

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF APACHE
MICHAEL LATHAM, PRESIDING JUDGE

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2019 JUL 22 PM 4:45
ANNELL HOUNSHELL, CLERK
APACHE CO SUPERIOR COURT

In re the Matter of:

**REGULATING USE OF PHOTOGRAPHIC
AND VIDEO RECORDING DEVICES IN A
COURTHOUSE AND OTHER COURT FACILITIES
OUTSIDE OF COURTROOMS**

ADMINISTRATIVE
ORDER

No. 2019-003

The presiding judge is responsible for establishing court security policies and procedures in accordance with Rule 122.1 and Supreme Court Administrative Order Nos. 2017-79 and 2012-22, which recognize “the safety of those who participate in the judicial process is essential to serving the citizens and doing justice in all cases” and therefore, the need to protect the privacy and security interests of crime victims, individuals seeking protective orders, witnesses, and jurors, and to ensure the safety of all who visit or work in court facilities.

Many people at a court facility are compelled to be there for jury service, to appear as a witness, including undercover law enforcement officers, or to conduct business that is private or not yet public and can only be done at a court. Having their image recorded and displayed on the internet can put these persons in jeopardy, expose them to embarrassment and intimidation, and discourage participation in the judicial process. Additionally, recordings of the interior of court facilities, including security officers and devices could be used to circumvent court security protocols.

IT IS THEREFORE ORDERED, except as provided in this Order, that all types of video recording, photography, including sharing video or live-streaming to social media sites, or other types of broadcasting (hereinafter collectively referred to as “recording”) are prohibited in any facility during its use as a court; building entrances, exits, and adjacent restricted parking areas unless the person proposing a recording obtains advance written consent of the subjects and permission of the presiding judge or designee. This prohibition extends to recording the inside of a court facility through a door or window. This prohibition also extends to court offices not located in a courthouse.

IT IS FURTHER ORDERED, that a person who seeks to make a recording in a court facility other than a courtroom must submit a written request to designated court staff that provides the name of the requester, the written consent of persons to be recorded, and the proposed recording location, date, time, and manner. To assure timely response, the request should be made at least two business days prior to the proposed

date. If permission for the proposed activity is denied due to an unacceptable location, date, time, or manner, and some alternative is acceptable, the court must inform the requester of that alternative.

IT IS FURTHER ORDERED that scheduled court-connected ceremonial proceedings, such as adoptions and marriages, or other events may be recorded without written permission subject to the authority of judges, Clerks of the Court, or court administrators to limit or terminate recording that is disruptive to court operations or that compromises court security.

IT IS FURTHER ORDERED that recording is permitted at the following courthouse locations: (e.g. museum space, photographs of historic courthouse features, etc.)

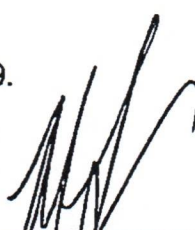
IT IS FURTHER ORDERED that this Order does not prohibit use of a personal recording device or scanner to copy a case file document that is otherwise available for public inspection and copying. This Order does not extend to offices at a court facility occupied by non-court agencies such as city or county attorney, city clerk, or public defender.

IT IS FURTHER ORDERED that a law enforcement officer with a body-worn camera may activate the recording function of the camera when providing security within a court facility or when responding to a call for law enforcement assistance.

IT IS FURTHER ORDERED that court personnel provide notice and enforce this order as follows:

1. The court will post a copy of this Order on the court's web site.
2. The court will post a warning sign regarding the conduct prohibited by this Order at every public entry point of facilities governed by this Order.
3. Assigned court staff or security officers who observe a person violating this Order will:
 - a. advise the person of the violation orally,
 - b. provide a written Photography and Video Recording Violation warning,
 - c. direct the person to immediately stop and delete the recording,
 - d. if the person does not comply, direct the person to leave the facility, and
 - e. if the persons does not comply, call law enforcement.

Dated this 22 day of July, 2019.



MICHAEL LATHAM
Presiding Judge

Original: Filed with Annell Hounshell, Clerk of the Court
Copy: Troy Czarnyszka, Court Administrator/Chief of Security [em]
Hon. Butch Gunnels, St. Johns Justice/Municipal Court [em]
Hon. Marsha Gregory, Round Valley Justice/Springerville Magistrate Court [em]
Hon. Steve Williams, Eagar Magistrate Court [em]
Hon. Jay Yellowhorse, Puerco Justice Court [em]
Hon. Victor Clyde, Chinle Justice Court [em]