

UNITED STATES DISTRICT COURT • SOUTHERN DISTRICT OF FLORIDA

To: Members of the News Media

From: Angela E. Noble, Court Administrator · Clerk of Court

Date: December 2, 2019 (Updated December 31, 2020)

Subject: **Authorization to Bring in Electronic Equipment Pursuant to Administrative Orders 2018-79 and 2019-87A**

Administrative Order 2018-79, signed by Chief Judge K. Michael Moore on October 17, 2018, vacates Administrative Orders 2006-16, 2008-07, 2009-12, 2011-108 and 2015-21. Administrative Order 2019-87A, signed by Chief Judge K. Michael Moore on November 14, 2019, further limits the use of electronic devices in buildings housing federal courthouses. News reporters must agree in writing to abide by the terms set forth in Administrative Order 2018-79 and 2019-87. By signing below, you are specifically:

- acknowledging receipt of a copy of Administrative Orders 2018-79 and 2019-87A;
- agreeing to comply with Administrative Orders 2018-79 and 2019-87A, in all respects, including but not limited to use their electronic device inside the District's courtrooms only in text function mode consistent with this Order. Reporters also must agree in writing to not record or transmit in any way audio, still photography, or video from anywhere inside courthouses nor from inside courtrooms, including any lobby areas, of any building housing a federal court, and agree to not transmit a live feed of any of the aforementioned at any time. Nor may reporters create a verbatim record of any proceeding; and,
- acknowledging that a knowing or willful violation of the agreement will result in contempt of court.

District and Magistrate Judges retain the discretion to maintain order in their courtrooms should the entry and exit of news reporters become disruptive in a particular proceeding.

Upon submission, your name will be added to a list of reporters who have signed such agreement and the list will be made available to Court security personnel assigned to each Courthouse.

This authorization expires on December 31, 2021, and must be renewed on an annual basis. Please email your completed form and a copy of your press credentials to: press_request@flsd.uscourts.gov. Please allow two (2) business days for processing.

Please contact the Executive Office at (305) 523-5001 if you have any questions or need additional information. Thank you.

Reporter's Name (please print)

Date

Reporter's Signature

News Agency (please print)

E-mail address

Contact phone number

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2018-79

IN RE:

CELLULAR PHONE AND ELECTRONIC
EQUIPMENT USAGE IN THE COURTHOUSE



At a regularly scheduled Judges' Meeting, the current policy regarding cellular phones and mobile electronic devices in the federal courthouse facilities within the Southern District of Florida was reviewed. The Court vacates Administrative Orders 2006-16, 2008-07, 2009-12, 2011-108 and 2015-21. This Administrative Order is intended to supersede those orders in their entirety.

In view of the Judicial Conference of the United States' policy and the prohibitions contained in Federal Rule of Criminal Procedure 53 and Southern District of Florida Local Rule 77.1 against live broadcasting from inside courtrooms, this Administrative Order prohibits text messaging, emailing, recording, photographing, and the general use of mobile electronic devices from inside courtrooms, unless authorized by this Order or the presiding judicial officer. The restrictions in this Order aim to preserve the sanctity of the courtroom and avoid the disruption of ongoing judicial proceedings. It is further

ORDERED that the following procedures will be strictly adhered to regarding the introduction of electronic equipment into the federal courthouse facilities within the Southern District of Florida:

I. Electronic Devices.

All electronic devices including but not limited to Cellular Phones, Pagers, Personal Data Assistants (PDA), Laptop Computers, Tape Recorders, etc., are prohibited from being brought into any federal courthouse facility within the Southern District of Florida with the following exceptions:

- A. A written request signed by a judge or other designated authority, forwarded to the United States Marshal for verification, allowing a specific person access to the courthouse with a specific electronic device for a specific purpose and period of time; or,

