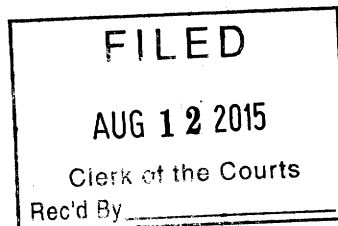


WORKING

WSMV-TV WSMV-DT NASHVILLE



August 11, 2015



VIA U.S. MAIL

Mr. James Hivner, Clerk
100 Supreme Court Building
401 Seventh Avenue North
Nashville, Tennessee 37219-1407

RE: In re Amendment of Tennessee Supreme Court Rule 30, No. ADMIN2015-00451

Dear Mr. Hivner:

We appreciate the opportunity to submit these comments on behalf of WSMV-TV regarding the proposed amendments to Tennessee Supreme Court Rule 30. As you may know, WSMV is a federally licensed broadcast station located in Nashville, Tennessee. WSMV is a network affiliate of the NBC network, and a leader in newsgathering and reporting in this region. For decades, WSMV has covered the activities of Tennessee courts, state judicial proceedings, and participants in the judicial process. The station is legally obligated to serve the public interest, and we strive to our utmost to do just that.

We appreciate the interest of the Tennessee Supreme Court and the Administrative Office of the Courts to continue to promote transparency, and to encourage state judges and court personnel to do the same. We also appreciate the Supreme Court's ongoing willingness to work with the news media to make the court system as accessible to the public as possible, without sacrificing judicial decorum.

The current Rule 30 has worked well over the past two decades to provide a framework for allowing cameras and recording devices into Tennessee courtrooms. Only on rare occasions have trial courts failed to adhere to the letter or spirit of Rule 30. On one such occasion, WSMV challenged the exclusion of cameras from a criminal court proceeding, and that case resulted in an appellate decision. The Tennessee Court of Criminal Appeals discussed the rule at length, and concluded that the trial court had abused its discretion in excluding television cameras from the trial. *State v. Morrow and Meredith Corporation (WSMV), Landmark Television of Tennessee (WTVF) and Young Broadcasting of Nashville (WKRN)*, C.C.A. No. 02C01-9601-CC-00022 (Tenn. Ct. Crim. App. April 12, 1996).

Over the following nearly two decades, journalists have covered literally thousands of court proceedings. In scores of those, permission has been granted to permit cameras and recording devices.

We have carefully reviewed the proposed Rule 30. We understand from the session conducted at the First Amendment Center by Debi Tate and Michele Wojciechowski of the Administrative Office of the Courts that it was proposed with the best of intentions to promote transparency. We have serious concerns, however, that the rule as currently proposed would result in a significant step backward from where we are today.

The current Rule 30 focuses on how cameras and recording devices are to be used. If they are to be used to record court proceedings, then they fall under Rule 30 and require permission. Technology has rapidly advanced in recent years. Today, cellphones and laptop computers are used as notepads by journalists. Although capable of recording, often they are not so used. The proposed Rule 30 focuses, unfortunately, on the device rather than how the device is intended to be used. As a result, the proposed rule impedes rather than advances transparency and the delivery of information to our citizens.

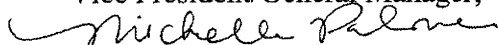
The Tennessee Bar Association has submitted extensive comments on the proposed rule, and a set of proposed edits. We believe the TBA's proposal provides a reasonable balance of potentially competing interests. The Tennessee Coalition for Open Government has submitted its own substantive comments on the proposed rule. WSMV adopts the rationale and reasoning in the comments provided by the TBA's and the TCOG.

We urge the Supreme Court to adopt the amendments to Rule 30 that have been proposed by the Tennessee Bar Association, and thank the Court for its attention.

