

Rule 57.1 Release of Information by Counsel

It is the duty of the lawyers associated with the prosecution and defense of a pending or imminent criminal case to refrain from releasing or authorizing the release of information or opinions related to the case if there is a reasonable likelihood that such release will interfere with a fair trial or otherwise prejudice the administration of justice.

The foregoing shall not preclude a lawyer, in the proper discharge of his or her duties, from announcing an arrest (including the name, age, and address of the subject) (including the place of arrest, resistance, pursuit, and the use of weapons), the identity of the investigating officer or agency, the length of the investigation, the announcement of the seizure of property or physical evidence other than a confession, a brief description of the offense charged, the penalty authorized by law, from quoting or referring to the public records of any stage of the judicial process, from requesting further assistance in obtaining judicial process, or from commenting that the accused denies the charges made against him or her. Counsel for the suspect/defendant shall not be precluded from responding appropriately to any such public information.

(a) During the trial of any criminal matter, including jury selection, no lawyer or law firm associated with the case shall give or authorize any interview or release of information relating to the trial, parties, or issues in the trial which would be expected to be disseminated by means of public communications media and reasonably likely to interfere with a fair trial, except that a lawyer may comment on public records of the Court and identify the stage of proceedings.

(b) After trial but prior to sentencing in any criminal matter, no lawyer or law firm associated with the case shall give or authorize any interview or release information which would be expected to be disseminated by means of public communications media concerning the sentencing, except that a lawyer may comment on the public records of the Court and identify the possible range of sentences.

(c) Nothing in this Rule is intended to preclude the formation of more restrictive rules relating to the release of information where the Court deems such restriction necessary. Furthermore, nothing in these Rules is intended to restrict argument of counsel in open court as to any matter addressed herein in the proper discharge of his or her duties, or to preclude the filing of documents, briefs, and motions as provided by law.

Nothing in this Rule shall preclude a lawyer from replying to charges of misconduct that are publicly made against that lawyer.