

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 06- 9173

**APPROVAL OF LOCAL RULES FOR THE
DISTRICT COURTS OF GALVESTON COUNTY**

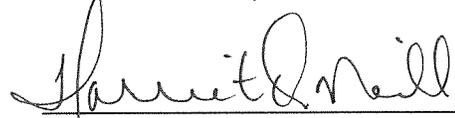
ORDERED that:

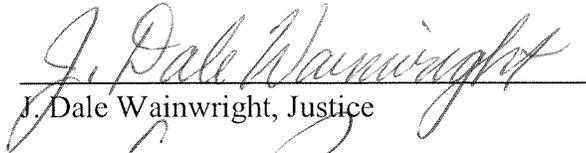
Pursuant to Texas Rule of Civil Procedure 3a, the following Local Rules for the District Courts of Galveston County are approved.

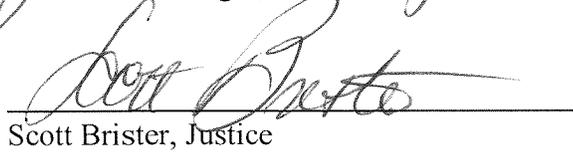
In Chambers, this 12th day of December, 2006.

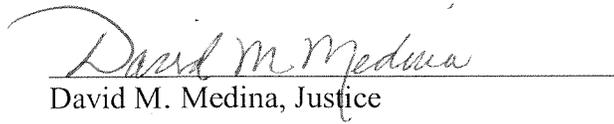

Wallace B. Jefferson, Chief Justice


Nathan L. Hecht, Justice

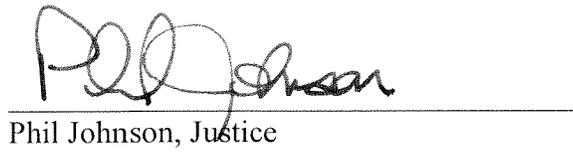

Harriet O'Neill, Justice

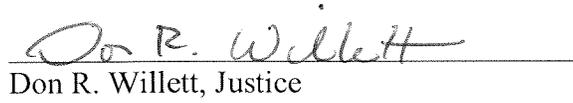

J. Dale Wainwright, Justice


Scott Brister, Justice


David M. Medina, Justice


Paul W. Green, Justice


Phil Johnson, Justice


Don R. Willett, Justice



Second Administrative Judicial Region of Texas

Olen Underwood
Presiding Judge

Kassi Cranfill
Regional Administrator

Nathan Jensen
Regional Assistant

November 22, 2006

Honorable Nathan L. Hecht
Justice, Supreme Court of Texas
Attn: Jody Hughes, Rules Attorney
P.O. Box 12248
Austin, Texas 78711

Re: Amendment to Local Rules for the District Courts of Galveston County, Texas

Dear Judge Hecht:

Pursuant to, and in accordance with Rule 3a, Texas Rules of Civil Procedure, and Rule 8, Regional Rules of Administration, Second Administrative Judicial Region of Texas, I am requesting approval by the Justices of Amendment to Local Rules for the District Courts of Galveston County, Texas.

I hereby approve this addition of Amendment to Local Rules for the District Courts of Galveston County, Texas. Please advise this office of the Courts actions.

Thank you for your usual courtesies.

Sincerely,

A handwritten signature in black ink that reads "Olen Underwood".

Olen Underwood
OU/kc

cc: Bonita Quiroga, Director, Office of Justice Administration, Galveston County

**AMENDMENT TO LOCAL RULES FOR THE
DISTRICT COURTS OF GALVESTON COUNTY, TEXAS**

New Rule 18 is adopted and added to the local rules for the District Courts of Galveston County, Texas as approved by the Supreme Court of the State of Texas on December 07, 2005.

Rule 18 Media Rules of the District Courts - Civil Trial Division

Pursuant to Rule 18c(a) of the Texas Rules of Civil Procedure, the following Rules govern the recording and broadcasting of court proceedings before the District Courts of Galveston County, and their Masters (Associate Judges) and Referees.

Rule 18.1 Policy

The policy of these rules is to guarantee a just, fair, equitable and impartial adjudication of the rights of the litigants and allow an opportunity for electronic coverage of public civil court proceedings to facilitate the free flow of information to the public concerning the judicial system and to foster better public understanding about the administration of justice. These rules are to be construed to maintain the dignity, decorum, and impartiality of the court proceeding, while at the same time providing the greatest access possible.

