_

Defendant: \_\_\_\_\_

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

## **COURT RESPONSE TO MEDIA REQUEST FOR CAMERAS IN THE COURT**

The Court having reviewed the Media Request to record, photograph and or broadcast proceedings in the Pike Township Small Claims Court and having considered the particular case at issue and the court responsibilities under Rule 2.17 of the Indiana Code of Judicial Conduct responds as follows:

### **Request Denied:**

- \_\_\_ . The request is denied: requester is not a news media as defined by Comment [2] of Rule 2.17 of the Indiana Code of Judicial Conduct.
  - \_\_\_ . The request is denied: safety and security concerns.
  - \_\_\_ . The request is denied: proceeding is closed to the public, either by state statute or Indiana Supreme Court Rules.
  - \_\_\_ . The request is denied: other, \_\_\_\_\_
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### **Request granted:**

- \_\_\_ . The request is granted, with the following conditions:
    - \_\_\_ . Follow professionalism and decorum as required by the Court.
    - \_\_\_ . Media must pool resources, only one video camera will be allowed.
    - \_\_\_ . Media must pool resources, only one audio feed will be allowed.
    - \_\_\_ . The audio / video / photographs captured must not be broadcast live, but subject to the following condition: \_\_\_\_\_
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- \_\_\_ . The entirety of the proceeding cannot be captured, only certain audio / video / photographs can be obtained subject to the following condition: \_\_\_\_\_
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