

FILED
DISTRICT COURT OF GUAM

APR 19 2022

JEANNE G. QUINATA
CLERK OF COURT

DISTRICT COURT OF GUAM
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In Re:
Adoption of Amended General Local Rule
GNLR 15.1

GENERAL ORDER
No. 22-0011

Pursuant to 28 U.S.C. § 2071, and after appropriate public notice and an opportunity for comment, the District Court of Guam hereby adopts the attached amended General Local Rule GNLR 15.1, effective April 19, 2022.

SO ORDERED this 19th day of April, 2022.



Frances Tydingco Gatewood
Chief District Judge

GNLR 15.1 Pretrial and Trial Publicity.

(a) Broadcasting, Televising, Recording or Photographing Judicial and Grand Jury Proceedings.

(1) The taking of photographs, operation of tape recorders or radio or television broadcasting in the grand jury room, and its environs (i.e., the second floor of the U.S. Courthouse; and the hallways and public areas leading to, and the hearing, waiting, or witness rooms utilized by the Grand Jury) or the public hallways and lobbies adjacent to the courtrooms during the progress of or in connection with any proceeding, including proceedings before a United States Grand Jury, whether or not actually in session, is prohibited.

(2) A judge may, however, permit (1) the use of electronic or photographic means for the presentation of the evidence or the perpetuation of a record by a court reporter, and (2) the broadcasting, televising, recording or photographing of investiture, ceremonial, or naturalization proceedings. Attorneys for the United States may use recording devices to present evidence to a grand jury.

(3) Coverage of certain civil proceedings, bankruptcy, adversary proceedings, and bankruptcy-related contested matters in open court is permitted with the approval of the Chief Judge of this Court and the judge presiding over the hearing, unless prohibited by rule or statute.

(a) There shall be no recording, audio pickup or broadcast of conferences between attorneys and their clients, between co-counsel, or sidebar conversations.

(b) There shall be no recording or broadcast of jurors or live witnesses.

(c) No video or photographic recording will be made of any proceeding in a case without the consent of all parties. Consent to the recording of one proceeding in a case will not be construed as consent to any other proceeding in a case.

(d) There is a limited exception to the ban on broadcasting ~~district~~ court proceedings as set forth in these rules for district and magistrate judges participating in an audio streaming pilot program established by the Judicial Conference of the United States in March 2020 (JCUS-MAR 2020, p. 9) and expanded in September 2021 (JCUS-SEP 2021, pp. 11-12). The pilot seeks to study issues associated with livestreaming audio of certain civil and bankruptcy proceedings with the consent of the parties to the proceeding.

Any livestreaming of audio conducted pursuant to the pilot program must comply with the pilot guidelines issued by the Judicial Conference Committee on Court Administration and Case Management, pursuant to the pilot program (available at <https://www.uscourts.gov/about-federal-courts/judicial-administration/district-court-audio-streaming-pilot#guidelines> <https://www.uscourts.gov/about-federal-courts/judicial-administration/audio-streaming-pilot>).

(4) The judge presiding over the hearing may limit or terminate audio streaming and video recording, or direct the removal of audio/video coverage personnel when necessary to protect the rights of the parties or to ensure the orderly conduct of the proceedings.

(5) Proceedings will be recorded by Court personnel only. No audio streaming or video recordings by other entities or persons will be allowed. The Clerk of Court, or designee, shall identify the location in the courtroom for the camera equipment and operators.

(6) Equipment shall not produce distracting sound or light. Signal lights or devices to show when equipment is operating shall not be visible. Motorized drives, moving lights, flash attachments, or sudden light changes shall not be used. Still cameras that do not operate quietly will not be used at any time when Court is in session.

(7) All equipment must be set up prior to the opening of the court session and may not be removed until after the conclusion of the court sessions, or during a court recess. Camera operators shall wear suitable attire in the courtroom.

(b) Publicity. The Court personnel, including but not limited to marshals, clerks and deputies, law clerks, secretaries, messengers, interpreters and court reporters, shall not disclose to any person information relating to any pending proceeding that is not part of the public records of the Court without specific authorization of the Court.

(c) Officers of this Court. In criminal cases or proceedings before any judge of this Court, prosecuting attorneys and defense counsel, as officers of this Court, and their associates, assistants, agents, enforcement officers and investigators, shall refrain from making, or advising or encouraging others to make to, for, or in the press, or on radio, television or other news media, statements concerning the parties, witnesses, merits of cases, probable evidence, or other matters which are likely to prejudice the ability of either the government or the defendant to obtain a fair trial.