

53.2 Closure of Pretrial Proceedings.

(a) General Rule.

Unless otherwise provided by law or this rule, all criminal proceedings, including preliminary examinations and hearings on pretrial motions, must be held in open court and available for public attendance and observation. This rule does not apply to bench conferences, conferences in chambers, and other matters normally handled in camera.

(b) Motion.

Upon motion, the court may order a pretrial proceeding closed to the public, in whole or in part, on the following grounds:

- (1) a substantial probability exists that the dissemination of information disclosed at the proceeding would impair the defendant's right to a fair trial or another overriding public interest; and
- (2) no reasonable alternative to closure would adequately protect the defendant's right to a fair trial or another overriding public interest.

(c) Nonparty Opposition.

A news organization or interested person may file an opposition to a closure motion, which must be filed and handled as a separate civil case.

(d) Order.

A judge rules on a motion for closure. If the judge enters a closure order, the order states the specific findings that require closure.