- B. Any federal courthouse employee (United States Probation, Clerk's Office, Chambers Staff, and United States Marshals Service) with valid permanent government employee identification; or,
- C. Any attorney or employee of the United States Attorney's Office, the Federal Public Defender's Office or the United States Bankruptcy Trustee with a valid identification card issued from that office; or,
- D. Any Special Agent for the United States Government or other law enforcement officer authorized to enforce the law within the Southern District of Florida, having official business within the courthouse facility and possessing a valid agency/department issued identification badge; or,
- E. Any attorney permitted to practice law within the Southern District of Florida with a valid Florida Bar identification card or pro hac vice order having business within the facility. This applies to attorneys only and precludes staff, investigators, clients, etc.; or,
- F. Prospective jurors and seated jurors and witnesses with subpoenas shall be permitted to bring in their cellular phones (with or without their integrated cameras) and electronic book readers of any kind, including but not limited to Kindles, Nooks, iPads, and any type of electronic tablet reading device; or,
- G. Upon application and approval, news reporters may bring into courthouses cellular phones, mobile electronic devices and laptops, and may utilize the wireless capabilities of those devices, as long as the news reporters agree in writing to use their electronic device inside the District's courtrooms only in text function mode consistent with this Order. Reporters also must agree in writing to not record or transmit in any way audio, still photography, or video from anywhere inside courthouses nor from inside courtrooms, and agree to not transmit a live feed of any of the aforementioned at any time. Nor may they create a verbatim record of any proceeding. They must acknowledge in writing that a knowing or willful violation of the agreement will result in contempt of court. The Clerk of Court shall keep the list of reporters who have signed such agreement and make that list

available to Court security personnel assigned to each courthouse. District and Magistrate Judges retain the discretion to maintain order in their courtrooms, which includes the right to lock their courtrooms should the entry and exit of news reporters become disruptive in a particular proceeding.

- H. This general prohibition shall not preclude attorneys, employees, deputy marshals, CSOs, registered reporters or other persons exempted under paragraphs A-E and G (excluding jurors) from using their devices in courtrooms including the spectator galleries, unless directed to the contrary by the presiding judge. Absent a more restrictive order (i.e., a specific judge's standing order or an order entered in a specific case), only the text functions that do not involve speaking or voice functions of electronic devices (such as typing documents, emailing, text messaging and reading/reviewing documents) may be used in a non-disruptive manner in courtroom while proceedings are in session. Users of electronic devices under this subsection H may connect to the Internet and transmit communications so long as no audio, still photography or video is recorded or in any way transmitted. Electronic devices must be silenced and only keyboards that can be operated quietly will be allowed.
- I. Upon a written order signed by a judge and verified by the United States Marshals Service, attendees of naturalization hearings shall be permitted to bring into the federal courthouses their cellular phones (with or without integrated cameras) and cameras with the limitation that their use continue to be prohibited inside the District's courtrooms unless specifically permitted by the presiding judge.

II. **Cameras and Cellular Phones with Integrated Camera Device.**

Pursuant to Southern District of Florida Local Rule 77.1, cameras of any type are not allowed in any of the federal courthouse facilities without a written order signed by a judge and verified by the United States Marshals Service except for attendees of naturalization hearings. Notwithstanding that Local Rule, those persons permitted to bring a cellular phone into a federal courthouse facility, pursuant to the exceptions listed, may bring that cellular phone, even if it contains an integrated camera device, into any federal courthouse facility. **No cellular**

phones of any kind may be used as a camera or recording device in a courtroom or jury deliberations room. No photographs of any kind may be taken in any federal courthouse facility except in connection with naturalization hearings. It will be within the discretion of the presiding judge whether photographs are allowed to be taken inside the courtroom during naturalization hearings or other special proceedings, ceremonies or events.

The United States Marshals Service is to continue to inspect all cellular phones and other electronic equipment as they are brought into the federal courthouse facilities as directed to protect the Bench, Bar, and public from harm. It is further

ORDERED that persons not meeting at least one of the exceptions listed will not be permitted to bring an electronic device of any kind, including a cellular phone, into the federal courthouse facilities within the Southern District of Florida (i.e., the general public, etc.). It is further

ORDERED that no individual, federal employee, attorney, Special Agent for the United States Government or other law enforcement officer shall bring in a cellular phone or any electronic equipment for another individual who does not meet one of the exceptions listed above. It is further

ORDERED that the penalty for knowing or willful violation of this Administrative Order includes a sentence of 30 days in jail and/or a fine of \$5,000.00; and/or punishment for contempt of court. *See* Local Rule 77.1; 41 C.F.R. §§ 102-74.385; 102-74.420; 102-74.450; 18 U.S.C. § 401.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida,
this 17th day of October, 2018.

