

Provisional Policy on Media Use and Placement of Equipment and Personnel (9/3/19)

The Court Administrator approved this policy pursuant to Administrative Order 46 § 2. This policy applies to all media registered under that Administrative Order. A “device” means anything “that can record or transmit or receive transmissions of data, images, or sounds, or can access the internet.” V.R.C.P. 79.2(b)(4), V.R.A.P. 35(b)(5).

Courthouse Name: Vermont Superior Court, Bennington Criminal & Family Division

Courthouse Address: 200 Veterans Memorial Drive, Bennington, VT 05201

Courtroom Name/Number: 3rd Floor Courtroom 3

Authorized number/types of devices: *Up to three devices and three operators are permitted in the area for media. If more than three media members seek to record or transmit, then pooling is required for operators using substantially the same device for the same purpose or media may request additional access from the Court.*

Location of device and operators: *Operators and devices must be located in the gallery section of the courtroom in the benches behind the jury box. Media recording audio only may be seated in the front row if they are unable to use the court’s audio system.*

Audio: Audio recording admitted per outlined above or by accessing the Court public address system.

All Operators Must Comply with the Following:

- No person may use a device to communicate orally.
- No device may be operated in a manner that makes a distracting sound.
- Bench conferences, conferences between co-counsel, and activity during a recess may be recorded or transmitted visually, but not orally.
- Proceedings in chambers may be recorded or transmitted only by permission of the judge.
- Conferences between counsel and client may be recorded with visual still images, but not recorded or transmitted orally or with video.
- Activities of the jury and images of jurors or prospective jurors may not be recorded or transmitted. The court may permit visual recording of trial participants that necessarily includes the seated jury on terms that protect the jurors’ identity.
- Any required pooling arrangements are the media’s sole responsibility without court mediation.
- No artificial lighting equipment is allowed.
- Unless specifically authorized in the policy, no equipment operator may move from the area specifically assigned to that operator. No operator may move about to attract attention to the operator.
- Except for hand-held devices, equipment must be placed in or removed from the courtroom prior to commencement or after adjournment of proceedings.
- Audio pickup is from existing audio systems. If there is no technically suitable audio system, any necessary wiring or microphones must be unobtrusive (including removing microphone ID flags of microphones places inside the bar) and located in places designated above.