

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2012-001

IN RE: VIDEO RECORDING OF COURT  
PROCEEDINGS UNDER THE CAMERAS  
PILOT PROJECT

FILED by WJ D.C.

JAN 19 2012

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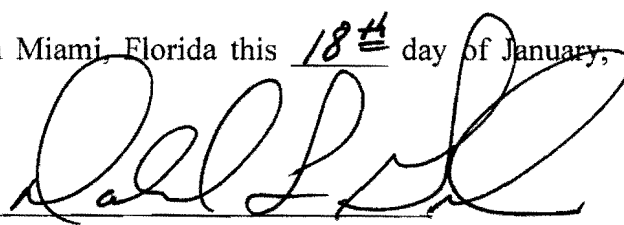
This District has been selected to participate in a national pilot project to permit recording of proceedings in civil matters. This Administrative Order supplements the Judicial Conference Committee on Court Administration and Case Management Guidelines for the Cameras Pilot Project in the District Courts (“the Guidelines”; available at [http://www.flsd.uscourts.gov/?page\\_id=5838](http://www.flsd.uscourts.gov/?page_id=5838)). All recordings of court proceedings must comply with both this Administrative Order and the Guidelines; where they are believed to conflict, the Guidelines will prevail.

1. **Participating judges.** Video recording will occur only in proceedings presided over by District Judges who have chosen to participate in the Pilot Project. All further references to “Judge” or “presiding Judge” in this Order include only participating District Judges. A list of participating Judges can be found on the Court’s website at: [http://www.flsd.uscourts.gov/?page\\_id=5838](http://www.flsd.uscourts.gov/?page_id=5838).
2. **Proceedings eligible for recording.** A Judge who is presiding over a civil case proceeding that is held in open court, other than those excluded under the Guidelines, will determine whether to request that the proceeding be recorded. In general, trials and evidentiary hearings will be recorded unless a party does not give consent.
3. **Notification of parties.** Unless otherwise ordered by the Judge, at least 10 days prior to each civil case proceeding that the Judge has identified as eligible for recording, the Judge will send each party, or the party’s attorney if represented by counsel, a notice (“NOTIFICATION OF REQUEST FOR VIDEO RECORDING”) that he or she is requesting that the proceeding be recorded under the pilot project. Alternatively, the Judge may provide such notice by such other means as appropriate, such as through a scheduling order, or at a conference with counsel or with parties proceeding without counsel.
4. **Consent of parties.** After each notification, each party will submit a form (“PARTY RESPONSE TO REQUEST FOR VIDEO RECORDING”) on which to indicate whether that party consents to the recording of all, part, or none of the proceeding. Parties may indicate as well that they wish to have no recording of specified witnesses on another form (“REQUEST TO EXEMPT WITNESS(ES) FROM VIDEO RECORDING.”) Counsel for each party, or the party itself if proceeding pro se, will return the form on behalf of all persons who will appear for that party at the proceeding to be recorded. For data collection purposes, parties who do not consent to recording will be asked to describe their reasons. Unless otherwise ordered by the Judge, the form should be returned via e-mail to the presiding Judge’s e-mail address set up for this purpose at least 5 days prior to the proceeding. These forms should NOT be filed via the CM/ECF

system, but rather should be sent via e-mail to the appropriate address which can be found on the Court's website at: [http://www.flsd.uscourts.gov/?page\\_id=5838](http://www.flsd.uscourts.gov/?page_id=5838). The subject line of the e-mail should reflect the case number and the nature of the form being transmitted (e.g., 11-12345 Consent, 11-12345 No Consent or 11-12345 Recording Request). Unless otherwise directed, the forms should be e-mailed to the appropriate e-mail address for each presiding Judges' cases, and this e-mail address should be used for no other purpose unless otherwise directed by that Judge:

5. **Hearing on consent.** If some or all parties do not consent to recording a proceeding that the Judge has identified as eligible for recording, the Judge may, in his or her discretion, hold a hearing to discuss the parties' concerns and determine if there are conditions under which the party(ies) would agree to recording some or all of the proceeding. The hearing will be held on the record.
6. **Requests for recording from parties or outside entities.** Parties, members of the media, or other outside entities may submit a request that a proceeding be recorded. A request should be submitted to the presiding Judge at least 10 days before the date of the proceeding using the e-mail address which can be found on the Court's website at: [http://www.flsd.uscourts.gov/?page\\_id=5838](http://www.flsd.uscourts.gov/?page_id=5838). For proceedings that arise with little notice, the request should be made as soon as practicable. The request should be made using the "REQUEST FOR VIDEO RECORDING OF COURT PROCEEDING" form (available at [http://www.flsd.uscourts.gov/?page\\_id=5838](http://www.flsd.uscourts.gov/?page_id=5838)). The presiding Judge will determine whether to deny the request or to seek consent from the parties under the procedures outlined above. The person or entity making the request will be advised of the outcome of the request at least 3 days prior to the proceeding, unless otherwise ordered by the presiding Judge.
7. **Data collection.** The completed "PARTY RESPONSE TO REQUEST FOR VIDEO RECORDING" forms, "REQUEST TO EXEMPT WITNESS(ES) FROM VIDEO RECORDING" forms, and "REQUEST FOR VIDEO RECORDING OF COURT PROCEEDING" forms will be made available to researchers at the Federal Judicial Center who are conducting an evaluation of the Cameras Pilot Project on behalf of the Judicial Conference Committee on Court Administration and Case Management.

DONE AND ORDERED in chambers in Miami, Florida this 18<sup>th</sup> day of January, 2012.

  
DONALD L. GRAHAM  
ACTING, CHIEF UNITED STATES  
DISTRICT JUDGE

c: The Honorable Joel F. Dubina, Chief Judge, Eleventh Circuit  
All Southern District Judges and Magistrate Judges  
Wifredo Ferrer, United States Attorney  
Steven M. Larimore, Court Administrator · Clerk of Court  
Library