K. Michael Moore
Digitally signed by K. Michael Moore
DN: cn=K. Michael Moore, o=Southern District of Florida,
ou=United States District Court,
email=k_michael_moore@fisd.uscourts.gov, c=US
Date: 2018.10.17 12:54:29 -04'00'

K. MICHAEL MOORE
UNITED STATES CHIEF DISTRICT JUDGE

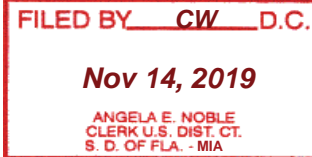
Copies furnished as follows:
See attached

- c: All Southern District Judges
- All Southern District Bankruptcy Judges
- All Southern District Magistrate Judges
- James P. Gerstenlauer, Circuit Executive, Eleventh Circuit
- United States Marshal
- United States Attorney
- Federal Public Defender
- Court Administrator · Clerk of Court
- Clerk, Bankruptcy Court
- Chief Probation Officer
- Library

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

AMENDED ADMINISTRATIVE ORDER 2019-87

In Re: Filming in Federal Courthouse
Buildings in the Southern District of Florida



At a regularly scheduled Judges' Meeting, the current policy regarding the use of electronic devices in the federal courthouse facilities within the Southern District of Florida was reviewed. On October 17, 2018, Administrative Order 2018-79 was entered limiting the types of electronic devices that may be brought into, and used in, any federal courthouse facility within the Southern District of Florida. As stated in paragraph II of Administrative Order 2018-79, and pursuant to Local Rule 77.1, ". . . cameras of any type are not allowed in any of the federal court facilities without a written order by a judge and verified by the United States Marshals Service except for attendees of naturalization ceremonies." The policy further states "**No cellular phones of any kind may be used as a camera or recording device in a courtroom or jury deliberations room. No photographs of any kind may be taken in any federal courthouse facility except in connection with naturalization hearings.**" Upon further consideration, based upon the majority vote of Judges in attendance considering the matter, it is

ORDERED that the policy prohibiting the use of cellular phones as a camera or recording device will now include prohibiting photographing or filming in all lobby areas of any building housing a federal court. The language¹ of paragraph II of Administrative Order 2018-79 is amended as follows:

II. Cameras and Cellular Phones with Integrated Camera Device.

Pursuant to Southern District of Florida Local Rule 77.1, cameras of any type are not allowed in any of the federal courthouse facilities without a written order signed by a judge and verified by the United States Marshals Service except for attendees of naturalization hearings. Notwithstanding that Local Rule, those persons permitted to bring a cellular phone into a federal courthouse facility, pursuant to the exceptions listed, may bring that cellular phone, even if it contains an integrated camera device, into any federal courthouse facility. **No cellular phones of any kind may be used as a camera or recording device in a courtroom, jury deliberations room or any lobby area of any building housing a federal court. No filming or photographs of any kind may be taken in any ~~federal courthouse facility, building housing a federal court, including any lobby areas,~~ except in connection with naturalization hearings. It will be within the discretion of the presiding judge whether photographs are allowed to be taken inside the courtroom during naturalization hearings or other special proceedings, ceremonies or events.**

¹ Language to be deleted is ~~stricken~~, and language to be added is double underlined.

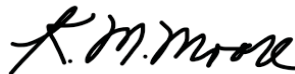
The United States Marshals Service is to continue to inspect all cellular phones and other electronic equipment as they are brought into the federal courthouse facilities as directed to protect the Bench, Bar, and public from harm. It is further

ORDERED that the penalty for knowing or willful violation of this Administrative Order includes a sentence of 30 days in jail and/or a fine of \$5,000.00; and/or punishment for contempt of court. *See* Local Rule 77.1; 41 C.F.R. §§ 102-74.385; 102-74.420; 102-74.450; 18 U.S.C. § 401. It is further

ORDERED that all other provisions of Administrative Order 2018-79 shall remain in effect.

This Order shall be effective immediately.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 14th day of November, 2019.



K. MICHAEL MOORE
UNITED STATES CHIEF DISTRICT JUDGE

- c: All South Florida Eleventh Circuit Court of Appeals Judges
All Southern District Judges
All Southern District Bankruptcy Judges
All Southern District Magistrate Judges
James P. Gerstenlauer, Circuit Executive, Eleventh Circuit
United States Marshal
United States Attorney
Federal Public Defender
Court Administrator · Clerk of Court
Clerk, Bankruptcy Court
Chief Probation Officer
Library