

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)
ADMINISTRATIVE ORDER)
REGARDING COURT’S)
PARTICIPATION IN PILOT) Misc. No. 2:21-mc-00255-MRH
PROGRAM FOR LIVE-)
STREAMING OF CERTAIN)
CIVIL MATTERS)

ADMINISTRATIVE ORDER

WHEREAS the policy of the Judicial Conference of the United States Courts (the “Judicial Conference”) generally prohibits the broadcasting of proceedings in federal district courts (JCUS-SEP 94, pp. 46-47).

WHEREAS, at its March 2020 session, the Judicial Conference authorized a district court pilot program to evaluate livestreaming audio of proceedings in civil cases of public interest, and delegated to the Court Administration and Case Management (“CACM”) Committee the authority to issue and amend guidelines consistent with the parameters of the pilot. ([JCUS-MAR 2020, p. 9.](#))

WHEREAS, the CACM Committee and the Administrative Office of the United States Courts have developed a pilot program which has the goal of studying issues related to livestreaming audio of certain civil proceedings.

WHEREAS, the CACM Committee has issued pilot guidelines, available at <https://www.uscourts.gov/about-federal-courts/judicial-administration/district-court-audio-streaming-pilot#guidelines>. The Committee also has approved the United States District Court for the Western District of Pennsylvania (the “Court”) to participate in the pilot program.

WHEREAS, only civil proceedings are included in the pilot program and all parties, counsel and the presiding Judge must consent to livestreaming audio of the proceeding. However, consent for livestreaming of a single proceeding in a case does not constitute consent for any other proceedings in that or any other matter.

WHEREAS, in order to qualify for audio streaming under this pilot program, the proceeding or case must involve an issue of public interest.

WHEREAS, the assigned Judge in utilizing his / her discretion to permit livestreaming can consider, inter alia, the level of public interest; and, the availability of Court staff and resources to oversee livestreaming.

WHEREAS, the following civil proceedings are excluded from the pilot program: (1) any civil proceeding involving live witness testimony; (2) any civil proceeding involving sealed, confidential, or classified materials; (3) any civil proceeding involving jurors or potential jurors, including voir dire and trial; and (4) both jury and nonjury civil trials. Civil proceedings eligible for the pilot include oral arguments on motions; status conferences; and any other hearing or proceeding that is not otherwise excluded.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. Under the guidelines set forth by the Judicial Conference for this pilot program, District and Magistrate Judges of this Court are authorized to livestream audio of civil proceedings meeting the criteria set forth in the pilot guidelines and in the manner set forth in the guidelines. The determination of whether to permit the livestreaming of audio pursuant to and as authorized by the pilot program and this Order shall be made by the assigned Judge in her/his sole and sound discretion. This authorization shall continue until the Court terminates its participation in the pilot or the CACM Committee notifies the Court that the pilot has concluded.

2. Any livestreaming of audio conducted pursuant to the pilot program must comply with the pilot guidelines issued by the CACM Committee, pursuant to the pilot program (available at <https://www.uscourts.gov/about-federal-courts/judicial-administration/district-court-audio-streaming-pilot#guidelines>).

3. To the extent that a civil proceeding qualifies for participation in the livestreaming pilot program, it is excepted from the limitations or prohibitions on broadcasting Court proceedings set forth in Local Civil Rule 83.1(C).

4. Recording, broadcasting or rebroadcasting, reproducing or posting audio of any such proceeding is prohibited.

5. This order will be effective as of March 15, 2021.

Dated: March 1, 2021

FOR THE COURT:

/s/ Mark R. Hornak
Mark R. Hornak
Chief United States District Judge