

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
NORTHERN DISTRICT

SUPERIOR COURT

The State of New Hampshire

v.

Adam Montgomery

Docket No.: 216-2022-CR-02372
216-2022-CR-00020

**ORDER ON MEDIA RULES FOR
JURY SELECTION, VIEW, AND TRIAL**

The court hereby issues the following order regarding the rules for media coverage of the above captioned trial:

1. Contact Information:

Judicial Branch Communications Manager/Public Information Officer, Av Harris, is the media contact for this trial. He may be reached at aharris@courts.state.nh.us or communications@courts.state.nh.us – (603) 415-6770.

2. Definition of Media:

“Media” are defined as members of the working press and other representatives of a news outlet, that regularly gather, report, edit, broadcast, and publish news or matters of public interest, either in print or electronically.

The definition of media includes Internet-based “new media” that regularly update content. This definition does not include personal websites. It is the responsibility of online organizations to demonstrate that they meet the definition of “new media.”

If a question arises, the determination of whether an organization or individual meets the definition of media shall be made by the presiding judge.

3. Restrictions on Coverage:

A. Overall

The court may impose reasonable restrictions on the time, place, or manner of media coverage. Any restrictions must be reasonably related and narrowly drawn by the least restrictive means to (i) control the conduct of proceedings before the court, (ii) ensure decorum and prevent distractions; (iii) protect the reasonable privacy interests of a minor or any other person, including victims, or (iv) ensure the fair administration of justice in pending or future cases.

B. Jurors

Media shall not videotape or photograph any jurors during selection/voir dire, the view or during the trial.

Media shall not speak to, or otherwise communicate via a third party, phone, text, email, or other forms of social media, with any jurors during selection/voir dire, the view or during the trial.

Media shall not identify jurors by name.

C. Pool Coverage

Pool coverage for television, internet streaming, radio and still photographs is in effect for jury selection/voir dire, the view, and the trial. As arranged through the Judicial Branch Communications Manager/Public Information Officer, Court TV will be the pool broadcast provider. A still photographer pool is also being arranged through the Judicial Branch Communications Manager/Public Information Officer.

D. Television, Still and Personal Cameras

Both television and still cameras will be positioned in the courtroom as designated by the presiding judge.

All such equipment, including robotic cameras, shall operate with minimal noise so as not to disrupt proceedings. Still photographers should put any cameras on silent mode if possible.

Television cameras and radio recordings shall be turned off when the court is not in session.

Still cameras shall not use a flash.

E. Personal Electronic Devices

Cell phones, laptops and iPads/tablets are permitted in the courtroom as long as they are set in silent mode or turned off. Keyboards must be used with minimal noise. Use of personal recording devices used solely for the purpose of reference must be approved by the court.

F. Attorney-Client and Bench Conversations

To protect the attorney-client privilege and the right to counsel, there shall be no broadcast or video taping of conferences which occur in the courtroom between attorneys and their clients, between co-counsel of a client, or between counsel and the judge held at the bench.

G. Interview Locations

No cameras, audio equipment or other recording devices shall be used in the lobby or other public, non-courtroom, area of the courthouse to conduct interviews, except in the designated staging area. The designated staging area is located in the lobby on the first floor of the courthouse in the marked area behind the security screening station. Any audio, camera, cellphone, video, or any other media

must be directed toward the wall while recording. This requirement is intended to minimize the risk that individuals using the court facilities are recorded outside the courtrooms without their consent. No recording shall occur outside the courtroom except in the designated staging area.

4. Challenges to Restriction or Denial of Coverage:

Any media organization, for which coverage has been restricted or denied, may request in writing that the trial court reconsider its ruling. The request should be filed with the clerk of the court at the earliest opportunity. Requests must be made in the form of a motion, stating the reasons why media coverage should be allowed beyond those identified in this order or why the ruling concerning that coverage should be modified.

5. Access to Documents and Exhibits:

Under New Hampshire Rule of Criminal Procedure 46 (i), media are allowed access to documents and exhibits filed with the court, and not sealed, in a “reasonably timely fashion”. As the rule also indicates, the court’s need to make use of the documents and exhibits for official purposes takes precedence over their availability for the media’s inspection. A clerk of the court, or his or her designee, must be present whenever the media inspect documents or exhibits in order to protect the integrity of the material, including its chain of custody.

6. General Instructions:

Media will be seated in the area designated for them in the courtroom. Seating will be on a first come, first served basis. During selection/voir dire the court will hold one seat for the pool broadcast provider, one seat for the pool still photographer and 3 additional seats for media. The balance of the seating will be needed for jurors during the selection/voir dire process. As noted above, media shall not videotape or photograph any jurors during selection/voir dire.

Media may enter and exit the courtroom at will, when it is open to the public, except as directed otherwise by the presiding judge, court security or court administrative personnel.

Members of the media are expected to present a professional appearance in keeping with the dignity of the proceedings and be sufficiently familiar with court proceedings to conduct themselves so as not to interfere with the proceedings, or to distract counsel or the court.

January 31, 2024
Date


Amy B. Messer
Presiding Justice

Clerk's Notice of Decision
Document Sent to Parties
on 01/31/2024