

PORTABLE ELECTRONIC DEVICE POLICY

1. Definition of “Portable Electronic Device”

The term “Portable Electronic Device” is defined to include personal computers, tablet 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 not allowed in the courthouse. If the court visitor has obtained prior authorization from a judge to bring his or her Portable Electronic Device into the courtroom, such authorization must be presented before going through security.

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 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 or 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

Storage for Portable Electronic Devices is provided at the security entrance to the courthouse for anyone who is not allowed to bring their devices into the courtroom. This storage 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.

This Policy is adopted pursuant to the authority granted to the Court in Virginia Code Sections 8.01-4, 17.1-501, and 53.1-120.