

Minutes
Pilot Program Committee
August 31, 2009

Present: Tom Appleby and Judge Patrick Clifford, co-chairs; Judge Marshall Berger; Sara Bernstein; Larry Callahan; Judge David Gold; Gail Hardy; John Long; Ken Margolfo; Robin Smith.

Also present: Melissa Farley and Rhonda Stearley-Hebert.

I. Open meeting

Judge Clifford opened the meeting at about 2:10 p.m.

II. Approve minutes

Committee members unanimously approved the minutes from their meeting on July 27, 2009.

III. Review/approve draft committee report and proposed standing order

Judge Clifford noted that a major change among the committee's recommendations is the elimination of the rule that prohibits the broadcasting, televising, recording and photographing of court proceedings when a jury is out of the courtroom. With the change, a judge would have the discretion to allow or disallow camera coverage of court proceedings outside the jury's presence. As explained by Judge Clifford, the Public Access Task Force originally made this recommendation.

Committee members unanimously voted to make a few minor changes to the report, including grammatical corrections and another intended to incorporate consistently the phrase: "broadcasting, televising, recording and photographing" in the proposed standing order for arraignments. This phrase is used in the current Practice Book rules. Committee members also agreed to revise Section 5(b) of the proposed standing order for arraignments. As approved, the section will read as such:

- b. The court, as it deems appropriate, may impose other conditions, including but not limited to broadcasting, televising, recording and photographing:
 - i. a defendant coming or going into the lockup area;
 - ii. a prisoner's restraints;
 - iii. others who may testify or speak at a hearing.

Judge Berger made a motion to accept the report with the changes just made; Mr. Long seconded the motion. Committee members unanimously approved the motion.

Judge Clifford explained that he and Mr. Appleby now will present the report to the Judicial-Media Committee, which in turn will present it to the Rules Committee for its review. If approved by the Rules Committee, recommendations would go before the judges for a vote next year.

The meeting adjourned at 3 p.m.