

In the Supreme Court of Iowa

CLERK SUPREME COURT

In the Matter of Amending)	
Expanded News Media Coverage)	Order
Rules and Forms in Chapter 25)	
of the Iowa Court Rules)	

In April 2014, the Iowa Supreme Court adopted amendments to the Rules for Expanded News Media Coverage in chapter 25 of the Iowa Court Rules. The amendments reflected advancements in technology the media utilize in covering court proceedings. Those amendments also allowed a more consistent use of expanded media coverage statewide, retained judicial discretion in accommodating media coverage in individual cases, and maintained Iowa's long history of promoting transparency of court processes while also protecting the sanctity of court procedures and individual rights. The court now addresses three matters that have arisen regarding use and interpretation of the chapter 25 rules and accompanying forms.

Since first passage of the media coverage rules more than 35 years ago, the practice has been that news media must file only one request for expanded coverage for the duration of the case or trial. The court did *not* amend rule 25.3(2) providing for advance notice of coverage when the chapter was updated two years ago. The court now amends rule 25.3(2), however, to clarify the rule and make it clearly consistent with past and current practice that only one request for expanded news media coverage is required for all proceedings in the same case or trial, with the exception of a separate request required for initial appearances. The court also amends form 1 of rule 25.10, News Media Coordinator's Notice of Request for Expanded News Media Coverage of Trial or Proceeding, to reflect this clarification. This practice has served both the courts and media well over the years and should be retained.

In some jury trials, the district court has permitted media members to photograph jury selection as long as no photos depicted prospective jury members. There have also been media requests to “tweet” during jury selection. Rule 25.2(6), however, clearly prohibits expanded news media coverage of jury selection proceedings. The court declines to amend this rule and affirms application of the rule to prohibit any expanded news media coverage of jury selection proceedings. Members of the news media and the public, however, may be present during jury selection. The expanded news media coverage prohibition includes the taking of photographs of the trial court judge, attorneys, and parties during the jury selection process and any form of “tweeting” or live blogging during the jury selection process. A primary purpose of this prohibition is to protect the privacy rights of jurors and prospective jurors and to protect them from undue discomfort or embarrassment. The Iowa Supreme Court maintains a long legacy of encouraging the greatest possible public access to court proceedings. This access, however, must be balanced with the dignity, decorum, and impartiality of court proceedings and must preserve privacy considerations of citizens participating in those proceedings and serving as jurors.

Finally, to foster judicial branch transparency and to enable more and more Iowans to see firsthand how our courts system works, the Iowa Supreme Court and the Iowa Court of Appeals hold appellate oral arguments in communities throughout Iowa. To clarify that the expanded news media rules of chapter 25 apply to such offsite proceedings, the court amends rule 25.5(2) to state expressly that the rules cover appellate oral arguments occurring outside of the Iowa Judicial Branch Building in Des Moines. Form 4 of rule 25.10 is amended to reflect this change.

The amendments to rules 25.3(2) and 25.5(2) and to forms 1 and 4 of rule 25.10 are provided with this order.

The amendments to rules 25.3(2) and 25.5(2) and to forms 1 and 4 of rule 25.10 take effect immediately.

Dated this 22nd day of July, 2016.

The Supreme Court of Iowa

By Mark S. Cady
Mark S. Cady, Chief Justice

Iowa Court Rules chapter 25—Rules for Expanded News Media Coverage

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Rule 25.3 Procedural.

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25.3(2) Advance notice of coverage.

a. All requests for expanded news media coverage in all proceedings, except initial appearances in criminal cases, shall be made to the news media coordinator. The news media coordinator, in turn, shall inform the attorneys for all parties and the judicial officer at least seven days in advance of the time the proceeding is scheduled to begin, but these times may be extended or reduced by court order. When the proceeding is not scheduled at least seven days in advance, the news media coordinator or news media coordinating council must give notice of the request as soon as practicable after the proceeding is scheduled.

b. Notice must be filed electronically or by paper copy with the appropriate clerk of court. A copy of the notice shall be sent electronically, delivered by ordinary mail, or delivered in person to the last known contact of all attorneys of record, parties appearing without attorney representation, the appropriate court administrator, and the judicial officer expected to preside at the proceeding for which expanded news media coverage is requested.

c. Only one request for expanded news media coverage is required for all district court proceedings in the same case or trial, except that initial appearances in criminal cases require a separate request pursuant to rule 25.2(4).

~~e.d.~~ A separate request for expanded news media coverage must be made for Iowa Supreme Court and Iowa Court of Appeals oral arguments.

