

**IN THE SUPREME COURT OF TENNESSEE**

**AT NASHVILLE**

**IN RE: MEDIA COVERAGE-- SUPREME COURT RULE 30**

**December 30, 1996**

**Cecil W. Crowson  
Appellate Court Clerk**

**ORDER**

This Court, pursuant to our supervisory role over the judicial system of this State, adopted Supreme Court Rule 30, which governed media coverage of judicial proceedings in Tennessee for a one-year period beginning January 1, 1996, and ending on December 31, 1996. The one-year pilot program authorized media coverage, including television, subject to the presiding judge's authority to control the court proceedings, to maintain decorum, to guarantee the safety of participants, and to ensure the fair and impartial administration of justice.

In adopting Rule 30, this Court found that it is in the best interest of the public to be fully and accurately informed of the operation of the judicial system and that this interest can be compatible with the fair administration of justice. This Court also found that the one-year pilot program would provide sufficient experience with the rule to assist in determining whether the rule should be withdrawn, modified, or made permanent.

Accordingly, during the one-year program, this Court has reviewed and considered comments from the public at large, members of the bar, bar associations, the media, and the judiciary. This Court, through surveys conducted by the Administrative Office of the Courts, has also reviewed and considered the responses and comments of parties, jurors, witnesses, attorneys, judges, and court personnel actually involved in the coverage of trials.

Our review indicates that while differences of opinion still exist on the issue, actual experience with media coverage of judicial proceedings has ameliorated the fears and uncertainty of some and has increased the level of public acceptance. Such coverage has served the public interest by providing full and accurate information without interfering with or disrupting the fair and impartial administration of justice. We conclude, therefore, as have forty-seven other states, that media coverage of judicial proceedings is in the public interest and is compatible with the fair and impartial administration of justice.

With regard to the provisions of Supreme Court Rule 30, we find that section (D)(2) should be amended by adding a provision requiring written findings of fact as follows:

**(2) Discretion of Presiding Judge.** The presiding judge has the discretion to refuse, limit, terminate, or temporarily suspend, media coverage of an entire case or portions thereof, in order to i) control the conduct of the proceedings before the court; ii) maintain decorum and prevent distractions; iii) guarantee the safety of any party, witness, or juror; and iv) ensure the fair administration of justice in the pending cause. The presiding judge shall enter written findings of fact after an evidentiary hearing detailing the substantial evidence required to support his or her order under this section.

The last underlined sentence is added to section (D)(2) to facilitate appellate review of orders entered pursuant to the rule.

IT IS, THEREFORE ORDERED that Supreme Court Rule 30, as amended, be and hereby is made permanent and shall govern media coverage of judicial proceedings in Tennessee.

IT IS FURTHER ORDERED that Supreme Court Rule 10, Canon 3(A)(7)(A), which governed media coverage of judicial proceedings prior to the adoption of Supreme Court Rule 30, be and hereby is withdrawn.

Enter this the 30th day of December, 1996.

FOR THE COURT:

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Adolpho A. Birch, Jr., Chief Justice