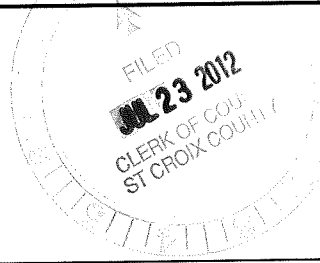


STATE OF WISCONSIN

v.

AARON NMI SCHAFFHAUSEN



Case No. 12 CF 227

ORDER REGARDING PRELIMINARY HEARING ADMINISTRATION

The above-entitled action is scheduled for a PRELIMINARY HEARING on Tuesday, July 24, 2012. The Court is mindful of the need to balance (1) the constitutional right of the defendant to a fair hearing, (2) the public's right to know and the constitutional and statutory rights of the media to attend the proceedings, and (3) the court's own interest in maintaining order and an environment which permits all participants to focus on their responsibilities without undue distractions. To address these important considerations, the Court has consulted with courtroom security personnel, the Clerk of Courts, the media coordinator, and Tom Sheehan, the Court Information Officer.

To assure that the proceeding protects the right of the parties to a fair hearing and the right of the public and the media to have access to the hearing, the Court hereby exercises its inherent authority and its authority under SCR 61.01(1).

IT IS HEREBY ORDERED AS FOLLOWS:**1. Courtroom Seating.**

(a) **Seating for Defendant and Victim Families.** The first row of seats behind the defense table will be reserved for members of the defendant's family and the first row of seats immediately behind the prosecution table will be reserved for members of the victim's family.

(b) **Media Seating.** Members of the media shall be permitted in the courtroom as space permits. Media members shall also be permitted to observe court proceedings via closed circuit television in Courtroom 4, St. Croix County Government

Center. Members of the media who choose to view the proceedings from the open portion of the courtroom may do so, but shall be subject to the same availability requirements and other restrictions applicable to members of the general public.

Media parking arrangements shall be handled by the St. Croix County Sheriff's Department.

(c) **Public Seating.** The public, including the media, may be seated anywhere other than in the seats reserved for the defendant's and victim's families. Members of the public and/or media who cannot find a seat in a pew shall not be permitted in the courtroom. The public, including the media, will not be permitted to stand at the back of the courtroom or along the sides of the courtroom. Lawyers not involved in this case shall be treated as members of the public.

Spectators will not be permitted to wear clothing expressing sympathy or support for either the defendant or the victims in the case. Persons wearing any such clothing, including visible arm bands, emblems or any other similar attire will not be permitted in the courtroom.

(d) **Seating in Front of the Bar.** No one other than the defendant, the attorneys and their assistants shall be permitted to sit in the chairs in front of the bar and behind counsel table without specific authorization by the court.

(e) **Entry and Exit During Court Proceedings.** Spectators, including members of the media, and the public shall be seated before court is in session during any portion of the hearing. No entry to the courtroom shall be permitted while court is in session. Persons leaving the courtroom during the hearing must wait until the next recess before reentering. Approximately two minutes before the end of each recess the bailiff/court security personnel shall attempt to invite any members of the media or the public who have left the courtroom to return to their seats.

2. **General Restrictions.**

(a) **Security screening.** All persons entering the courtroom are subject to security screening. Handbags, backpacks and other carry-ins are subject to inspection.

(b) **Cell Phones.** Cell phones are permitted in the courtroom, but these devices **must** be silenced.

(c) **Computers.** Members of the media may utilize computers, including laptops, for purposes of note-taking. These devices **must** be silenced.

3. Courtroom Media Coverage.

(a) **Television Camera.** Pursuant to SCR 61.03(1) and (2), based on space limitations in the courtroom, one traditional television camera will be permitted in the courtroom to be located in an area of the courtroom designated by the media coordinator. All television media shall have access to and share the video received from the permitted camera. Members of the television media shall designate and agree on the operator of the camera permitted. In the absence of an agreement by the television stations and/or determination by the media coordinator, then no television camera will be permitted in the courtroom. Unless otherwise prohibited by the Court, live coverage of the hearing shall be permitted.

(b) **Portion of Proceedings Which May be Televised.** The television camera shall not be set up nor disassembled at any time while the Court is in session. Cameras can be set up during a court recess, but cameras shall not be operated during a recess in the court proceeding. "Recess" means any time the judge is not on the bench. Pursuant to SCR 61.07, audio pickup, broadcast or recording of a conference in a court facility between an attorney and client, co-counsel, or attorneys and the trial judge held at the bench is not permitted.

(c) **Restrictions on Camera Coverage.** Pursuant to SCR 61.11(2), no television camera or still camera shall take any close up shots of counsel table such that any detail concerning any writings on the table can be identified.

(d) **Audio Feed.** If one or more media representatives needs an audio feed, then only one audio system shall be set up for any and all media who need an audio feed. (They shall share one audio feed.)

(e) **Still Photographers.** Subject to any further orders of the Court and space availability, the court will permit still photographers, each using not more than two (2) cameras, in the courtroom at any one time during the trial. All cameras must have a silent shutter and no flash photography is allowed. The photographers are not to move about while court is in session. They shall remain seated during the hearing and shall conduct themselves so as to not become a distraction to the trial participants and/or the Court.

(f) **SCR Chapter 61.** All members of the media are cautioned to be familiar with the requirements of SCR Chapter 61 "Rules Governing Electronic Media and Still Photography Coverage of Judicial Proceedings."

(g) **Interviews.** No media interviews or videotaping shall be conducted in the courthouse except in the media room (Courtroom 4).

4. **Media Inquiries.** All communication between representatives of the media and the court shall come through the 10th Judicial District's Media Coordinator, Keith Edwards – WQOW, Eau Claire, WI. (The Clerk of Courts will provide Mr. Edward's contact information upon request.)

5. **Court Security Officer Authority.** Any spectator who creates a visual or auditory disturbance of the court proceedings may be removed from the courtroom and/or the building at the discretion of court security personnel.

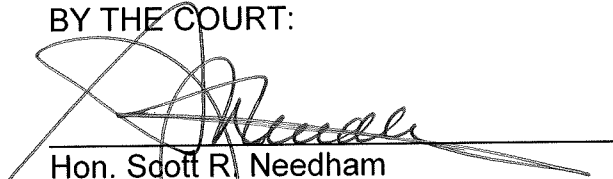
6. **Other Courthouse Areas.** Security officers may quiet or disperse such members of the public or media so they do not hinder other members of the public and court staff from having access to the building and to the Clerk of Courts office and the other courtrooms.

7. **Media Access to Court Documents.** The media can be provided with copies of open records documents upon request, through the Clerk of Court office, at \$1.25 per page. Sealed documents will not be provided to the media and are not made available for public inspection. Documents can be faxed to the media upon request.

There is a \$3.00 fax fee, plus \$1.25 per page. Advance payment is required for all records requests. Payment for copies can be made by cash, check or money order. There is a public access computer available in the room adjacent to the Clerk of Courts office.

Dated this 20th day of July, 2012.

BY THE COURT:



Hon. Scott R. Needham
Circuit Court Judge
Branch 3

Distribution:

Sheriff
Clerk of Courts
Court Security Officers
District Attorney
Defense Counsel
Media Coordinator
10th Judicial District Court Information Officer
State of Wisconsin Court Information Officer