

## Sample Policy/Rule/Order for Electronic Devices in Courts

*Preamble/The Why:* The use of cell phones, tablets, laptop computers, and other personal communication devices have become an important part of everyone's work and personal lives. This is certainly true for many attorneys, litigants (including those without lawyers), jurors, and other court users. Appropriate use at the courthouse allows people to access information for presentation to the court and transact other business and personal interactions while waiting for their court business. Inappropriate use can cause a distraction and demean the atmosphere of the courtroom. This Policy/Rule/Order provides operational protocols designed to enable courts to function safely and to administer justice fairly, consistently, and transparently.

*Definition of Electronic Device:* The term "electronic device" means any recording device (including conventional cameras, audio recorders, video cameras, etc.) and/or microprocessor-based devices (like computers, cell phones, tablet devices, etc.) that have the capability to broadcast, record, and/or take photographs or any other similar device (whether in existence now or later developed) that has the ability to store, relay, share, or transmit information.

*Access:* All electronic devices are authorized to be brought into a courthouse. Security staff will verify that the device is in fact an operating device and not a weapon. These devices may be operated in public areas of courthouses.

*Silent Mode:* Each person with electronic devices shall ensure that their electronic devices are placed on silent mode before entering a courtroom. All electronic devices may be used in a courtroom for purposes other than oral communication or video (such as text messaging or internet research) unless the presiding judge has prohibited such use for good cause in a particular instance.

Notice must be posted on the court's website and the outside of the courtroom doors reminding the public to place all electronic devices on silent mode prior to entering the courtroom. This notice should also include that the devices may be confiscated for the duration of the owner's time in the courthouse if used improperly in the courtroom.

*Failure to Comply:* Any person that fails to comply with the proper use of these electronic devices may have the item confiscated and returned to them when they exit the building.

*Jurors:* Jurors selected to serve on a jury are authorized to bring their electronic devices into the courthouse and jury room unless the presiding judge has prohibited such use for good cause in a particular instance. Jurors may not use any such devices in the courtroom or during deliberations.