

39th Judicial District – Franklin & Fulton Counties
Court Policy on Electronic Devices

Permissible Use of Electronic Devices, Definitions, & Violations

Generally

Absent approval as set forth below in the ***Exceptions*** section, a person **SHALL NOT** bring an electronic device into a Court facility in the 39th Judicial District.

No Electronic device may be used to receive, transmit, broadcast, or record sound, visual images, data, or other information.

No person shall take, record, transmit, or broadcast by video, audio, photograph, or other visual image from or within a Court facility nor use any electronic device in a manner that interferes with court proceedings or the work of court personnel.

All persons entering a Court facility are subject to inspection by the Sheriff's Office.

Policy is reflective of Pa. R.Cr.P. Rule 112 - Publicity, Broadcasting, and Recording of Proceedings.

Policy is reflective of Pa. J.A. Rule 1910 - Broadcasting in the Courtroom.

Definitions

An electronic device is any device capable of transmitting, receiving, or recording information by any means. Such transmissions may include, but are not limited to: email, texting, image posting, audio or video streaming, audio or video calls, and file data transfer. These devices include but are not limited to: cellular phones (including smart phones), netbooks, tablets, laptop computers, cameras, audio recorders, and MP3 players.

Court facility and/or courtroom is any building/room designated as a "courthouse", "courtroom", or "hearing room" for any legal proceedings before a Common Pleas Judge, Magisterial District Judge, or Hearing Officer.

Court facility:

Environs Defined:

- i. Environs include the Franklin & Fulton County Courthouses, Franklin County Courthouse Annex, Franklin County Hearing Annex, and all Franklin & Fulton County Magisterial District Court buildings.
- ii. Environs of a courtroom or hearing room shall include the entire floor on which is located any courtroom, hearing room, jury room, sheriff office or station, Prothonotary's or Clerk of Courts' office, office of the District Attorney, or any lockup or prisoner holding area.
- iii. Environs also includes the corridor or lobby on the main floor or street floor, any elevator area and any area constituting an interior entrance area to the building of any courtroom or hearing room.

Exceptions

1. Employee. This prohibition shall not apply to those individuals employed in the Franklin & Fulton County Courthouses, Franklin County Courthouse Annex, Franklin County Hearing Annex, and all Franklin & Fulton County Magisterial District Court buildings who clearly display an identification badge issued by the County of Franklin or the County of Fulton, provided however, that the device shall be in a "silent" or "vibrate only" mode when the employee enters a court facility. Reciprocity exists for employees within the Judicial District should business require them to appear in either environ as defined above.
2. Attorneys. This prohibition shall not apply to an attorney at law who enters the Franklin County Courthouse or Fulton County Courthouse, Franklin County Courthouse Annex, Franklin County Hearing Annex, and all Franklin & Fulton County Magisterial District Court buildings on business related to the representation of a client, provided, however, that they do not disrupt, disturb, or interfere with court proceedings.
3. Law Enforcement (Federal, State, or Local) and probation/parole officers displaying his or her credentials of such.
4. Emergency Responder. Emergency medical or other first responder personnel responding to a call within the 39th Judicial District.
5. Jurors. Any individual who displays a current jury summons and who is entering in response to such summons.
 - a. Jurors reporting for jury duty must turn devices off when instructed to do so by the presiding judge, district court administrator, or sheriff.
 - b. The presiding judge will instruct jurors regarding permitted communication via electronic devices while serving as a juror.
 - c. Jurors may not transmit, receive or communicate about, research or received any information about the court cases, witness, subject matter or anything related to the

court case for which they have been sworn as a juror, until after a verdict has been recorded.

6. *Any witness, such as a pro se litigant having evidence stored on such a device or a person having a particularized need for such a device with approval through District Court Administrator.*
7. *Other exceptions.* Permission for all audio and visual coverage during adoptions, weddings, ceremonial proceedings or other special circumstances involving the Judiciary must first be obtained from the President Judge, presiding Judge, District Court Administrator, or Sheriff with approval through District Court Administrator.

Violation of Policy

1. The Sheriff's Office or designee, presiding Judge, District Court Administrator, or other authorized Court personnel may confiscate or direct the Sheriff's Office to confiscate and retain any electronic device that is discovered to have been smuggled in or used in violation of this policy.
 - a. Confiscated electronic devices will be returned upon conclusion of visit as party is exiting Court facility unless otherwise determined by the presiding Judge.
 - b. No liability shall accrue to the County of Franklin, County of Fulton, Sheriff's Office or designee, presiding Judge, District Court Administrator, or other authorized Court personnel for any loss or misplacement of or damage to the device.
2. An individual who willfully violates this policy may be found in contempt of court and subject to sanctions by the President Judge or presiding Judge as the Court may deem appropriate.