

USE OF PORTABLE ELECTRONIC DEVICES IN THE COURTHOUSE AND CIRCUIT COURT

1. Definition of “Portable Electronic Device”

The term “Portable Electronic Device” is defined to include personal computers, tablets computers, mobile telephones (including cell phones and any form of telephone with cameras and audio and video recording and transmission capabilities), electronic calendars, e-book readers and “smart” watches.

2. Possession and Use of Portable Electronic Devices

The following policies and procedures govern the possession and use of Portable Electronic Devices in the courthouse and in the courtroom.

A. In the Courthouse:

Portable Electronic Devices are allowed in the courthouse subject to security screening, including courthouse screening devices and the following rules:

- (1) Court visitors may use Portable Electronic Devices in the common areas of the courthouse, such as lobbies and hallways. Further restrictions, including restricting mobile telephone conversations to designated areas, may be imposed as needed to maintain safety, security, proper behavior, order and the administration of justice. All Portable Electronic Devices must be placed in a silent mode, such as vibrate, at all times within the courthouse.
- (2) Using Portable Electronic Devices to take photographs, make audio or video recordings or to transmit live audio or video streaming is prohibited except with prior written authorization by a judge of the Circuit or District Court.
- (3) Other Electronic Devices: Cameras, video cameras, video recording equipment and recording devices (“Other electronic devices”) not classified as Portable Electronic Devices are not allowed in the courthouse except for use at events such as investiture ceremonies and weddings. Other electronic devices may be allowed in the courthouse with prior written authorization by a judge of the Circuit or District Court.

B. In the Courtroom:

Portable Electronic Devices shall not be brought into or used in the courtroom without authorization from the presiding judge. A presiding judge may authorize the possession and use of Portable Electronic Devices in the courtroom and may impose restrictions on such possession and use. If the possession of Portable Electronic Devices in the courtroom is authorized, they must remain silent at all times. They shall only be used for the purposes and in the manner authorized by the presiding judge. Photography, video recording, audio recording or video transmission or communication of any information using any media from inside the courtroom is prohibited without prior written authorization of the presiding judge.

C. Confiscation of Equipment and Ejection of User:

Any person using a Portable Electronic Device in violation of this or any other court order or policy may be removed from the courthouse, found in contempt of court and subject to penalties as provided by law. Any Portable Electronic Device used in violation of this or any other court order or policy may be confiscated, and the Sheriff shall not be responsible or liable for any damage to or loss of a confiscated device.

D. Further Limitations by Judges:

A Judge may further limit or ban the possession of use of any Portable Electronic Device:

- (1) Pursuant to Virginia Code Section 19.2-266 (to regulate media coverage of judicial proceedings);
- (2) If possession or use of the Portable Electronic Device may or does interfere with the administration of justice or cause any threat to safety or security or
- (3) For any other reason.


3. Posting Notice of this Policy

The policy of each court regarding the possession and use of Portable Electronic Devices shall be posted on the court's home page on the Virginia Judicial System website; on the court's local website (if any); at the courthouse entrance; and in the Clerk's Office.

4. Storage of Portable Electronic Devices.

If the possession of Portable Electronic Devices in the courtroom is prohibited or restricted, then storage for the devices shall be provided at the security entrance to the courthouse for anyone who is not allowed to bring their devices into the courtroom. Storage locker units are recommended as the means for storing the devices. Other

forms of on-site storage may be provided. Storage of devices may be limited to persons who represent to security personnel that they have no other means of storage available to them, such as a vehicle parked on or near the courthouse premises.



B. Elliott Bondurant, Judge