

IN THE SUPREME COURT OF THE STATE OF OREGON

In the Matter of Procedures for Electronic	)	Supreme Court Order 19-043
Recording and Electronic Writing on	)	
and Adjacent to Oregon Supreme Court	)	ELECTRONIC RECORDING
Premises	)	AND ELECTRONIC
	)	WRITING ON AND
	)	ADJACENT TO OREGON
	)	SUPREME COURT PREMISES

On July 9, 2019, the Oregon Supreme Court considered and adopted the procedures set out below, concerning electronic recording and electronic writing on and adjacent to Oregon Supreme Court premises.

IT IS HEREBY ORDERED:

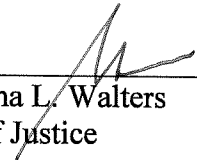
(1) Definitions

- (a) "Chief Justice" includes the Chief Justice and the Chief Justice's designee.
- (b) "Court proceedings" means case-related proceedings held before the Oregon Supreme Court, in the courtroom or simultaneously displayed via a video feed to a public viewing area in the State of Oregon Law Library.
- (c) "Electronic recording" includes, but is not limited to, video recording, audio recording, live streaming, and still photography by cell phone, tablet, computer, camera, recorder, or any other means.
- (d) "Electronic writing" means the taking of notes or otherwise writing by electronic means and includes, but is not limited to, the use of word processing software and the composition of texts, emails, instant messages, and postings to social media and networking services.
- (e) "Historic aspects or public areas of the building":
  - (i) In the Supreme Court Building located at 1163 State Street, Salem, OR 97301, "historic aspects or public areas of the building" means the public entry, the marble hallways and columns, the grand stairwell, the entry to and public areas of the State of Oregon Law Library, the public entry to the courtroom, the courtroom, and artwork hung in public areas. That term applies to no other area of the building, including the security station, security cameras, displayed floorplans, and the Appellate Records Services Division viewing room.

- (ii) In the temporary Supreme Court location at 2850 Broadway NE, Salem, OR 97303, "public areas of the building" means the courtroom, the State of Oregon Law Library, and artwork hung in public areas. That term applies to no other area of the building, including the security station and the Appellate Records Services Division viewing room.
- (2) Electronic Recording and Electronic Writing During Supreme Court Proceedings
  - (a) This subsection applies to activity during Supreme Court proceedings.
  - (b) Except as provided in subparagraph (d) below and as otherwise provided in ORAP 8.35 (media coverage of appellate court proceedings), electronic recording and electronic writing is not permitted during Supreme Court proceedings without express prior approval of the Chief Justice.
  - (c) Unless permitted in accordance with ORAP 8.35, and except as provided in subparagraph (d) below, even if a person is granted permission to engage in electronic recording or electronic writing, the person may not send any electronic recording or electronic writing during a Supreme Court proceeding.
  - (d) The prohibitions in subparagraphs (b) and (c) on electronic writing and sending an electronic recording or writing during Supreme Court proceedings do not apply to attorneys or to agents of attorneys, unless otherwise ordered by the Chief Justice.
- (3) Electronic Recording and Electronic Writing on Supreme Court Premises, Not in Supreme Court Proceedings
  - (a) This subsection applies to activity on Supreme Court premises other than in Supreme Court proceedings.
  - (b) Except as provided in subparagraph (e) below, video recording, audio recording, and still photography made or taken in historic aspects or public areas of the building is:
    - (i) permitted during court tours, public ceremonies and events, and weddings; and
    - (ii) otherwise permitted only with approval of the Chief Justice.
  - (c) Except as provided in subparagraph (e) below, video recording, audio recording, and still photography of or in any other area under the control and supervision of the court is permitted only with approval of the Chief Justice.

- (d) Except as provided in subparagraph (e) below, live streaming is permitted only with approval of the Chief Justice.
  - (e) Electronic recording of any person is not permitted without the permission of that person.
  - (f) Electronic writing is permitted in any public area of the building.
- (4) Electronic Recording of Supreme Court Justices in Adjacent Parking Lot
- (a) This subsection applies to activity in the parking lot adjacent to the Supreme Court Building or Supreme Court premises, including any sidewalk adjacent to both the building/premises and the parking lot.
  - (b) Unless a justice grants permission, electronic recording of that justice or that justice's vehicle is not permitted in the adjacent parking lot or sidewalk, as described in subparagraph (a).
- (5) If a person violates this order or any other requirement imposed by the Chief Justice or the court, the Chief Justice may, in addition to any other lawful sanction, order the person, and any organization with which the person is affiliated, to terminate electronic recording or electronic writing. If the person does not comply with that order, the Chief Justice may order that the person be excluded from the premises.
- (6) This rule does not apply to court personnel engaged in the performance of official duties.
- (7) This order is effective immediately.

Dated this 10<sup>th</sup> day of July, 2019.

  
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Martha L. Walters  
Chief Justice