~~e.e.~~ Form 1 in rule 25.10 is the notice form for the news media coordinator to use to inform the attorneys for all parties and the judicial officer of a request for expanded news media coverage of the proceeding.

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Rule 25.5 Supreme court and court of appeals.

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25.5(2) Expanded news media coverage.

a. The rules in this chapter pertaining to expanded news media coverage apply ~~only~~ to news media coverage occurring within the supreme court and court of appeals courtrooms in the Iowa Judicial Branch Building in Des Moines. Recordings of supreme court and court of appeals oral arguments made from other locations within the judicial building are not subject to the rules on expanded news media coverage.

b. The rules in this chapter also apply to news media coverage occurring within any space, room, or auditorium in which the supreme court or court of appeals conducts oral argument outside of the Iowa Judicial Branch Building

in Des Moines. Recordings made from any location outside the immediate space, room, or auditorium in which supreme court or court of appeals conducts oral arguments are not subject to the rules on expanded news media coverage.

~~b.c.~~ A written request for expanded news media coverage ~~within the of oral arguments of the supreme court and or court of appeals courtrooms~~ must be filed with the clerk of the supreme court no later than the Friday immediately preceding the week in which the argument is to be held.

~~e.d.~~ Form 4 in rule 25.10 is the notice form for the news media coordinator to use to inform the attorneys for all parties and the presiding justice or judge of a request for expanded news media coverage of the oral argument.

Rule 25.10—Form 1: News Media Coordinator’s Notice of Request for Expanded News Media Coverage of Trial or Proceeding

- The expanded news media coordinator uses this form to give notice of a request for expanded news media coverage to the attorneys for all parties and the judicial officer at least seven days before the proceeding begins.
- A separate request for expanded news media coverage must be made for appellate court arguments.

In the Iowa District Court for _____ County <i>County where you are filing this form</i>	
<hr/> Plaintiff <i>Full name: first, middle, last</i> vs. <hr/> Defendant <i>Full name: first, middle, last</i>	No. _____ News Media Coordinator’s Notice of Request for Expanded News Media Coverage of Trial or Proceeding

The undersigned news media coordinator states as follows:

1. Certain representatives of the news media want to use: *Check each that applies*
 - A. Photographic equipment,
 - B. Television cameras,
 - C. Electronic sound recording equipment, or
 - D. Other electronic devices,in courtroom coverage of the above proceeding.
2. The case, trial, or proceeding to be covered by expanded news media coverage is scheduled for
the ____ day of _____, 20____, at _____
Day Month Year Time a.m. p.m. at the _____
County
County Courthouse, _____, Iowa. The request for expanded news media
City
coverage includes every part of such case, trial, or proceeding as allowed under Chapter 25 of the Iowa Court Rules.
3. The request for expanded news media coverage is described as follows (for example, the number of photographers with still cameras):

Continued on next page

Rule 25.10—Form 4: News Media Coordinator’s Notice of Request for Expanded News Media Coverage of Appellate Court Proceeding

- A separate request for expanded news media coverage must be made for appellate court oral arguments.
- A written request for expanded news media coverage within the supreme court and court of appeals courtrooms must be filed with the clerk of the supreme court no later than the Friday immediately preceding the week in which the argument is to be held.

In the Iowa Appellate Courts

<p>_____</p> <p><i>List Appellant or Appellee as captioned in the appeal</i></p> <p>vs.</p> <p>_____</p> <p><i>List Appellant or Appellee as captioned in the appeal</i></p>	<p>Appellate Case No. _____</p> <p>News Media Coordinator’s Notice of Request for Expanded News Media Coverage of Appellate Court Proceeding</p>
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The undersigned news media coordinator states as follows:

1. Certain representatives of the news media want to use: *Check each that applies*

- A. Photographic equipment,
- B. Television cameras,
- C. Electronic sound recording equipment, or
- D. Other electronic devices,

in courtroom coverage of appellate proceedings in the case identified above.

2. The proceeding to be covered by expanded news media coverage is scheduled for

the _____ day of _____, 20 _____, at _____ a.m. at the
Day Month Year Time p.m.

Iowa Judicial Branch Building in Des Moines, Iowa; or

Specific location of oral argument

The oral argument will be held before the

- Iowa Supreme Court; or
- Iowa Court of Appeals

The request for expanded news media coverage includes every part of such proceeding as allowed under Chapter 25 of the Iowa Court Rules.

3. The request for expanded news media coverage is described as follows (for example, the number of photographers with still cameras):