Rule 18.2 Definitions

Certain terms are defined for purposes of these rules as follows:

- 18.2.1 "Court" means the particular judge or master who is presiding over the proceeding.
- 18.2.2 "Electronic media coverage" means any recording or broadcasting of court proceedings by the media using television, radio, photographic or recording equipment.
- 18.2.3 "Media" or "media agency" means any person or organization engaging in news gathering or reporting and includes any newspaper, radio or television station or network, news service, magazine, trade paper, in-house publication, professional journal, or other news reporting or news gathering agency.

Rule 18.3 Electronic Media Coverage Permitted

In each case, whether to allow electronic media coverage is at the discretion of the trial judge and the trial judge shall determine the appropriate scope of electronic media coverage permitted, if any.

- 18.3.1 Objections by any party to such scope of electronic media coverage shall be presented to the trial court for ruling.

Rule 18.4 Electronic Media Coverage Prohibited

- 18.4.1 Electronic media coverage of proceedings held in chambers, proceedings closed to the public, jury selection, and jury deliberation is prohibited.
- 18.4.2 Conferences between an attorney and client, witness or aide, between attorneys, or between counsel and the court at the bench shall not be recorded or received by sound equipment.
- 18.4.3 The restrictions and prohibitions in these rules may be waived by the express consent of the parties and all affected persons, with the approval of the court.

Rule 18.5 Equipment and Personnel

- 18.5.1 One television camera, one audio recording machine, and one still photographer are permitted. In appropriate circumstances, the court in its discretion may allow an unmanned second camera in the courtroom.
- 18.5.2 Equipment shall not produce distracting sound or light. Signal lights or devices which show when equipment is operating shall not be visible. Moving lights, flash attachments, or sudden lighting changes shall not be used.
- 18.5.3 Existing courtroom sound and lighting systems shall be used without modification unless the court specifically approves modification.
- 18.5.4 Operators shall not move equipment while the court is in session, or otherwise cause a distraction. All equipment shall be in place in advance of the commencement of the proceeding or session that is the subject of the coverage.
- 18.5.5 Media personnel operating outside the courtroom shall not create a distraction and shall withdraw whenever necessary to avoid restricting movement of persons passing through the courtroom door.
- 18.5.6 Media logos or proprietary trademarks shall not be displayed on camera, microphones, other equipment used in court, or clothing or name tags on personnel.

Rule 18.6 Delay of Proceedings

No proceeding or session will be delayed or continued for the sole purpose of allowing media coverage. Upon request, the court will inform media agencies of settings and will attempt to make the courtroom available in advance for the purpose of installing equipment.

Rule 18.7 Pooling

If more than one media agency of one type wish to cover a proceeding or session, they shall make pool arrangements. If they are unable to agree, the court may deny all electronic media coverage by that type of media agency, or may designate one agency or one representative as pool coordinator, specifying such other conditions of pool coverage as may be necessary.

Rule 18.8 Official Record

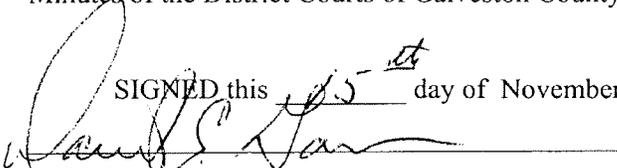
Films, videotapes, photographs or audio reproductions made in court proceedings shall not be considered part of the official court record.

Rule 18.9 Enforcement

A violation of these rules by electronic media may be sanctioned by appropriate measures, including, without limitation, barring the particular person or agency from access to future electronic media coverage of proceedings in that courtroom for a defined period of time.

It is therefore ORDERED that these Rules for governing the recording and broadcasting of court proceedings in civil matters in the District Courts of Galveston County, Texas be and the same is adopted, effective upon approval by the Supreme Court of Texas; that a copy hereof shall be furnished to the Supreme Court of Texas for approval as provided by Section 51 807, Texas Government Code; and that upon approval by the Supreme Court of Texas the same become effective and placed upon the Minutes of the District Courts of Galveston County, Texas.

SIGNED this 15th day of November, 2006.


David E. Garner

Local Administrative Judge

10th District Court