

**IN THE FIFTH JUDICIAL DISTRICT
LYON AND CHASE COUNTIES, KANSAS
ADMINISTRATIVE ORDER NO. 2018-31**

WHEREAS, the Supreme Court of Kansas has issued its Rule No. 1001 relating to media coverage of judicial proceedings, and, its Rule No. 1002 relating to non-media use of electronic devices in judicial proceedings; and,

WHEREAS, it is the intent of the Fifth Judicial District to be in full compliance with said rules and to adopt local orders to implement the same;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. Ruth A. Wheeler, Court Administrator of the District Courts, 620-340-8295, is hereby appointed and designated as media coordinator for the Fifth Judicial District; in her absence, Julie J. Cooper, Clerk of the District Court of Lyon County, 620-341-3280 or Barbara J. Davis, 620-273-6319, Clerk of the District Court of Chase County, shall serve as media coordinator. In the event of the unavailability of all three coordinators, Julie Whitney, Chief Court Services Officer of the District Courts, 620-341-3383, may be contacted.
2. The media coordinator shall be responsible for consulting with the Chief Judge or any assigned trial judge to implement SCR 1001 and SCR 1002 in the District Court.
3. Except as otherwise permitted by the Chief Judge or his/her designated District Judge pursuant to this rule, all cameras, audio recorders, and electronic communications devices are hereby banned from the entire floor on which any court proceeding is conducted.
4. Neither a Judge nor any staff will be available for interviews at any time during the pendency of a case, but scheduling advisories may be issued by the media coordinator or Clerk of the District Court.
5. All requests, inquiries, or scheduling for cameras or audio recording devices in a courtroom or a court floor must be made through the designated media coordinator.
6. a. Pursuant to Kansas Supreme Court Rule 1001 (e)(7) (2012 Kan. Ct. R. Annot. 847, at 849), no audio recording or photographs may be made of participants in court proceedings who are a victim or witness of a crime, a law enforcement informant, an undercover agent, a relocated witness or a juvenile or if the court proceeding is an evidentiary suppression hearing, a divorce proceeding or a case involving trade secrets. In order to facilitate trial court compliance with this rule, it is expressly ordered that no photograph, video recording or audio recording may be made of any victim or witness in any type of court proceeding except upon the express permission of the assigned trial judge. In the event any photograph, video recording or audio recording is sought of any victim or witness, persons or organizations seeking permission shall file the request with the media coordinator at least 7 business days in advance of the hearing and shall identify by name the identity of any participant identified in the Supreme Court Rules

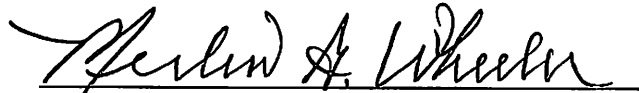
noted above. Blanket requests for photography or recording of persons not specifically identified shall be rejected. Upon receipt of a qualifying request in a criminal proceeding, the media coordinator shall notify the assigned trial judge who shall see that notice is given to the office of the County Attorney (or other prosecuting office) and any defense attorney of record of the request together with an opportunity to express any objection to the request, which shall be accompanied by any reasons for the objection. Notice in any other type of case shall be to all counsel of record for the parties.

Assigned trial judges shall have authority to increase or waive the advance notice requirement in their discretion or require notice to be given to any other person deemed advisable.

- b. No video, still photography or interviews of persons in the public areas and/or hallways on courtroom floors in the courthouse will be permitted, except upon express authorization of the Chief Judge, or in his absence, the assigned District Judge.
 - c. In the absence of permission of the presiding judge, any electronic device as described in SCR 1002 must be turned off, put away and out of sight in the courtroom. Court personnel, counsel of record in the case being heard, and unrepresented parties appearing before the court may use an electronic device if the sound is off, no disruption occurs and that person is seated above bar in the area designated for use of counsel and the parties, but said use shall not be for oral communication during a court proceeding unless permitted under SCR 145. Violation of this rule may result in confiscation of the device during the remainder of the proceeding.
7. All uses of electronic devices and electronic and photographic recordings shall be conducted in accordance with the provisions of Supreme Court Rules 1001 and 1002.
 8.
 - a. Media representatives may obtain their information as to court events from documents filed with the Clerk of the District Court and/or from the proceedings which occur in the courtroom or from the media coordinator. Court schedules, subject to daily changes, are also available on the web site at www.5thjd.org. Case files and documents in the court's chambers area are considered work in progress, and will be available for media review only upon return to the Clerk for filing.
 - b. Media representatives will be issued identifying badges; Media representatives must display these badges whenever in the courtroom or on a court floor.
 9. This order does not include any designation of a media coordinator for any municipal court within the Fifth Judicial District. This rule is not intended to govern the conduct of any proceedings in any municipal court within this district.
 10. This order shall be effective immediately upon execution and shall remain in effect until further order of the Court. In the event of future revisions to Supreme Court Rules 1001 or 1002, this Order shall be construed as implementing said revisions.

11. This order supercedes Administrative Orders No. 2008-20, 2010-09, 2012-45 and 2013-21 which are hereby revoked.

IT IS SO ORDERED as of the 27th day of December, 2018.


Merlin G. Wheeler, Chief Judge