



IN THE
COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE

DIVISION ONE
FILED: 6/28/19
AMY M. WOOD,
CLERK
BY: amw

In the Matter of:)
)
) ADMINISTRATIVE ORDER
REGULATING USE OF PHOTOGRAPHIC)
AND VIDEO RECORDING DEVICES) 2019- 06
IN THE COURTHOUSE AND OTHER)
COURT FACILITIES OUTSIDE OF)
COURTROOMS)
)
_____)

Pursuant to Arizona Revised Statutes section 12-120.04, the Chief Judge has the authority to exercise administrative supervision over this Court. Pursuant to Arizona Supreme Court Rule 122.1, among provisions, the Court is directed to establish and communicate Court security policies and procedures. The Arizona Supreme Court also recognizes that “[t]he safety of those who participate in the judicial process is essential to serving the citizens and doing justice in all cases.” A.O. 2012-22. Accordingly, this Court has a significant need to protect the privacy and security interests of Court users, and to ensure the safety of all who visit or work in Court facilities.

Many people at a Court facility are there to conduct business that is private or not yet public and can only be done at the Court. Having their image recorded and displayed on the internet can put these people in jeopardy, expose them to embarrassment and intimidation, and discourage participation in the judicial process. Additionally, recordings of the interior of Court facilities, including security officers and devices, could be used to circumvent Court security protocols. Based on the foregoing,

IT IS ORDERED that, except as provided in this Administrative Order, all types of video recording, photography, including sharing video or live-streaming to social media sites, or other types of broadcasting (hereinafter collectively referred to as “recording”) are prohibited in any facility during its use as for Court-connected purposes, including building entrances, exits, and adjacent restricted parking areas, unless the person proposing the recording obtains advance written consent of the subjects and permission of the Chief Judge or designee. This prohibition extends to recording the inside of a Court facility through a door or window.

IT IS FURTHER ORDERED that a person who seeks to make a recording in a Court facility other than a courtroom must submit a written request to the Clerk of the Court that provides the name of the requester, the written consent of person(s) to be recorded, and the proposed recording location, date, time, and manner. To assure a timely response, the request should be made at least

two business days before the proposed recording date. If permission for the proposed activity is denied due to an unacceptable location, date, time, or manner, and some alternative is acceptable, the Court will inform the requester of that alternative.

IT IS FURTHER ORDERED that scheduled Court-connected ceremonial proceedings, such as investitures or swearing in ceremonies, may be recorded without written permission, subject to the authority of the Court or Clerk of the Court to limit or terminate recording that is disruptive to Court operations or that compromises Court security.

IT IS FURTHER ORDERED that this Administrative Order does not prohibit use of a personal recording device or scanner to copy a case file document that is otherwise available for public inspection and copying.

IT IS FURTHER ORDERED that a law enforcement officer with a body-worn camera may activate the recording function of the camera when providing security within a Court facility or when responding to a call for law enforcement assistance.

IT IS FURTHER ORDERED that Court personnel will provide notice and enforce this Administrative Order as follows:

1. The Court will post a copy of this Administrative Order on the Court's web site.
2. The Court will post a warning sign regarding the conduct prohibited by this Administrative Order at every public entry point for facilities governed by this Administrative Order.
3. Assigned Court staff or security officers who observe a person violating this Administrative Order will:
 - a. advise the person of the violation orally,
 - b. provide a written Photography and Video Recording Violation Warning,
 - c. direct the person to immediately stop and delete the recording,
 - d. if the person does not comply, direct the person to leave the facility, and
 - e. if the person does not comply, call law enforcement.

Dated this 28th day of June, 2019.

Samuel A. Thumma
Chief Judge, Division One
Arizona Court of Appeals