

STATE OF NEW MEXICO
COUNTY OF LEA
FIFTH JUDICIAL DISTRICT COURT

REPUBLICAN PARTY OF NEW MEXICO, DAVID
GALLEGOS, TIMOTHY JENNINGS, DINAH VARGAS,
MANUEL GONZALES, JR., BOBBY AND DEE ANN
KIMBRO, AND PEARL GARCIA,

Plaintiffs,

v.

MAGGIE TOULOUSE OLIVER, in her official capacity
as New Mexico Secretary of State, MICHELLE LUJAN
GRISHAM in her official capacity as Governor of New
Mexico, HOWIE MORALES in his official capacity as
Lieutenant Governor of New Mexico and President of the
New Mexico Senate, MIMI STEWART in her official
capacity as President Pro Tempore of the New Mexico
Senate, and JAVIER MARTINEZ in his official capacity
as Speaker of the New Mexico House of Representatives,

Defendants.

No. D-506-CV-202200041

ORDER REGARDING MEDIA COVERAGE OF PROCEEDINGS

THIS MATTER having come before the Court *sua sponte*, the Court desiring to ensure its authority to control the conduct of the proceedings before the Court, ensure decorum and prevent distractions, ensure fair administration of justice in the pending cause, and mindful of the right of the news media to broadcast, televise, photograph and record court proceedings in accordance with guidelines promulgated herein which contain safeguards to ensure that this type of media coverage shall not detract from the dignity of the court proceedings or otherwise interfere with the achievement of a fair and impartial hearing, and the Court being otherwise well and sufficiently

advised in the premises, does hereby order regarding media coverage of the proceedings:

NOTICE

Broadcasters, photographers and recorders shall notify the clerk of the particular court at least twenty-four (24) hours in advance of coverage of their desire to cover the trial. The Court may, in its discretion, lengthen or shorten the time for advance notice for coverage of a particular trial.

DECORUM

The decorum and dignity of the court, the courtroom and the proceedings must be maintained at all times. Court customs must be followed, including appropriate attire. Movement in the courtroom shall be limited, except during breaks or recess. The changing of tapes, film magazines, film and similar actions during the proceedings shall be avoided.

STANDARDS

The media shall maintain high journalistic standards regarding the fairness, objectivity and quality of the coverage allowed under these guidelines.

EQUIPMENT AND PERSONNEL

Unless otherwise agreed upon by the court, equipment and personnel within the courtroom or hearing room shall be limited as follows:

1. All equipment shall be operated behind the rail.
2. Not more than one portable television camera operated by not more than one camera person shall be permitted. Only natural lighting shall be used. Cameras shall be quiet and shall be

placed and operated as unobtrusively as possible within the courtroom at a location approved by the court. The cameras shall be in place at least fifteen (15) minutes before the proceedings begin.

3. Not more than two audio systems shall be permitted. All running wires shall be securely taped to the floor. Multiple radio feeds shall be provided by a junction box.
4. Not more than two still photographers, utilizing not more than one still camera each, shall be permitted. The cameras must not produce any distracting sounds. Only natural lighting shall be used. Still photographers shall remain in one place during the proceedings, but they may shift positions during breaks or recess.
5. Tape recorders, cellular phones, lap top computers and tablets or other electronic devices may be used by members of the media, so long as they do not constitute a distraction during the proceedings.
6. Any pooling arrangements necessary shall be the sole responsibility of the media and must be concluded prior to coverage without calling upon the court to mediate any dispute regarding appropriate media and personnel.

INAPPLICABILITY TO INDIVIDUALS

The privileges granted by these rules may be exercised only by persons or organizations that are part of the news media.

IMPERMISSIBLE USE OF MEDIA MATERIAL

None of the film, videotape, still photographs or audio reproductions developed during or by virtue of coverage of a judicial proceeding shall be admissible as evidence in the proceeding out of which it arose, any proceeding subsequent or collateral thereto, or upon any retrial or appeal of such proceeding.

DISCRETION OF THE COURT

The Court maintains the sole and plenary discretion to exclude coverage of certain witnesses, including by not limited to the alleged victims of sex crimes and their families, police informants, undercover agents, relocated witnesses and juveniles.

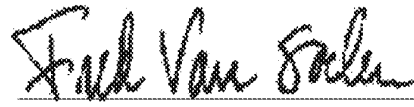
Neither the jury nor any member of the jury bay be filmed in or near the courtroom, nor shall the jury selection process by filmed.

The Court has discretionary power to forbid coverage whenever the Court is satisfied that coverage may have a deleterious effect on the paramount right of the Defendant to a fair trial.

Audio pickup, broadcast or recording of a tender of evidence offered by a party for the purpose of determining admissibility made before the judge out of the hearing of the jury is not permitted.

Audio pickup, broadcast, photography, televising or recording of a conference in the courtroom between members of the court, court and counsel, co-counsel or counsel and client is not permitted.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Fred Van Soelen". The signature is written in a cursive style with a large initial "F".

HON. FRED VAN SOELEN
DISTRICT JUDGE