

TWELFTH JUDICIAL DISTRICT

Magistrate and District Courts

ELECTRONIC DEVICE RECORDING POLICY

1. Purpose

The Twelfth Judicial District ("District") recognizes that in order to promote and ensure the fair administration of justice and protect the safety, integrity, and decorum of judicial proceedings occurring in all courthouse facilities in Otero and Lincoln Counties, policies and procedures limiting or terminating activity that is disruptive to court operations or that comprises courthouse security, specifically activity regarding the use of electronic devices in the courthouse for the purposes of recording, must be enacted.

2. Definitions

- A. A "camera" is an electronic or mechanical device used to photograph, record, or broadcast still or moving images.
- B. A "personal audio recorder" is a device used to record audio only, and that is on, held by, or immediately next to, the person who is operating the device.
- C. A "recording device" is an electronic or mechanical apparatus and related equipment used to capture and store sound or images, or both, or from which a person can retrieve or broadcast sound or images. A camera, a cell phone, a smart phone, and an audio recorder are examples of recording devices.
- D. A "courthouse" includes all areas within the exterior walls of a court building, or if the court does not occupy the entire building, that portion of the building used for the administration and operation of the court. A "courthouse" also includes areas outside a court building where a judge conducts an event concerning a court case, but does not include public forums or areas outside of the judicial facilities routinely open to the public, and not being used for court business.

3. Policy

The use or operation of a camera, personal audio recorder, or recording device to capture, record, transmit or broadcast a photograph, video, motion picture or audio of a proceeding or person within a courthouse or in an area adjacent to or immediately surrounding a courthouse (excepting public forums entirely outside of the courthouse) without the prior approval of the court or presiding judicial officer, or except as provided by rules of court, is **strictly prohibited**.

4. Procedures

- A. Compliance:
 - (1) Compliance with this Policy is mandatory for all individuals on or entering district and magistrate courthouse facilities in the 12th Judicial District in Otero and Lincoln County.
- B. Permitted Use of Audio/Video Recording Devices:
 - (1) Nothing in this policy affects the authority of the presiding judge to determine what, if any, use can be made of audio/video recording devices in a courtroom under specific circumstances.
 - (2) This policy has no bearing on recording policies, procedures and guidelines for courtroom proceedings pursuant to NMRA Rule 23-107.

5. Penalties

A person using a camera, personal audio recorder, or recording device in a manner prohibited by this policy may be subject to one or more of the following sanctions:

- 1) Direction to turn off or relinquish to security: the camera, personal audio recorder, or recording device;
- 2) Direction to leave the courthouse;
- 3) Service of no trespass notice;
- 4) Citation and prosecution for contempt; or
- 5) Prosecution for any violation of a publication ban, sealing order, or other restriction on publication.



Honorable Judge Angie K. Schneider,
12th Judicial District Chief Judge

January 3, 2024
Date



Audrey Hukari,
12th Judicial District Court Executive Officer

1/3/2024
Date