

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Public Notice Regarding the Local Rules
of the
United States District Court
for the
District of Massachusetts

The United States District Court for the District of Massachusetts is considering, and is publishing for comment a modification of **Local Rule (LR) 83.3 Photographing, Recording, and Broadcasting** and a new **LR 83.3.2 Participation in Pilot Program**.

The modification of LR 83.3 is designed to update the rule generally. The addition of LR 83.3.2 is to allow for the court's participation in a three year pilot program established by the Judicial conference of the United States in September 2010 to study the use of cameras in district courtrooms for civil case proceedings.

Copies of the amended rule and proposed rule are available for inspection in the Offices of the Clerk: in Suite 2300 of the John Joseph Moakley United States Courthouse, 1 Courthouse Way, Boston, Massachusetts; on the 1st floor of the United States Courthouse, 300 State Street, Springfield, Massachusetts; and on the 5th floor of the Harold D. Donohue Federal Building, 595 Main Street, Worcester, Massachusetts. It may also be found on the court's web site at **www.mad.uscourts.gov**.

Those wishing to comment on these proposed amendments to the Local Rules for the District of Massachusetts may do so in writing. All comments must be received on or before July 22, 2011 and should be addressed to:

Honorable F. Dennis Saylor IV
Chairman, Rules Committee
c/o Helen M. Costello, Operations Manager
United States District Court
United States Courthouse - Suite 2-300
Boston, MA 02210

June 15, 2011

Sarah Allison Thornton
Clerk of Court

RULE 83.3 —PHOTOGRAPHING, RECORDING, AND BROADCASTING

(a) **Photographing, Recording, and Broadcasting Generally Prohibited.** Except as specifically provided in these rules or by order of the court, no person shall take any photograph, make any recording, or make any broadcast by ~~radio, television, or other~~any means, in the course of or in connection with any proceedings in this court, on any floor of any building on which proceedings of this court are or, in the regular course of the business of the court, may be held. ~~This prohibition shall apply specifically but shall not be limited to the second, third, ninth, eleventh, twelfth, thirteenth, fifteenth, sixteenth, eighteenth, nineteenth and twentieth floors of the John W. McCormack Post Office and Courthouse Building in Boston and the fifth floor of the Courthouse Building in Springfield.~~

(b) **Voice Recordings by Exceptions.**

(1) Court Reporters. Official court reporters are not prohibited ~~by section (a)~~ from making voice recordings for the sole purpose of discharging their official duties. No recording made for that purpose shall be used for any other purpose by any person. .

(c2) Presentation of Evidence. The court may permit ~~(1)~~ the use of electronic or photographic means for the preservation of evidence or the perpetuation of a record, ~~and (2).~~ .

(3) Miscellaneous Proceedings. The court may permit the broadcasting, televising, recording, or photographing of investitive, ceremonial, or naturalization proceedings.

(d4) File Review. The use of dictation equipment is permitted in the clerk's ~~office of this court~~ office by persons reviewing files in that office.

Effective September 1, 1990: amended effective

RULE 83.3.2 PARTICIPATION IN PILOT PROGRAM

Notwithstanding the general prohibition on photographing, recording, and broadcasting of district court proceedings set forth in Local Rule 83.3, the District Court may participate in the three year pilot program established by the Judicial Conference of the United States in September 2010 (JCUS-SEP 10, pp. 3-4) to study the use of cameras in district courtrooms for civil case proceedings.

Any recording and broadcasting conducted pursuant to the pilot program must comply with the program guidelines issued by the Judicial Conference Committee on Court Administration and Case Management, pursuant to the pilot program (available at www.uscourts.gov).

Adopted , 2011