

## IN THE TRIAL COURTS FOR THE STATE OF ALASKA

In the Matter of:

**PRESIDING JUDGES' STATEWIDE  
ORDER ON USE OF CAMERAS AND  
ELECTRONIC DEVICES IN COMMON  
AREAS OF COURT FACILITIES**

The general use of cameras and electronic devices in court facilities is governed by Administrative Rule 50. The rule grants both the court system's administrative director and the presiding judges the authority to adopt more specific procedures or restrictions in order to implement the rule. The administrative director has previously adopted Administrative Bulletin No. 45, establishing specific standards and procedures for the use of camera and recording equipment (audio and video) within the courtrooms and adjacent areas.<sup>1</sup>

With respect to the use of such devices outside of the courtroom and in the common areas of the courthouse, the Rule provides that the presiding judges (area court administrators, clerk of appellate courts, judicial officers, or clerks of court) may regulate the use of cameras and electronic devices to ensure:

1. decorum and prevent distractions;
2. the fair administration of justice;
3. protection of the reasonable privacy rights of a minor or any other person; and
4. the security of the court and all court users.<sup>2</sup>

The purpose of this statewide order is to ensure these four goals are furthered by establishing reasonable parameters for photographing, filming, and recording within the common areas of the courthouse, in addition to the general restrictions ordered in

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<sup>1</sup> See also, Presiding Judges' Second Amended Statewide Order on the Protocol for Photographing, Recording, or Streaming a Court Proceeding in Court Locations Where Social Distancing is Required.

<sup>2</sup> Administrative Rule 50(c).

Administrative Rule 50(a)(3).<sup>3</sup>

IT IS ORDERED:

1. Photographing, filming, and making audio or video recordings are strictly prohibited in security screening areas. Photographing, filming, and making audio or video recordings are prohibited in common areas of the courthouse except as provided below. “Common areas of the courthouse” include all areas within the exterior walls of the building or, in buildings used by tenants other than solely the court system, in the spaces designated for use by the court system. Common areas include, but are not limited to, entrances and exits, lobbies, hallways, stairs, elevators, and business offices. “Common areas of the courthouse” do not include areas immediately adjacent to courtrooms or security screening areas. Photographing, filming, and making audio or video recordings in areas immediately adjacent to courtrooms are governed by Administrative Bulletin No. 45.

2. Except as specifically authorized by this order, photographing, filming, and recording are permitted in common areas inside the courthouse only upon the issuance of an approved application. Applications can be found at the Alaska Court System’s website at <https://public.courts.alaska.gov/web/forms/docs/tf-945.pdf>.<sup>4</sup> Completed application forms

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<sup>3</sup> This Order supplements Administrative Rule 50 and Administrative Bulletin No. 45, which govern the general use of cameras and electronic devices in court facilities. *See* Administrative Rule 50(a)(3) imposing the following general restrictions in all court facilities:

- (A) A victim of a sexual offense or a party in a protective order proceeding under AS 18.65.850--18.65.870 or under AS 18.66.100--18.66.990 may not be photographed, filmed, videotaped, sketched, or recorded, nor may the victim's or party's image or voice be broadcast, streamed, or posted on the internet, without the victim's or party's consent and court approval;
- (B) A juror may not be photographed, filmed, videotaped, sketched, or recorded, nor may the juror's image or voice be broadcast, streamed, or posted on the internet, unless the juror is discharged from jury duty and the juror consents; and
- (C) A minor may not be photographed, filmed, videotaped, sketched, or recorded, nor may the minor's image or voice be broadcast, streamed, or posted on the internet, unless the minor is being prosecuted as an adult in a criminal case.

<sup>4</sup> Form TF-945 Application for Photographing, Filming, Recording, or Streaming a Court Proceeding.

must be sent to the media liaison for the district in which the applicant intends to film or record. A list of media liaisons for each district can be found on the court system's website at <https://courts.alaska.gov/media/index.htm#liaisons>. In order for an application to be approved, an applicant must identify the intended purpose for photographing, filming, or recording, the specific common area(s) in which the camera or recording would occur, and the desired date(s) and time(s) the photographing, filming, or recording would take place.

3. A person or organization whose application is denied may ask in writing that the court reconsider the denial. The reconsideration request may be made by the person, an organization through an officer or employee of the organization notwithstanding AS 22.20.040, or the person's or organization's attorney. The reconsideration may be made in the form of a letter to the presiding judge of the district in which the courthouse is located. It must state the reasons why the request to photograph, film, or record should be approved. If the reconsideration request is denied, the person or organization may petition for review under the Appellate Rules. AS 22.20.040 applies to any such petition for review.

4. If an application is approved, any photography, filming, or recording must comply with the general provisions outlined in Administrative Rule 50 and must be conducted with minimal noise and in a manner that will not interfere with courthouse business.

5. This order is not intended to restrict the use of cameras or electronic devices used for filming or recording when conducted outside the entrances and exits to the courthouse, provided that any such activities do not obstruct access to or from the building or compromise security. Activities that obstruct access or compromise security will be considered a violation of this order.

6. This order does not apply to the following:

- a. Patrons or customers of the court system's library services photographing, filming, recording, or otherwise memorializing written library materials;
- b. Members of the public photographing, filming, or otherwise memorializing court documents provided to them by a clerk's office;
- c. The use of body worn cameras worn by law enforcement officers who are at the courthouse on official business;

- d. The photographing, filming, or recording by a party (or friends or family of a party with the party's specific permission) of a special event such as a wedding ceremony, adoption, judicial officer installation, or the taking of an oath of office within a courtroom, or the photographing, filming, or recording of any other proceeding that a judicial officer presiding over the proceeding has granted approval for within a courtroom. Any such photographing, filming, or recording must comply with Administrative Rule 50 and Administrative Bulletin No. 45. No photograph, film, or recording taken under the authority of this subparagraph may capture or record any individual except for those attending the specific event for which approval to photograph, film, or record has been granted;
- e. The audio recording or memorialization of an interview with any person conducted by a law enforcement officer or criminal investigator; or
- f. The use of any device capable of photographing, filming, or recording when necessary to allow the user of the device equal access to court proceedings or court facilities.

7. This order is not intended to interfere with or restrict the rights of the media to request permission from a judicial officer to allow media coverage within a particular courtroom or adjacent area, nor to interfere with the ability of a judicial officer to rule on such media requests, consistent with Administrative Rule 50 and Administrative Bulletin No. 45.

8. A violation of this order, or any court order addressing matters covered by this order, may be the basis for an offender being directed to leave the courthouse, in addition to other sanctions.

This order shall be provided to court employees and security officers and shall be conspicuously posted at entrances to the courthouse, at the Clerks' Offices, on the Court

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System’s website, and on the Court System’s social media accounts. This order must be made available to anyone upon request.

DATED July 24, 2023.

/s/ Amy Mead  
Amy Mead  
Presiding Judge First Judicial District

/s/ Paul Roetman  
Paul A. Roetman  
Presiding Judge Second Judicial District

/s/ Thomas Matthews  
Thomas Matthews  
Presiding Judge Third Judicial District

/s/ Terrence Haas  
Terrence Haas  
Presiding Judge Fourth Judicial District

Distribution: Chief Justice Peter Maassen; Stacey Marz, Administrative Director; Lesa Robertson, Executive Administrative Assistant; Presiding Judges; Area Court Administrators; Rural Court Administrators; Clerks of Court, All Judges and Magistrates; Court Rules Attorney Stacy Steinberg; Court Forms Attorney: [form@akcourts.gov](mailto:form@akcourts.gov); ACS Webmaster Sanjay Kodidine