

On November 26, 2025, the Nebraska Supreme Court approved the following new “Guidelines for Security Cameras in Nebraska Courtrooms,” as well as the accompanying appendix, with a delayed effective date of January 1, 2026:

Guidelines for Security Cameras in Nebraska Courtrooms

1. Scope; limitations.

In consultation with the judges of the district, law enforcement, and the county board of the relevant county, a judicial district may determine whether security cameras are a necessary part of courtroom security measures. This rule applies only to courtrooms and the areas adjacent to the courtrooms, clerk’s offices, judge’s chambers, and jury rooms and does not apply to areas of the courthouse that are not for judicial or court purposes.

There is no requirement for security cameras in any courtroom in the State of Nebraska. Any installation of security cameras shall consider any requirements set out in *Nebraska Courts Facility Planning Guidelines & Standards* (2016). Installing and operating a security camera in a courtroom does not remove the responsibility of the county sheriff under Neb. Rev. Stat. § 23-1705 but may supplement those responsibilities.

If by agreement with the county it is determined that security cameras shall be installed in one or more courtrooms of the courthouse, the following guidelines shall apply.

2. Agreement.

Any judicial district and county desiring to have a security camera in a courtroom shall execute a Memorandum of Understanding regarding ownership and maintenance of such cameras and deliver the MOU to the Administrative Office of the Courts and Probation. A template is found as Appendix 1. The State of Nebraska shall not be responsible for the purchase, ownership, or maintenance of courtroom security cameras or equipment associated with the security system or have any legal responsibility for the security cameras or equipment.

3. Records retention and public records.

Security camera video footage and audio recording, if any, of the courtroom may be retained by law enforcement for a period of time agreed upon by the judges and law enforcement or as determined by the technical limitations of the system. The custody of

the video and audio recordings belongs to the county and may be a public record subject to the Public Records Act, Neb. Rev. Stat. § 84-712 et seq. Any request for video footage and/or audio recording should be made to the proper custodian for the county.

If an attorney is conducting business with a client, a judge in the courtroom is having a private conversation with attorneys or others, or a hearing is closed to the public, any security system audio shall remain private and shall not be disclosed. Use of real-time publicly available livestreaming of the video and/or audio of the security system is strongly discouraged.

4. Authority of judge.

Nothing in this rule removes the authority of the judge from overseeing and controlling proceedings in the judge's courtroom, including directing law enforcement to mute security system microphones in the courtroom during court proceedings.

5. Audio recordings not official records.

If the security camera system in the courtroom includes audio, any audio recording from the security camera system shall not be considered an official or unofficial record of any court proceeding.

Use of any video or audio as evidence in any proceeding is governed by the Rules of Evidence and not by this rule.

6. Technical.

There is no requirement that the security camera system has audio recordings. The security cameras shall not obstruct any court cameras or interfere with any court microphones used for official court proceedings.

If the courtroom security system has audio recordings, no person shall use the audio to listen in or record for later use any judicial sidebar conferences, jury deliberations, or discussions or conferences between attorneys and their clients that take place in the courtroom. If possible, any security system audio microphones should be muted in those situations.

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.

[Name]
Presiding Judge for District Court

Date

[Name]
Presiding Judge for County Court

Date

[Name]
[County Commissioner/Chair/County Attorney]

Date

[Name]
County Sheriff

Date