

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR AND DISTRICT COURT DIVISIONS

WAKE COUNTY

In Re:

**JOINT DISTRICT AND SUPERIOR COURT
ADMINISTRATIVE ORDER REGARDING
AUDIO, VIDEO, AND PHOTOGRAPHIC
RECORDING OF JUDICIAL PROCEEDINGS**

ADMINISTRATIVE ORDER

THIS ADMINISTRATIVE ORDER is being entered to facilitate the fair and proper administration of justice, preserve the dignity and respect due to a court during proceedings, and protect the privacy of jurors. The undersigned enter this Administrative Order pursuant to the inherent authority of the court and pursuant to their administrative supervision and authority over the operation of the Superior Courts and District Courts under N.C.G.S. 7A-41.1 and N.C.G.S. 7A-146 as Senior Resident Superior Court Judge and Chief District Court Judge, respectively, for the Tenth Judicial District of North Carolina, and more particularly pursuant to Rule 15 of the General Rules of Practice for the Superior and District Courts and N.C.G.S. § 9-4(b). This Order applies to public judicial proceedings in the 10th Judicial District.

IT IS HEREBY ORDERED that:

1. The 10th Judicial District Local Rule: Audio, Visual & Photographic Recording of Judicial Proceedings, attached hereto, is adopted as an Order of the District and Superior Courts of the 10th Judicial District.
2. A violation of this Order may result in the violating party being found in criminal contempt, subjecting that person/entity to a fine or imprisonment.
3. This Administrative Order shall remain in effect until such time as it is modified or withdrawn by subsequent Administrative Order.

Entered in chambers, in Wake County, North Carolina, this the 24th day of June, 2024, to be effective on and after the 24th day of June, 2024.



Paul C. Ridgeway
Senior Resident Superior Court Judge
10th Judicial District



Margaret Eagles
Chief District Court Judge
10th Judicial District

10th Judicial District Local Rule: Audio, Video, and Photographic Recording of Judicial Proceedings

(a) **Scope.** Recording of judicial proceedings is only allowed under the conditions set out in this rule. This rule establishes the special conditions for recording and electronic media coverage of judicial proceedings, including proceedings conducted virtually. The rule is subject to the discretion of the judge presiding in any judicial proceeding. This rule does not apply to recordings or transmissions made by courthouse staff in the execution of their duties.

(b) **Definitions.**

- (1) “Recording” means creating or storing an audio or visual recording or image, including still and video photography, in any medium by any electronic or mechanical device or transmitting audio, an image, or video from a judicial proceeding to another location.
- (2) “Electronic media coverage” consists of recording by a journalist, as defined in N.C.G.S. § 8-53.11, for use or dissemination by any news medium accessible to the general public.

(c) **Permissible Recording.** The recording of judicial proceedings, including remote proceedings conducted on internet platforms or by conference call, is only permitted with the approval of the presiding judge. When recording is permitted by the presiding judge, all recording is subject to the following conditions:

- (1) the presiding judge shall at all times have authority to prohibit, terminate, or otherwise further limit the recording of judicial proceedings in the courtroom or, where circumstances require, the common areas or corridors proximate thereto;
- (2) the recording of judicial proceedings that are not open to the public is prohibited, such as adoption proceedings, juvenile proceedings, child custody proceedings, proceedings involving trade secrets, and in camera proceedings;
- (3) the recording of testifying witnesses of the following types is prohibited: police informants, minors, undercover agents, and relocated witnesses;
- (4) witnesses identified as victims or families of victims of sex offenses may only be recorded with their consent;
- (5) the recording of jurors is prohibited at any stage of a judicial proceeding, including that portion of a proceeding during which a jury is selected; and
- (6) persons authorized to record judicial proceedings are prohibited from recording the audio of attorney conversations outside of open presentation to the court, including conversations between attorneys and their clients, between co-counsel or an attorney and

their staff, between adverse counsel, or between counsel and the presiding judge held at the bench. Those who are approved to record judicial proceedings are required to:

- (a) Cease all recording when court is not in session, including during brief recess;
 - (b) Take appropriate steps to minimize the risk of inadvertently recording such conversations when court is in session; and
 - (c) Promptly delete any inadvertent recordings and notify the recorded individuals of the inadvertent recording.
- (7) At all times, permitted recording of judicial proceedings must be conducted in a manner to minimize disruption to regular court operation, maintain decorum, and ensure litigants' rights to a fair and impartial proceeding.

(d) **Violations of This Rule.** Permitted recording of judicial proceedings must comply with requirements imposed by this Local Rule, as well as Rule 15 of the General Rules of Practice for the Superior and District Courts promulgated by the North Carolina Supreme Court, any relevant conditions or restrictions imposed by Wake County Government with respect to recording within county facilities, and any other applicable law or rule. The person engaged in permitted recordings is responsible for knowing and understanding the requirements of these rules and laws. This Rule is a standing order of the Court, and violation of this rule shall be considered contempt of court.

(e) **Obtaining Permission to Record.** To obtain permission to record a judicial proceeding, a request should be emailed to wake.media@nccourts.org with a description of the proceeding for which permission is sought, and, if known, the date, time, courtroom, and the presiding judge. The request shall also itemize the equipment that will be used to record the proceeding. Journalists seeking electronic media coverage of a judicial proceeding shall identify the entity with whom the journalist is affiliated and indicate whether live-streaming is requested. To ensure timely consideration of a request for permission, requests should be emailed no later than 48 hours prior to the judicial proceeding; however, court personnel will make reasonable efforts to respond to requests for permission that cannot be made 48 hours prior due to the emergent nature of the hearing or other similar circumstances.

(f) **Pooling Arrangements.** When necessary and appropriate, the Court may impose requirements for members of the media to arrange for the sharing of a single recording device through a pooling arrangement when multiple journalists or media organizations wish to record the same judicial proceeding.

(g) **Impermissible Use of Media Material.** No recording of a judicial proceeding covered by this rule is an official court record. Such recordings may not be relied upon as evidence of a court record in the proceeding out of which it arose, any proceeding subsequent and collateral thereto, or upon any retrial or appeal of such proceedings.