Sincerely,



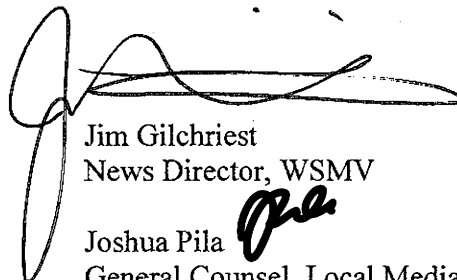
Doreen Wade
Vice President/General Manager, WSMV




Michelle Palmer
Assistant News Director, WSMV



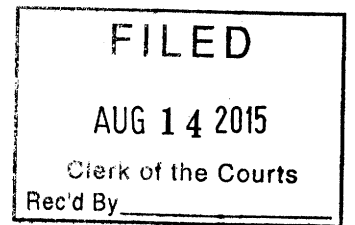
Robb Harvey, Waller
Outside counsel for WSMV



Jim Gilchrist
News Director, WSMV



Joshua Pila
General Counsel, Local Media Group
Meredith Corporation, owner of WSMV



Fed Ex 8-13-15

Aug. 12, 2015

The Honorable James Hivner
Clerk, Tennessee Supreme Court
Supreme Court Building, Room 100
401 7th Avenue North
Nashville, Tenn. 37219

RE: Proposed Rule 30 Changes, Docket No. ADM2015-00451

Dear Mr. Hivner:

We, the board members of the East Tennessee Chapter of the Society of Professional Journalists (ETSPJ), strongly oppose the proposed changes to Rule 30 of the Rules of the Tennessee Supreme Court. ETSPJ is a local chapter of the 7,500-member strong Society of Professional Journalists, the nation's oldest and largest journalism organization. We are dedicated to "the free flow of information vital to a well-informed citizenry; work to inspire and educate the next generation of journalists; and protect First Amendment guarantees of freedom of speech and press."

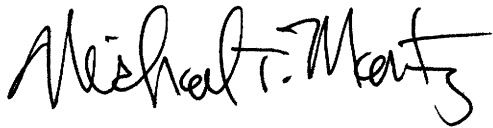
First, I want to recognize that Tennessee has a well-established history of transparency and openness of its judicial system. And, that Rule 30 has worked well in the past providing a framework for allowing cameras in the courtroom without sacrificing order and decorum or a threat to the fair administration of justice.

I also appreciate the Court's desire to update Rule 30, but am concerned that the proposed changes would actually become a hindrance to access and transparency, because it would broaden the scope to restrict how reporters disseminate information.

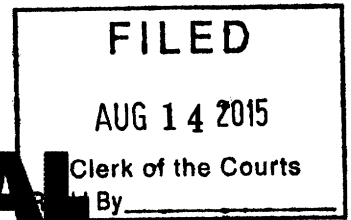
Reporters using electronic devices to deliver information to their newsrooms or remain in contact with their editors are not inherently disruptive to the decorum or judicial fairness of the proceedings. While these electronic devices may be used as cameras or video recording devices, I would suggest that such use would be subject to the existing Rule 30. However, the use of an electronic device to take notes, share information with an editor or post stories online are not comparable to the use of cameras or video recording and should not be hindered.

In that vein, we urge the Court to adopt the amendments to Rule 30 that have been proposed by the Tennessee Bar Association. On behalf of the East Tennessee Society of Professional Journalists, I wish to thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Michael T. Martinez". The signature is written in a cursive style with a large, stylized initial "M".

Michael T. Martinez
President /East Tennessee SPJ
On behalf of the ETSPJ Board of Directors



FedEx 8-13-15

Via hand delivery:
James Hivner, Clerk
Re: Rule 30
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1407

August 14, 2015

RE: Amendment of Rule 30, Docket No. ADMIN2015-00451

The Society of Professional Journalists has roughly 60 dues-paying members in the Middle Tennessee Pro chapter. This 501(c)3 non-profit organization representing the people who will be directly affected by this proposed change to Rule 30 respectfully ask for reconsideration.

Technology is a blessing and a curse to modern reporters. Please don't create one more hoop to jump through before reporting on courtroom activity. Doesn't the court want more coverage, not less? Making a hearing harder to cover effectively reduces the ability to report on it. It's that simple.

The need for decorum is clearly understood. SPJ's TV and radio journalist members are well accustomed to the requirements to seek permission 48-hours in advance. But to apply this same standard to something as essential to reporting as a smartphone seems to misunderstand the job of a 21st century journalist. This is like taking up someone's pen and notebook.

Court officials have shared in public forums that many judges will be happy to waive the 48-hour notice. So why have a rule knowing it won't be fully enforced?

Fortunately, conversations with administrative officials reveal there is some second-guessing going on within the judicial branch. The extraordinary effort to seek comment on the rule change is appreciated.

The SPJ Middle Tennessee Pro Chapter offers its full-throated support of the Tennessee Bar Association's detailed revisions.

Sincerely,

Blake Farmer, president of SPJ Middle TN Pro chapter