

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

**RE: POSSESSION AND USE OF PORTABLE ELECTRONIC DEVICES
IN COURTHOUSES AND COURTROOMS**

STANDING ORDER NO: 2013-8

In accordance with the guidance from the Judicial Conference Committee on Court Administration and Case Management, and with the concurrences of the Committee on Information Technology and the Committee on Judicial Security, regarding the admission of portable wireless communication devices into courthouses, it is **ORDERED** that there is hereby adopted a policy, in the document attached hereto, addressing the possession and use of said electronic devices in courthouses and courtrooms within the Western District of Virginia. This policy shall become effective thirty (30) days following the date of this Standing Order. The Clerk is directed to enter this order in the order books for each division of this Court, to post this Standing Order on the Court's public website, and to provide copies thereof to the Director of the Administrative Office of the United States Courts and to the Judicial Council of the Fourth Circuit.

It is so **ORDERED** this 12th day of July, 2013.

For the Court:



Chief United States District Judge

**UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA**

**POSSESSION AND USE OF
PORTABLE AND WIRELESS ELECTRONIC DEVICES
INSIDE COURTHOUSES AND COURTROOMS**

It appearing proper to do so, the Court adopts the following terms and conditions regarding the possession and use of portable and wireless electronic devices in courthouses and courtrooms within the Western District of Virginia.

I. Electronic Devices

A. Portable Electronic Devices

Portable and wireless electronic devices (“PEDs”) include, but are not limited to, personal computers, tablet computers, mobile telephones (including telephones with cameras and audio and video recording and transmission capabilities), electronic calendars, and e-book readers.

B. Other Electronic Devices

All other cameras, video cameras, video recording equipment, and recording devices are considered as PEDs for the purpose of this Standing Order.

II. Possession of Electronic Devices Inside Courthouses

- A. Attorneys and their staff are permitted to bring PEDs into courthouses.
- B. Court staff and court personnel, including U.S. Probation Officers, are permitted to bring PEDs into courthouses.
- C. In multi-tenant federal buildings with courthouses, employees of the tenant agencies with valid credentials issued by the General Services Administration may bring PEDs into the courthouse.

- D. Law Enforcement Officers who provide proper identification to the Court Security Officers are permitted to bring PEDs into courthouses.
- E. Members of the media may bring PEDs into courthouses and inside courtrooms in connection with their duties as such in order to take notes and transmit text or data, provided they receive prior permission from the presiding judge. No photography, audio or video recording, or broadcasting is permitted inside a courthouse.
- F. Attorneys, litigants and parties participating in a mediation proceeding may bring PEDs inside a courthouse and courtroom in connection with the proceeding, provided they have received prior permission from the judge conducting the mediation.
- G. Participants in Naturalization Ceremonies and their guests may bring PEDs into the courthouse and courtroom for the purposes of taking photographs and making audio and video recordings of the proceedings.
- H. The general public, including those subpoenaed to a court proceeding and those summoned for service on a petit or grand jury, must not bring PEDs into a courthouse. The general public will be required to return PEDs to their vehicles or other location outside the courthouse, or may leave the devices with court security officers at courthouse entry points. The Court Security Officers are not responsible for the safety or security of the PEDS or for the condition of the device upon its return. PEDs not retrieved from the Court Security Officers at the close of business on the day delivered to security are deemed to be abandoned property, and subject to disposal.

III. Use of Electronic Devices Inside Courtrooms

Except as otherwise authorized by a resident judge, or a presiding judge,

- A. Attorneys and their staff are permitted to use PEDs for the purpose of receiving or transmitting voice, text or data, provided the use does not disrupt court proceedings.
- B. Attorneys and their staff are not permitted to record proceedings while court is in session.
- C. Members of the Media who have been given prior permission to bring PEDs into a courthouse and use the PEDs inside a courtroom are permitted to use the PEDs only to take notes and transmit text or data. The taking of photographs, making audio recordings, and recording video of judicial proceedings and the broadcast thereof are prohibited.
- D. Participants in Naturalization Ceremonies and their guests may use PEDs to take photographs and to make audio/video recordings of the proceedings.
- E. Law Enforcement personnel must obtain permission from the presiding judge to use PEDs inside a courtroom.

IV. Sanctions for Violation Of This Standing Order

Persons using any PED in violation of this Standing Order will be required to show cause why sanctions should not be imposed. Sanctions could include ejection from the courthouse and any other penalties as provided by law.