

COUNTY COURT, CLEAR CREEK COUNTY, COLORADO PO Box 367 405 Argentine St. Georgetown, CO 80444	<b>▲ COURT USE ONLY ▲</b>
THE PEOPLE OF THE STATE OF COLORADO v.  <b>NICHOLAS HANNING</b>  <b>Defendant:</b>	
	Case: 21CR82  Division: J
<b>STANDING DECORUM ORDER AND ORDER REGARDING          EXPANDED MEDIA COVERAGE</b>	

The Court is charged with ensuring the orderly disposition of this case and preserving the processes by which a fair trial may be conducted. To that end, the Court enters the following Decorum Order. The media, the public, the parties and the parties' legal representatives and agents shall at all times be subject to this Order.

**I. Courthouse and Facilities**

- A. The Clear Creek County Courthouse is a small courthouse and is in the same building as the County Offices. Access to and movement within the Courthouse must remain clear and available for the conduct of normal business at all times. There shall be no obstructions to the public hallways or entrances to the building.
- B. Parking is limited in Georgetown and the streets and parking areas must remain unblocked and accessible at all times. Parking for the Courthouse is to the west of the building in the Fox lot. No tents, tables or chairs may be placed on the courthouse grounds or parking areas that would block access or parking.
- C. No structures or facilities, whether for a single proceeding or longer, shall be erected, and no tents, chairs, tables or other items are to be placed on the public grounds of the Clear Creek Courthouse, parking lots or county property except as approved by the Clear Creek County Sheriff and Court executive. Any conduct

not approved, or which may damage or destroy any existing lawn, pavement or landscaping is prohibited.

D. All persons entering the courthouse must clear courthouse security before coming into the courtroom.

## **II. Electronic Devices**

A. Electronic devices (cell phones, laptop computers, cameras, tape recorders, tablets and iPad or any other recording device **must** be turned off during court proceedings and no recordings are permitted except as by specific court order.

B. Attorneys for the parties may have and use electronic devices to the extent necessary for their work on the case.

## **III. Photography and Video Recording**

a. No photography or video recording of any kind is permitted within the Courthouse.

b. No person, except court personnel, may make a sound or photograph recording (still or video by any means) of any proceeding or person, including but not limited to jurors, witnesses, parties or the judge except as authorized by a specific court order.

## **IV. Press conferences and Interviews.**

No press conferences or interviews may be conducted within the courthouse.

There is insufficient space and any types of press conferences would disrupt the other court proceedings and county office operations. All parties must comply with the Order regarding pre-trial publicity.

## **V. Seating within the Courtroom**

There is limited seating within the courtroom and the first row of seats is to be reserved for the Victim, victim's representative and limited family, and the defendant's family.

## VI. Expanded Media Coverage

Rule 3 addresses media coverage of court proceedings. As relevant here, section (a)(3) prohibits EMC of “pretrial hearings in criminal cases, except advisements and arraignments.” In deciding whether to permit EMC, section (a) (2) requires the Court to consider the following three factors:

(A) Whether there is a reasonable likelihood that EMC would interfere with the rights of the parties to a fair trial;

(B) Whether there is a reasonable likelihood that EMC would unduly detract from the solemnity, decorum and dignity of the court, and

(C) Whether EMC would create adverse effects which would be greater than those caused by traditional media coverage.

In evaluating these factors, the Court finds that expanded media coverage can have a negative impact on the proceedings and could interfere with the right to a fair trial and could create adverse effects greater than those caused by traditional media coverage.

With these considerations in mind, the Court will permit only one (1) still camera in the court room for the July 13, 2021 appearance. This camera is to be the “pool” camera and is to be shared by media outlets. The camera must have a silencer and no flash is permitted.

**Pooling:** The media outlets will designate the pool camera, and that camera will be solely responsible for conducting the EMC authorized by this Order and for arranging an open and impartial distribution scheme with a distribution point located outside of the courthouse. If no agreement can be reached on a pooling arrangement, there shall be no EMC. Neither the Court nor its staff shall be called upon to resolve any disputes concerning a pooling arrangement.

### **Conduct of Media Representatives.**

Persons conducting expanded media coverage shall handle themselves in a manner consistent with the decorum and dignity of the Courtroom. The following practices shall apply:

1. Equipment employed to provide expanded media coverage shall be positioned and operated so as to minimize any distraction;
2. Identifying marks, call letters, logos, symbols, and legends shall be concealed on all equipment. Persons operating such equipment shall not wear clothing bearing any such identifying information; and
3. No equipment used to provide expanded media coverage shall be placed in, or removed from, the Courtroom while Court is in session. No film, videotape, or lens shall be changed within a Court Conference Room while Court is in session.
4. Members of the media may not utilize personal digital assistants (PDAs), laptops, tablets, and notebooks in the courtroom with wireless capabilities so long as it creates no disruption during the course of the trial. Audio streaming, photographs, digital recording and voice phone service from the courtroom are strictly banned.

### **Limits on Expanded Media Coverage:**

5. There shall be no “zoom” close-up photography of the parties, the court or any bench conferences.
6. There shall be no audio recording or close-up photography of communications between counsel and client or between co-counsel.
7. There shall be no EMC of in camera hearings.
8. The Court may restrict or limit EMC as may be necessary to preserve the dignity of the Court or to protect the parties.

9. The Court may terminate or suspend EMC at any time upon making findings of fact that:  
(1) the rules established have been violated; or (2) the substantial rights of individual participants or the parties' right to a fair trial will be prejudiced by such coverage if it is allowed to continue.

Any violation of the foregoing, and any other conduct which the Court find disruptive to the proceedings, may result in an order of temporary or permanent exclusion from the proceedings and/or other legal sanctions.

Done this 12<sup>th</sup> day of July 2021

BY THE COURT:



Cynthia J. Jones

Clear Creek County Court Judge

