

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

IN THE MATTER OF THE AMENDMENT OF )  
OF CANON 3(B)(13) OF THE CODE OF )  
JUDICIAL CONDUCT, SDCL CH. 16-2, ) RULE 10-08  
APPX., RELATING TO MEDIA COVERAGE )  
OF THE COURTROOM )

- - - - -  
A hearing was held on October 7, 2010, at Pierre, South Dakota, relating to the amendment of Canon 3(B)(13) of the Code of Judicial Conduct, SDCL Ch. 16-2, Appx., Relating to Media Coverage of the Courtroom and the Court having considered the proposed amendment, correspondence and the oral presentations relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that Canon 3(B)(13) of the Code of Judicial Conduct, SDCL Ch. 16-2, Appx., be and it is hereby amended to read in its entirety as follows:

Canon 3(B)(13) of the Code of Judicial Conduct, SDCL Ch. 16-2, Appx., Relating to Media Coverage of the Courtroom.

With the exception of the rules for expanded media coverage of appellate court proceedings and the rules for media coverage of trial court proceedings, a judge should prohibit broadcasting, televising, recording, or taking photographs in the courtroom and areas immediately adjacent thereto during sessions of court or recess between sessions, except that a judge may authorize:

- (a) the use of electronic or photographic means for the presentation of evidence, for the perpetuation of a record, or for other purposes of judicial administration;
- (b) the broadcasting, televising, recording, or photographing of investitive, ceremonial, or naturalization proceedings;
- (c) the photographic or electronic recording and reproduction of appropriate court proceedings under the following conditions:
  - (i) the means of recording will not distract participants or impair the dignity of the proceedings;
  - (ii) the parties have consented, and the consent to being depicted or recorded has been obtained from each witness appearing in the recording and reproduction;

Rule 10-08

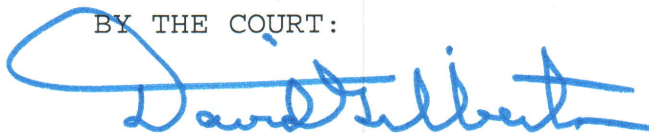
(iii) the reproduction will not be exhibited until after the proceeding has been concluded and all direct appeals have been exhausted; and

(iv) the reproduction will be exhibited only for instructional purposes in educational institutions.

IT IS FURTHER ORDERED that the rule shall become effective July 1, 2011.

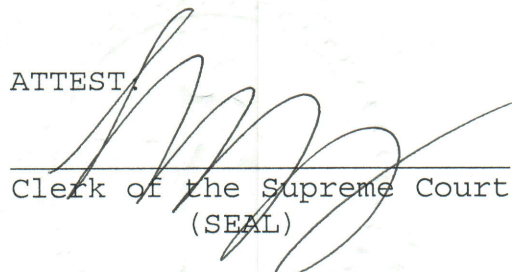
DATED at Pierre, South Dakota, this 28th day of February, 2011.

BY THE COURT:

A blue ink signature of David Gilbertson, written in a cursive style.

David Gilbertson, Chief Justice

ATTEST

A black ink signature of the Clerk of the Supreme Court, written in a cursive style.  
Clerk of the Supreme Court  
(SEAL)

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

FEB 28 2011

A black ink signature of Sheriff A. Johnson, written in a cursive style.  
Clerk