

LR 83.2
PHOTOGRAPHING, BROADCASTING, AND ELECTRONIC DEVICES
TELEVISIONING AND TELEPHONY

(a) General Prohibition

- (1) The taking of photographs or the recording of transmission of Court proceedings¹, whether in person or conducted virtually through an online platform, or the airing of radio, television or internet broadcasts by non-Court personnel from the floors of the Courthouse occupied by the Courts during the progress of or in connection with judicial proceedings or grand jury proceedings, including proceedings before a Magistrate Judge, whether or not Court is actually in session, are prohibited. ~~provided that photographing and broadcasting in connection with naturalization hearings, ceremonial occasions, or other special proceedings may be permitted with the approval of the Judge of the Court presiding over such proceedings.~~ In addition, the airing of radio, television, or internet broadcasts by non-Court personnel of any proceedings being conducted virtually through an online platform are also prohibited.
- (2) An individual may not possess an electronic device beyond the security checkpoints of the Clifford Davis and Odell Horton Federal Building, except as described below. For purposes of this rule, an “electronic device” means any portable electrically powered device capable of sending or receiving a wireless signal; storing, sending, or retrieving electronic data; or having computing capability.
- (3) Individuals who are allowed to possess an electronic device in the Clifford Davis and Odell Horton Federal Building, as described below, must place the device in the “silence” position at all times. Moreover, the device may only be used in courtrooms to assist in the performance of court-related business. Electronic devices may not be initiated, “answered” or examined or manipulated (for text messaging or otherwise) while in a courtroom unless such use is related to court business. Electronic devices may NOT be used to take photographs or audio or video recordings in a courtroom or in any other area of the Building in which Court business or proceedings are conducted, unless authorized by a judicial officer, used during designated ceremonies or used by a court employee for court-related business.

(b) Exceptions

- (1) In the Clifford Davis and Odell Horton Federal Building, the following people are excluded from the prohibition on possession of electronic devices: badged employees of the Clifford Davis and Odell Horton Federal Building (and visitors of such employees under the supervision of such employees), attorneys appearing in their official capacity as officers of the Court and staff of such attorneys, law enforcement officers, parties to litigation (other than in custody criminal defendants) who enter the Building accompanied by their attorney, if counsel certifies to security

¹ Unless specified otherwise, Local Rule 83.2 applies to both the Clifford Davis and Odell Horton Federal Building in Memphis and the United States District Courthouse in Jackson.

staff that such devices are necessary to facilitate litigation pending before the Court, parties to litigation who are representing themselves in the proceedings, if they have a court order that allows possession of electronic devices, and jurors and members of the media.

- (2) In the Clifford Davis and Odell Horton Federal Building, electronic devices may be used in the courtroom by an attorney, and the attorney's paralegals and assistants under the supervision of the attorney, if necessary to the proceeding, including without limitation, for presentation of evidence during the course of trial, provided that the attorney ensures that such device is not used for voice communications, is operated silently, is not used in any manner that will disrupt any courtroom proceeding, and is not used to photograph, record, or broadcast any aspect of any proceeding. The presiding Judge retains authority and sole discretion to disallow use of electronic devices at any time.
- (3) Proceedings Other than Judicial Proceedings. Proceedings other than judicial proceedings, designed and conducted as ceremonies, such as administering oaths of office to appointed officials of the court, naturalization ceremonies, presentation of portraits and similar ceremonial occasions, may be photographed in, or broadcast or televised from, the courtroom with the permission of the Court.

(c) Enforcement

- (1) The United States Marshal and/or Courtroom Security Officers may take necessary steps to enforce this rule including temporarily seizing the device, and immediately notifying a judicial officer of any such violation for appropriate action or sanction. No device shall be searched or reviewed by a United States Marshal and/or Courtroom Security Officer without consent of the user or obtaining a search warrant.
 - (2) All badged employees of the Clifford Davis and Odell Horton Federal Building as well as each attorney of record in a case are responsible for notifying staff, clients, witnesses, and visitors of the requirements of this rule and for reasonably ensuring compliance with the rule.
 - (3) Violations of this rule may result in the violator being required to remove the electronic device from the courthouse or confiscation of the device and the violator being reported to a judicial officer for appropriate action or other sanction.
- (d) Judicial Discretion. Any presiding judge may modify these procedures or suspend any person's privilege granted by this rule at any time for any reason.