

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

MAJOR, WIDELY KNOWN OR
PUBLICIZED CASES

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MISC. NO. 08-0214 (ADC)

CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

2013 MAY 21 PM 5:47

RECEIVED AND FILED

AMENDED STANDING ORDER

The United States Courts are tenants of the General Services Administration and, as such, are bound by the Code of Federal Regulations on the subject of Conduct on Federal Property. To that effect, and due to recent completed and outstanding construction work within the Federal Property, pursuant to 41 C.F.R. Ch. 102, subpart 102-74.365, the court issues this Standing Order to regulate visitors to the Clemente Ruiz-Nazario United States Courthouse in the District of Puerto Rico during major widely known or publicized cases.

1. Packages, briefcases, and other containers in the immediate possession of visitors, employees or other persons arriving on, working at, visiting, or departing from Federal Property, are subject to inspection by Federal Protective Service, the United States Marshals Service, or both.

2. No vehicles, other than duly-authorized Federal Government vehicle, will be allowed to enter the Federal Property through either the Carlos Chardón Street and O'Neill Street entrances. Visitors and duly-credentialed members of the media shall park in the designated visitors parking area and enter Federal Property through the pedestrian access located at Carlos Chardón Street.

3. The court has designated a space in the Clemente Ruiz-Nazario U.S. Courthouse as the court's press room. Only duly-credentialed members of the media will be allowed access to the press lounge.

4. The presiding judge may designate any area of public seating in a courtroom as "reserved media seating". Only duly-credentialed members of the media may sit in the designated seating area.

5. The Clerk of Court, together with the General Services Administration, Federal Protective Service and the United States Marshals Service will design and manage official credentials for members of the media. Applications for such credentials must be endorsed by local or internationally recognized media organizations.

6. Title 41 of the Code of Federal Regulations, as well as established practice in Federal Buildings and courthouses throughout the nation, prohibit conduct on Federal Property which creates loud or unusual noises that interfere with the business of a Federal Court. The regulatory scheme directs the General Services Administration, Federal Protective Service and the United States Marshals Service to prohibit any action that unreasonably obstruct the usual use of entrances, foyers, lobbies, corridors, offices, elevators, staircases, public entrances and sidewalks, or which prevents the general public from obtaining the administrative services provided on Federal Property peacefully and safely. For which, the Court sets forth the following policies:

A. Designation of an Outside Press/Camera Area.

During major, widely known or publicized cases, an outside press/camera area will be established and enforced. The designation of such area appears in color green in

Exhibit A to this Standing Order. Members of the media may interview visitors, parties or other individuals involved in such cases in the designated press and media area marked in green on **Exhibit A** to this Standing Order. Members of the press who are not attending trial or who are not using the press lounge must stay within the designated outside press area. Areas marked in color blue are strictly for official Federal vehicle access.

B. Designation of Ingress and Egress Area.

During major, widely known or publicized cases, the entrance area designated in **Exhibit A**, marked in color red, will be used **exclusively** for the public ingress and egress to the Federal Building and Courthouse. Members of the media must refrain from blocking this area and will not be allowed to stop and attempt to interview visitors, jurors, parties or witnesses while these patrons use the ingress and egress area marked in color red. Interviewing must be conducted outside the Federal Property.

C. Access to the Federal Building Lobby.

During major, widely known or publicized cases, access to the Federal Building Lobby shall remain clear at all times and media representatives or the visiting public will not be allowed to loiter in front of the building entrances, the ingress and egress area or the interior lobby area of the Federal Building compound. Members of the media should not attempt to interview visitors, jurors, parties or witnesses in the lobby area of the Degetau Federal Building or the Ruiz-Nazario Courthouse, except as set forth in Section A of this Standing Order.

7. In recognition of the paramount importance of the rights guaranteed by the First Amendment to the Constitution of the United States, and to ensure an equitable balance

of rights, and given the fact that the Courthouse and some courtrooms sit on the ground floor, and stand close to sixty yards facing Chardón Avenue, the Court hereby orders the following:

A. Any activities involving the First Amendment rights of demonstrators taking place on a public street, sidewalk or nearby the Clemente Ruiz-Nazario United States District Courthouse and the Degetau Federal Building in Hato Rey, Puerto Rico, while the court is in session and during business hours (Monday through Friday from 7:00AM to 7:00PM) shall be undertaken without interrupting the free access and egress of pedestrians and vehicles to and from the Courthouse and Federal Building.

B. The use of sound trucks or stationary broadcasting devices for advertising, such as bullhorns, amplifiers, speakers or the like shall not be allowed during the above-specified court business hours.

C. In no way do the aforementioned rules set forth in this Order restrict the communication of ideas, or discussion of issues by the use of human voice, newspaper, pamphlets or dodgers as guaranteed by the Constitution of the United States. See Kovacs v. Cooper, 336 U.S. 77 (1949) (upholding prohibition on picketing on a public sidewalk so that noise would not disrupt nearby classroom instruction.) The Supreme Court has reaffirmed its decision that “in a public forum, the government may impose reasonable restrictions on the time, place or manner of protected speech...” See Ward v. Rock Against Racism, 491 U.S. 781 (1989); See also, Clark v. Community for Creative Non Violence, 468 U.S. 288 (1984) (upholding prohibition on around-the-clock demonstrations in a public park.)

