

81-300

06-88-862  
STATE OF MINNESOTA  
IN SUPREME COURT

OFFICE OF  
APPELLATE COURTS  
APR 21 1988

FILED

PETITION OF CBS INC.  
FOR ORDER PERMITTING  
THE RECORDING AND  
TELEVISIONING OF  
JUDICIAL PROCEEDING

CBS INC. ("CBS"), by its attorneys, Moss & Barnett, A Professional Association, hereby petitions this Honorable Court for special permission under Canon 3A(7) of the Minnesota Code of Judicial Conduct, to undertake limited camera coverage of certain courtroom proceedings on April 25, 1988 in Duluth, Minnesota for the reasons set forth below:

1. Your petitioner, CBS is a New York corporation with its principal place of business at 51 West 52nd Street, New York, New York 10019 and is engaged in, inter alia, the business of gathering, reporting and broadcasting news and other information.

2. One of your petitioner's news programs is a weekly program entitled 48 HOURS, which is broadcast nationwide over the facilities of the CBS Television Network. CBS is presently in the process of preparing a domestic violence program to be broadcast on 48 HOURS. As part of this report, your petitioner seeks to present video coverage of certain law enforcement activities and legal proceedings taking place on April 25, 1988 in Duluth, Minnesota. The City of Duluth has in place law enforcement policies and programs regarding domestic violence which have served as models for numerous other municipalities.

3. The camera coverage sought by your petitioner of certain civil and criminal proceedings in the Minnesota District Court in Duluth would add greatly to the accuracy, comprehensiveness and effectiveness of the CBS news program and contribute significantly to the education of the viewing public concerning the workings of the judicial system and the handling of domestic violence situations.

4. Specifically, CBS seeks permission of this Honorable Court to undertake camera coverage on April 25, 1988 of proceedings in the courtrooms of the Honorable Robert V. Campbell and the Honorable John Oswald, Judges of the Minnesota District Court for St. Louis County.

5. CBS has been advised that both Judge Campbell and Judge Oswald are willing to permit camera coverage of proceedings in their courtrooms on April 25, 1988 by your petitioner, provided permission is granted by this Honorable Court. CBS will agree to abide by any restrictions placed on its camera coverage by this Honorable Court or by Honorable Robert V. Campbell and the Honorable John Oswald, including but not limited to restrictions on persons who may be videotaped, testimony that may be videotaped, and camera placements in the court rooms.

6. Your petitioner also requests permission to videotape the movement of witnesses and other persons in the courthouse hallways but in accordance with any restrictions placed on such camera coverage by this Honorable Court or by the Judges of the St. Louis County District Court.

7. Your petitioner regrets the late filing of this Petition. However, CBS had been informed that Minnesota still had

in effect an experimental program permitting cameras in the courtroom as authorized by orders of this Court. It was not until this week that your petitioner learned that the program relating to audio-visual coverage had lapsed. By that time, extensive arrangements for news gathering and videotaping had been set. The news program 48 HOURS involves shooting scenes and interviews at various locations, over a 48 hour period, on an extremely tight schedule.

8. Your petitioner has reviewed Canon 3 of the Minnesota Code of Judicial Conduct, the 1983 and 1985 audio-visual modifications to Canon 3A(7) as well as the Standards of Conduct and Technology Governing Still Photography, Electronic and Broadcast Coverage of Judicial Proceedings and agrees to abide by such standards or other requirements as may be established by this Honorable Court.

Respectfully submitted,

MOSS & BARNETT  
A Professional Association

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