

# **MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (MOU) is entered into by and between the Judges of the \_\_\_\_\_ County and District Courts on behalf of the Nebraska Supreme Court (hereinafter “the Judicial Branch”) and the County Board for \_\_\_\_\_ County and the County Sheriff’s Department (hereinafter “Sheriff”) for \_\_\_\_\_ County. Collectively the Judicial Branch, the County, and the Sheriff are hereinafter referred to as “the parties.”

## **A. PURPOSE**

The parties agree the objective of the project is to create a safe environment for court proceedings by installing security cameras in the courtroom.

The parties agree as follows:

## **B. AGREED ARRANGEMENT**

### **1. Ownership and Responsibilities.**

The ownership, cost, maintenance, responsibility, and upkeep of security cameras and/or a security system belongs to the County. The Judicial Branch will not purchase, install, maintain, operate, or replace security cameras or security systems in the courtroom. The Judicial Branch assumes no legal responsibility for security cameras or security systems.

The judge shall at all times have authority to oversee and control proceedings in the judge’s courtroom, including directing law enforcement to mute security system microphones in the courtroom or court-adjacent areas during court proceedings.

### **2. Necessary Resources.**

Pursuant to Neb. Rev. Stat. § 23-1705, it is the responsibility of the Sheriff to provide security for the courtrooms. Installing and operating a security camera in a courtroom does not remove the responsibility of the Sheriff under that statute but may supplement those responsibilities.

### **3. Use of Audio and Video in Legal Proceedings.**

Audio and video from security systems shall be used solely for security purposes. Use of any video or audio as evidence in any court proceeding is governed by the Rules of Evidence and not by this MOU. Audio or video from any security system shall not constitute an official or unofficial record of the court.

4. Public Records.

The parties recognize that the audio and/or video from the security system may constitute a public record under Neb. Rev. Stat. § 84-712 et seq. The custody of the audio and video belongs to the county.

5. Incorporation of Guidelines.

The *Guidelines for Security Cameras in Nebraska Courtrooms* are incorporated by reference.

**C. DURATION**

This Agreement is implemented upon signatures of all parties and the duration period of the Agreement is as follows: \_\_\_\_\_.

Upon acceptance of this MOU, each party will assume the roles and responsibilities described herein.

**D. AMENDMENTS**

This MOU and any attachments incorporated by specific reference are the complete agreement between the parties and may be amended only by written agreement signed by each of the parties involved.

\_\_\_\_\_  
Date  
Presiding Judge for District Court

\_\_\_\_\_  
Date  
Presiding Judge for County Court

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date  
County Sheriff