8. This Order is deemed necessary for the reasonable protection of the administration of justice that is available to all citizens and that has to be free of the hindrance of interrupting free access and egress to the Clemente Ruiz-Nazario Courthouse and to the Federico Degetau Federal Building, and of the nuisance of loud and raucous broadcasting devices.

9. Under 18 U.S.C. §1507, penalties may be levied when broadcasting devices as described in this Order are used with the intent of obstructing the administration of justice:

[w]hoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the United States, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound truck or similar device or resorts to any other demonstration in or near such building or residence, shall be fined under this title or imprisoned not more than one year or both.

Nothing in this section shall interfere with or prevent the exercise by any Court of the United States of its power to punish for contempt.

10. For which, no demonstration or picketing activity shall impede the free access and egress of persons and vehicles to the Clemente Ruiz-Nazario Courthouse and to the Federico Degetau Federal Building. Furthermore, the use of sound-trucks and broadcasting devices, such as bullhorns, amplifiers, speakers or the like, are prohibited in the nearby areas of the Clemente Ruiz-Nazario Courthouse while the court is in session. Any violation to this Order shall be punished under 18 U.S.C. §1507 and/or by this court's inherent power to punish contempt.

11. This Order amends the Court's December 13, 2012 Standing Order, Misc. No. 08-214 (ADC).

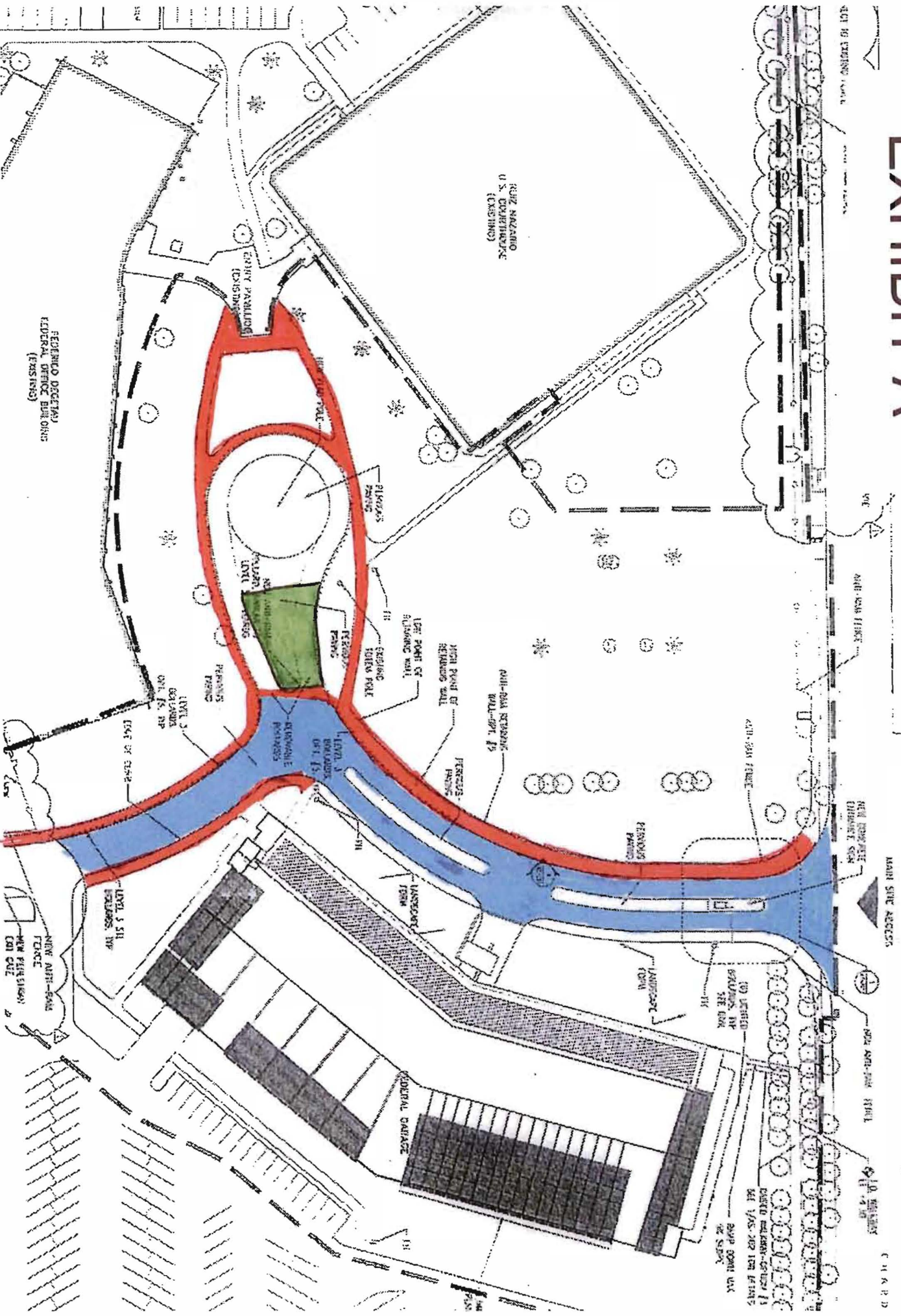
IT IS SO ORDERED.

In San Juan, Puerto Rico, this 21st day of May, 2013


AIDA DELGADO COLON

Chief, United States District Judge

EXHIBIT A



OFFICIAL FEDERAL VEHICLES
 PRESS AND MEDIA AREA
 INGRESS AND EGRESS AREA



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