

35TH DISTRICT COURT
POLICY/PROCEDURE MANUAL

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Date: 04/10/2020

SUBJECT: Use of Portable Electronic
Devices in the 35th District Court Building

Section: Administrative

POLICY

AT THE DISCRETION OF THE JUDGES, ANY DISRUPTIONS OR COMPROMISES TO SECURITY IN THE COURTHOUSE CAUSED BY PORTABLE ELECTRONIC DEVICES, OR ANY VIOLATION OF THIS POLICY, MAY RESULT IN THE CONFISCATION OF THE DEVICE, CRIMINAL CHARGES, FINES, INCARCERATION AND/OR A FINDING OF CONTEMPT.

Pursuant to MCR 8.115, effective May 1, 2020, this Policy shall govern the use of Portable Electronic Devices in the 35th District Court.

1.) DEFINITIONS:

A "Portable Electronic Device" is any mobile device capable of electronically storing, accessing or transmitting information, and includes but is not limited to smart phones, cell phones, watches, eyeglasses, laptops, tablets, notebooks, transportable computers, personal digital assistants, cameras, audio recording devices, video recording devices, and any and all other things that are capable of providing access to the internet.

The "Courthouse" includes all areas within the exterior walls of this building, in addition to any other building where Court personnel may travel to and conduct off-site Court business.

The "Courtroom" includes any portion of the Courthouse in which proceedings take place.

The "Well" of the Courtroom is the area between the Judge's bench and the gallery where the people sit and observe the proceedings. Once an individual passes through the swinging doors, from the gallery, they have entered into the Well.

2.) PRIOR TO ENTERING THE COURTHOUSE:

Prior to entering the Courthouse, ALL who enter must turn off their Portable Electronic Device or place it in silent mode so that it is incapable of emitting sound.

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3.) RECORDING, PHOTOGRAPHING AND STREAMING IS STRICTLY PROHIBITED:

Photographing, video recording, audio recording, live streaming and broadcasting with a Portable Electronic Device, anywhere within the Courthouse, is strictly prohibited, in the absence of an Order stating otherwise that is signed by a Judge of this Court. All guidelines addressing media coverage of court proceedings set forth in Administrative Order 1989-1 supersede any conflicting limitations or restrictions set forth herein.

4.) PHONE CALLS, SKYPING, ZOOMING AND FACETIMING:

Use of a Portable Electronic Device while in a Courtroom to broadcast, make phone calls, Skype, Zoom or Facetime is strictly prohibited, unless otherwise expressly permitted by the Judge presiding over that Courtroom.

5.) PERMISSIBLE USES:

So long as an individual is not in violation of any of the limitations or restrictions of this Policy, attorneys, parties and members of the public may use Portable Electronic Devices within the Courthouse to retrieve and store information (including note taking), to access the Internet, and to send and receive text messages or information.

6.) PLACEMENT OF PORTABLE ELECTRONIC DEVICE UPON ENTERING THE WELL:

While in the Well of a Courtroom, no person, including attorneys, shall have a Portable Electronic Device that is out and/or visible to anyone, including the owner, unless otherwise expressly permitted by the Judge presiding over that Courtroom.

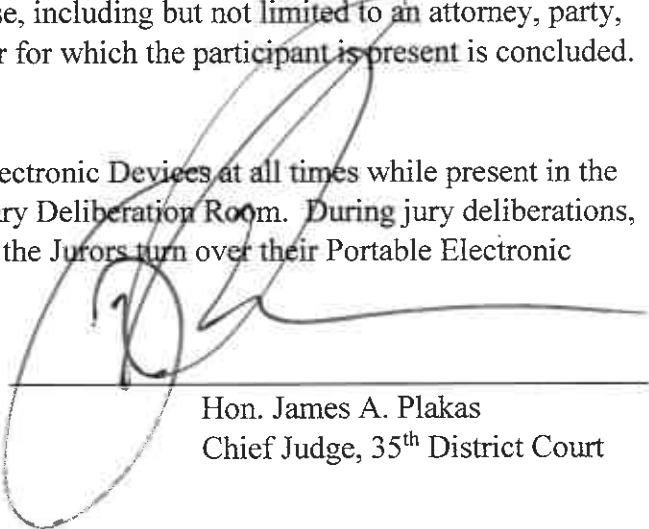
7.) COMMUNICATIONS WITH PARTICIPANTS IN A CASE:

No person in the Courthouse shall use a Portable Electronic Device to communicate in any way with any participant in a case, including but not limited to an attorney, party, witness or juror, until after the matter for which the participant is present is concluded.

8.) JURORS:

Jurors shall turn off their Portable Electronic Devices at all times while present in the Courtroom, including while in the Jury Deliberation Room. During jury deliberations, the presiding Judge may require that the Jurors turn over their Portable Electronic Devices to the Court.

Dated: April 9, 2020



Hon. James A. Plakas
Chief Judge, 35th District Court