

GENERAL ORDER No. 58
REGULATING POSSESSION AND USE OF
ELECTRONIC DEVICES IN THE COURTHOUSE

The purposes of this General Order are to promote security for all persons who enter federal courthouses (meaning the portions of federal buildings occupied by the District Court and any other facility in which a District Court judicial proceeding is held), to protect the integrity of judicial proceedings, to facilitate legitimate use of electronic devices for communication or for the storage, retrieval, or presentation of information, and to comply with the mandates of the Federal Rules of Criminal Procedure and the policies of the Judicial Conference of the United States.

- I. "As used in this General Order, the phrase "electronic device" embraces all equipment, including cameras, that can be used for:
 - A. Wireless communication; or
 - B. Receiving, creating, capturing, storing, retrieving, sending, or broadcasting any signals or any text, sound, or images; or
 - C. Accessing the Internet or any other network or off-site system or equipment for communicating or for storing or retrieving information.
- II. Federal Rule of Criminal Procedure 53 prohibits "the taking of photographs in the courtroom during judicial proceedings or the broadcasting of judicial proceedings from the courtroom."
- III. Policy of the Judicial Conference of the United States prohibits, in both civil and criminal cases in all district courts, broadcasting, televising, recording, or photographing courtroom proceedings for the purpose of public dissemination, subject to strictly-defined exceptions such as the Cameras in Courts pilot which concluded July 18, 2015.
- IV. This District has adopted the following specific rules in furtherance of the national policies cited above:
 - A. Court security personnel will screen all electronic devices before permitting them to be brought into the courthouse. The purpose of this screening is to make sure that the items do not contain weapons, dangerous devices or materials, or contraband. Court security personnel may bar from the courthouse, or from portions of a building in which judicial proceedings are held, any item that appears to pose a threat to security or safety.
 - B. Photography and video and audio recording are prohibited in the common areas of the courthouse (i.e. the corridors and other areas outside the courtrooms) as well as in the courtrooms. Photographing or recording any court proceeding from a location outside the courthouse in conjunction with an appearance made by telephone or videoconference is also prohibited. Exceptions to these prohibitions may be authorized only by express written permission of the Chief Judge.
 - C. Subject to the screening described in paragraph IV.A and to other provisions of this General Order, electronic devices may be brought into the courthouse and may be used in a non-disruptive manner in the common areas of the courthouse for purposes other than photography and video and audio recording.
 - D. Absent a more restrictive order (i.e., a specific judge's standing order or an order entered in a specific case), only the text functions of electronic devices (such as typing documents, emailing, text messaging and tweeting) may be used in a non-disruptive manner in courtrooms while proceedings are in session. Users of electronic devices may

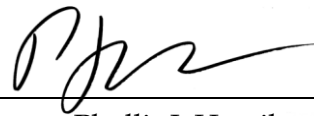
connect to the Internet and transmit communications. Electronic devices must be silenced and only keyboards that can be operated quietly will be allowed. Any judge may order, in a standing order or in a specific case or proceeding, restrictions on the use of electronic devices, up to and including prohibiting all use of electronic devices in the courtroom.

- E. Jurors may not use electronic devices in courtrooms during judicial proceedings or in jury rooms during, or in connection with, deliberations. Grand jurors may not use electronic devices during, or in connection with, any proceedings before, or deliberations by, the grand jury.

In response to a violation of any provision of this General Order, or of any court order addressing matters covered by this General Order, court security personnel may order immediate compliance, direct the offender to leave the courtroom or the building, temporarily confiscate the device(s) used in violation of these rules, and/or report the violation to the presiding judge, the Chief Judge, the Clerk of Court and/or the United States Attorney.

ADOPTED: October 20, 2005
AMENDED: September 15, 2015

FOR THE COURT:



Phyllis J. Hamilton
United States District Chief Judge