



**20th Judicial District
Boulder District Court**

Media Plan and Guidance

Kupfner, George et al v. Xcel Energy Inc et al

Trial Information

20th Judicial District
Boulder County Combined Courts
1777 6th St., Boulder, CO 80302
PO Box 4249
Boulder, CO 80306

Case Number
2022CV30195

Presiding Judge
Judge Christopher Zenisek

Court Contact Information

Media Contact

Suzanne Karrer, Chief Communications Officer
720-595-7045 (call or text)
suzanne.karrer@judicial.state.co.us

Courts Contact

Tracy Sogi
20th JD Court Executive
(303) 441-3750

Research Department (records requests)

20recordsrequest@judicial.state.co.us
(720) 664-1468
Monday - Friday, 8:00 a.m. - 5:00 p.m.

Media Access

Court documents

All publicly accessible documents, motions, and records for this trial will be posted on the 20th Judicial District website at coloradojudicial.gov/courts/trial-courts/boulder-county, under the cases of interest link, <https://www.coloradojudicial.gov/node/9935>. Please review the case site before making a specific records request from the court.

Interviews

Judges, court staff, and jurors are prohibited from discussing active cases. Jurors who wish to be interviewed after the conclusion of the cases may do so, but this will need to be coordinated through the individual and not the courts.

Courthouse security

Members of the public and media must pass through a metal detector and security screening by court security officers.

Closed sessions

Certain proceedings are always closed to the public and media. Jury deliberations and attorney-client meetings will occur in private. These rules are designed to protect the integrity of the process and preserve the right to a fair and impartial trial. The judge may also meet privately with the attorneys in chambers.

Most pretrial hearings are open to the public; however, either party may file motions requesting that the judge close certain proceedings. Media organizations may choose to file an opposing motion when this occurs.

Media On-site

Credentialed Media

The Colorado Judicial Branch's Chief Communications Officer, Suzanne Karrer, will administer the media credentialing process. Credentials will be issued in accordance with the Court's credentialing procedure and at the Court's discretion. The Colorado Judicial Department (Department) issues media credentials to those entities and individuals as defined in Colorado Supreme Court Rules, Chapter 38, Rule 3, Media Coverage of Court Proceedings, detailed below.

The Department and judicial officers may reserve the right to restrict the number of media credentials issued if space is limited at a trial, hearing, or event.

All requests for credentials must be made to suzanne.karrer@judicial.state.co.us at least three days before the requested hearing date. The person requesting a media credential must be prepared to present credentials identifying the person as a member of a recognized media organization.

Media outlets need to identify in advance ALL members of their organization who will be covering the trial. Credentials to individual members of media organizations will NOT be issued on the day of the hearing, regardless of whether other members of the same media organization have been approved.

Accredited Media Outlets Definitions

Rule 3. Media Coverage of Court Proceedings

(a) Expanded Media Coverage: A judge may authorize expanded media coverage of court proceedings, subject to the guidelines set forth below.

(1) Definitions. As used in this section, unless the context otherwise requires:

(A) "Proceeding" means any trial, hearing, or any other matter held in open court which the public is entitled to attend.

(B) "Photograph" and "photography" means all recording or broadcasting of visual images, by means of still photographs, videotape, television broadcasts, motion pictures, or otherwise.

(C) "Expanded media coverage" means any photography or audio recording of proceedings.

(D) "Judge" means the justice, judge, magistrate, or other judicial officer presiding over the proceedings. In proceedings with more than one judge presiding, any decision required shall be made by a majority of the judges.

(E) "Media" means any news gathering or reporting agency and the individual persons involved, and includes newspapers, radio, television, radio and television networks, news services, magazines, trade papers, in-house publications, professional journals, or any other news reporting or news gathering agency whose function it is to inform the public or some segment thereof.

Courtroom access

The court proceedings are open to the public on a first-come, first-served basis. The proceedings will be available on livestream for viewing outside the courtroom.

Off-limit areas

Journalists should not cross from the public gallery into the well of the courtroom, which is marked by a short rail, without permission from the judge or a court employee.

Throughout the courthouse, journalists should obey posted restrictions and instructions from court security officers.

Members of the media shall not block entrances or public rights-of-way.

Chief Judge Administrative Order Concerning Electronic Devices in Judicial Buildings- 20th Judicial District

The following Chief Justice Administrative Order (11-101) order shall be complied with at all times in the Boulder County Courthouse and all 20th Judicial District buildings and facilities:

"In all courtrooms: All electronic devices shall be set on silent. The vibrate setting is not allowed. No person, except court personnel, may make a sound or photographic (still or video) recording of any proceeding or person, including but not limited to, jurors, attorneys, witnesses, parties, or observers. (Official transcripts of proceedings may be ordered through the office of the court clerk.) Persons may use laptop computers and other electronic devices so long as such use is not disruptive of court proceedings. A judicial officer may further restrict use and possession of electronic devices in the courtroom.

In all hallways and public areas of the building other than courtrooms :

Electronic devices may be used so long as such use is not disruptive of court proceedings. Cell phones must be set to vibrate or silent ring settings and may not be used to capture images. Use of any type of audio or video recording device in the clerk's office, at the clerk's window, or in the jury assembly room is strictly prohibited without express consent of the Court. A judicial officer may further restrict use and possession of electronic devices in the hallways and public areas.

Media: Members of the media desiring access to the Justice Center with cameras, or other recording devices, shall present valid media credentials or other valid photo identification and business card at the security checkpoint. With a valid media credential cameras shall be permitted in the hallways and public areas of the Courthouse. Administrative Order 2-101 Expanded Media Coverage of Court- cameras are not allowed in courtrooms without express consent of the Court."

