

**FORM A**

STATE OF INDIANA )  
 )  
COUNTY OF ELKHART )

IN THE ELKHART CIRCUIT/SUPERIOR COURT

CASE NO: 20\_\_\_\_\_

**REQUEST FOR ACCESS PURSUANT TO JUDICIAL CONDUCT RULE 2.17**

MEDIA AGENCY: \_\_\_\_\_ CHANNEL or other identifier: \_\_\_\_\_

PERSON SUBMITTING REQUEST: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Email: \_\_\_\_\_ TELEPHONE No.: \_\_\_\_\_

1. PORTION OF THE PROCEEDINGS TO BE COVERED (*e.g., particular witnesses at trial, the sentencing hearing, ect.*):
2. DATE OF PROPOSED COVERAGE: \_\_\_\_\_ (*File this form at least ten days before the proposed coverage date. If not feasible, explain good cause for noncompliance*):
3. TYPE OF COVERAGE REQUESTED:
  - a. ☐ Fixed camera positions currently in place in courtroom
  - b. ☐ TV camera and recorder
  - c. ☐ Still camera
  - d. ☐ Motion picture camera
  - d. ☐ Audio
  - e. ☐ Other (*specify*): \_\_\_\_\_
4. ☐ SPECIAL REQUESTS OR ANTICIPATED PROBLEMS
5. ☐ INCREASED COSTS. This agency acknowledges that it will be responsible for increased court-incurred costs, if any, resulting from this media coverage (*estimate*): \$ \_\_\_\_\_  
☐ Amount Unknown

**CERTIFICATION**

I certify that if the court permits media coverage in this case, all participating personnel in this media agency will be informed of and will abide by the provisions of Indiana Rules of Court, Rule 2.17 the provisions of the court order, and any additional restrictions imposed by the court.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)

Telephone No.: \_\_\_\_\_

Email: \_\_\_\_\_

» \_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(SUPERVISORY POSITION IN MEDIA AGENCY)

**DISTRIBUTION LIST**

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

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

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

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

**FORM B**

STATE OF INDIANA )  
)  
COUNTY OF ELKHART )

IN THE ELKHART CIRCUIT/SUPERIOR COURT

CASE NO: 20\_\_\_\_\_

**ORDER ON MEDIA REQUEST FOR ACCESS PURSUANT TO JUDICIAL CONDUCT RULE 2.17**

MEDIA AGENCY: \_\_\_\_\_ CHANNEL or other identifier \_\_\_\_\_  
PERSON SUBMITTING REQUEST (name): \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
Email: \_\_\_\_\_ TELEPHONE No.: \_\_\_\_\_

1. a. ☐ No hearing was held  
b. ☐ Date of hearing: \_\_\_\_\_ Time: \_\_\_\_\_
2. The court considered all the relevant factors as required by Judicial Conduct Rule 2.17
3. ☐ **THE COURT FINDS** ☐ Attached ☐ As follows:
4. The request to photograph, record, or broadcast is
  - a. ☐ **DENIED**
  - b. ☐ **GRANTED** subject to the conditions in Rule 2.17, **AND** the following:
    - (1) ☐ Fixed camera currently in place in courtroom.
    - (2) ☐ The Elkhart County Administrative Rules regulating media activity.
    - (3) ☐ Payment to the clerk of increased court incurred costs of: \$\_\_\_\_\_ ☐ to be determined.
    - (4) ☐ The media agency shall demonstrate to the court that the proposed personnel and equipment comply with Indiana Rules of Court Rule 2.17, and any local rule or order.
    - (5) ☐ Personnel and equipment shall be placed ☐ as directed ☐ as indicated in the attachment ☐ as follows:
    - (6) (i) ☐ The attached statement of agreed pooling arrangements is approved.  
(ii) ☐ A statement of agreed pooling arrangements satisfactory to the court shall be filed before coverage begins.
    - (7) ☐ This order
      - (i) ☐ shall not apply to allow coverage of proceedings that are continued.
      - (ii) ☐ shall apply to coverage of proceedings that are continued.
    - (8) ☐ Other:
6. ☐ The order made on : \_\_\_\_\_ is ☐ terminated ☐ modified as follows:

Date: \_\_\_\_\_

Judge Signature: \_\_\_\_\_

### **FACTORS CONSIDERED BY THE JUDGE IN MAKING THIS ORDER**

1. Importance of maintaining public trust and confidence in the judicial system
2. Importance of promoting public access to the judicial system
3. Parties' support of or opposition to the request
4. Nature of case
5. Privacy rights of all participants in the proceeding, including witnesses, jurors, and victims
6. Effect on any minor who is party, prospective witness, victim, or other participant in the proceeding
7. Effect on the parties' ability to select a fair and unbiased jury
8. Effect on any ongoing law enforcement activity in the case
9. Effect on any unresolved identification issues
10. Effect on any subsequent proceedings in the case
11. Effect of coverage on the willingness of witnesses to cooperate, including the risk that coverage will engender threats to the health or safety of any witness
12. Effect on excluded witnesses who would have access to televised testimony of prior witnesses
13. Scope of the coverage and whether partial coverage might unfairly influence or distract jury
14. Difficulty of jury selection.
15. Security and dignity of the court
16. Undue administrative or financial burden to the court or participants
17. Interference with neighboring courtrooms
18. Maintaining orderly conduct of the proceeding
19. Any other factor the judge deems relevant

### **PROHIBITED COVERAGE**

This order does not permit photographing, recording, or broadcasting of the following in the court:

1. The jury or the spectators
2. Jury selection
3. A conference between an attorney and a client, witness, or aide
4. A conference between attorneys
5. A conference between counsel and the judge at the bench ("sidebars")
6. A proceeding closed to the public
7. A proceeding held in chambers
8. Victims of violent offenses, sex offenses, domestic abuse and family violence
9. Materials on counsel tables and judicial bench and court staff tables

### **MEDIA PERSONNEL AND EQUIPMENT**

NOTE: These requirements apply unless the judge orders otherwise. Refer to the order for additional requirements.

1. No more than one television camera
2. No more than one photographer
3. no more than one microphone operator and no obtrusive microphones or wiring
4. No operator entry or exit or other distraction when the court is in session
5. No moving equipment when the court is in session
6. No distracting sounds or lights
7. No visible signal light or device that shows when equipment is operating
8. No disruption of proceedings, nor public expense, to install, operate, or remove modifications to existing sound and lighting systems
9. No media agency insignia or marking on equipment or clothing

### **SANCTIONS FOR VIOLATING THIS ORDER**

Any violation of this order or Rule 2.17 is an unlawful interference with the proceedings of the court. The violation may result in an order terminating media coverage, a citation for contempt of court, or an order imposing monetary or other sanctions.