

Ronald M Adams
CLERK SUPERIOR COURT

State of Georgia v. McMichael, et al.
(STYLE OF CASE)

CASE NO. CR 2000433

REQUEST TO INSTALL RECORDING AND/OR PHOTOGRAPHING EQUIPMENT PURSUANT TO RULES AND GUIDELINES FOR ELECTRONIC AND PHOTOGRAPHIC NEWS COVERAGE OF JUDICIAL PROCEEDINGS.

Pursuant to Rule 22 of the Electronic and Photographic News Coverage of Judicial Proceedings in the Uniform Superior Court Rules, the undersigned hereby requests permission to install equipment in courtroom Walmsley in order to record, photograph or televise all or portions of the proceedings in the above-captioned case.

Consistent with the provisions of the rules and guidelines, the undersigned desires to install the following described equipment: cell phone camera the following locations: Walmsley courtroom. The proceedings that the undersigned desires to record, photograph or televise commence on Oct. (date) 18. Subject to direction from the court regarding possible pooled coverage, the undersigned wishes to install this equipment in the courtroom on Oct. (date) 18. The personnel who will be responsible for the installation and operation of this equipment during its use are:

*Oct. 18 - trial end

(identify appropriate personnel)

WJCL Staff

* laptop, audio recording devices

The undersigned hereby certifies that the equipment to be installed and the locations and operation of such equipment will be in conformity with the rules and guidelines issued by the court.

This 1 day of Oct., 2021

Ansluy Christain

(Individual Signature)

WJCL 22 NEWS

(Representing/Firm)

Assignment Manager

(Position)

1375 Chatham Pkwy.

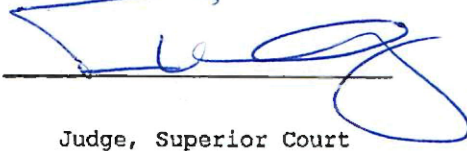
3rd floor
(Address)

Savannah, GA 31405


(912) 921-2222

(Telephone Number)

APPROVED:



Judge, Superior Court

SUBJECT TO POOLING


Judicial Circuit

Law reviews. - For annual survey of trial practice and procedure, see 40 Mercer L. Rev. 423 (1988). For article, "The Case Against Closure: Open Courtrooms After Presley v. Georgia," see 16 (No. 2) Ga. St. B.J. 10 (2010).

JUDICIAL DECISIONS

Judicial determination. - This rule requires the presiding judge to make his own independent determination as to whether or not electronic-media trial coverage is "within the requirements of due process of law" and can be "done without detracting from the dignity and decorum of the court." Multimedia WMAZ, Inc. v. State, 256 Ga. 698, 353 S.E.2d 173 (1987).

Basis for denial of coverage. - It was error to disallow electronic media coverage of certain judicial proceedings because it might "stifle, inhibit, frustrate or prevent" the Socratic dialogue beneficial to the free exchange of ideas between court and counsel. This is not an adequate basis for denial of coverage unless it results in a denial of due process of law or detracts from the dignity and decorum of the court. Georgia Television Co. v. Napper, 258 Ga. 68, 365 S.E.2d 275 (1988).

Findings were sufficient to support denial of motion to televise pretrial hearings in murder prosecution, where express finding was made that defendant's due process rights would be substantially violated by camera coverage because of the increased notoriety it would give the case. Georgia Television Co. v. State, 257 Ga. 764, 363 S.E.2d 528 (1988).

Despite finding that the presence of cameras in the courtroom during a pending criminal trial would be harmful to the rights of the defendant, the state, and the potential jurors, given the small and limited space in the courtroom, because the superior court failed to provide a factual basis for denying a newspaper's request to record those proceedings, it abused its discretion, warranting reversal of the denial. Savannah Morning News v. Jeffcoat, 280 Ga. App. 634, 634 S.E.2d 830 (2006).