Decorum Order

Decorum Order

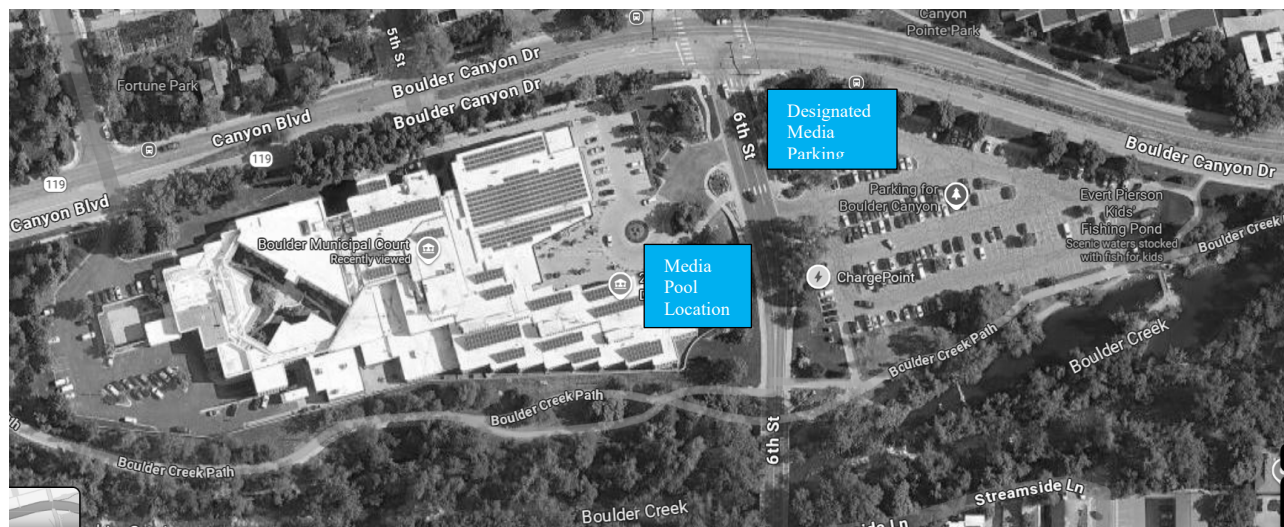
The judge has issued a decorum order, which outlines the rules of conduct and guidelines designed to govern the expectations of those involved in the trial and those observing it, ensuring that the decorum of an open court is maintained throughout the proceedings.

Use of Cameras

By decorum order, the following applied during the length of the trial for use of cameras on and in courthouse property: *“The 20th Judicial District Court Executive, in consultation with the Boulder County Sheriff’s Office, shall determine a media pool location for cameras outside of the courthouse (the “Media Pool Location”). All camera or recording device functions (including those on video cameras, still cameras, iPhones, cell phones, tablets, computers, audio or video recorder or transmittal devices (“Camera or Recording Device Function”)) shall be used only at the Media Pool Location.”* See media pool location for specific information on the location on the property.

Media Pool Location/ Onsite Broadcasting

Designated spaces outside the courthouse will be marked for media. Parking spaces in the main parking lot will be reserved for media, and a paved pedestrian area outside, southeast of the main entrance, will be the designated media pool area. See the map below for those designated spaces:



Electronic Device Usage

Within the Decorum Order, the judge will permit the use of cellphones, laptops, or other electronic devices by credentialed members of the media for the purpose of taking notes, provided that their use does not disrupt proceedings. Recording of proceedings in the courtroom using electronic devices is prohibited.

Recording and Broadcasting

Expanded Media Coverage (EMC) Order

The judge is allowing the recording and rebroadcasting of the livestream by credentialed media outlets. Simulcasting is prohibited.

Members of the public or media wishing to attend the hearing in person may do so. All seating is on a first-come, first-served basis and subject to availability.

No recording devices of any kind will be permitted in the courtroom, and no live photography is permitted in the courtroom.

Livestream

Proceedings will be streamed on livestream. The livestream can be accessed on the coloradojudicial.gov website at <https://live.coloradojudicial.gov>, **Boulder Courtroom G**. Members of the media will not be permitted into the hearings WebEx and will need to view only virtual proceedings using the livestream link (<https://live.coloradojudicial.gov/>).

NOTE: Please be cognizant of the difference between the livestream links, which are view-only, and the WebEx links for attendees. Requests to enter the WebEx hearing become distractions for judges and court staff during proceedings.

Key Trial Point Announcements

Jury Seating, Opening Statements, Closing Statements, and Verdict Announcements

The Colorado Judicial Department will notify subscribed members of the media via text and email on all key trial events, including the conclusion of voir dire, opening statements, closing statements, and verdict(s).

To receive these alerts, credential press representatives can sign up for trial alerts at <https://lp.constantcontactpages.com/sl/YLaRWk5>.

Jurors

During the trial, the media is directed that no photograph or record of the jurors is allowed, including the juror entrance/exit from the courthouse.

The media shall make no attempt to contact or question prospective or empaneled jurors until the Court has discharged the juror.

To ensure that prospective and empaneled jurors do not overhear media interviews, press interview locations will be restricted to the designated areas shown on the map above.

At the end of the trial, the court will ask jurors if they are willing to speak with the press. Media representatives may ask the court for juror information of those willing to be interviewed, and the representative is responsible for securing an interview location outside the courthouse. The court will not arrange juror interviews but will provide contact information for those who agree to disclose such information.