

IN THE SUPERIOR COURT OF CHATHAM COUNTY
EASTERN JUDICIAL CIRCUIT
STATE OF GEORGIA

FILED IN OFFICE

2023 MAY 10 A 10:55

STANDING ORDER REGARDING POLICY ON PORTABLE ELECTRONIC DEVICES

Courtney Middleton

It is the finding of the judges of the Superior Court of Chatham County that court proceedings are continually disrupted due to the use of portable electronic devices, particularly cellular phones. Maintaining decorum, good order and respect for the legal process demands that all electronic devices be silenced prior to entry into any courtroom when court is in session and prior to entry into a judge's chambers for any hearing or other proceeding. Accordingly, the following Portable Electronic Device Policy shall be in effect:

Definitions.

- (1) **"Portable Electronic Devices"** are mobile devices capable of electronically storing, accessing, or transmitting information and 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, smartwatches, or similar devices.
- (2) **"Court Visitor"** means any individual present in the Chatham County Courthouse, except court employees. Employees with official business in the courthouse may bring electronic devices such as cellular phones, pagers, laptop computers and personal digital assistants (PDAs) into the Chatham County Courthouse.

Portable Electronic Device Policy.

- (1) **Use in Common Areas:** All Court Visitors may use Portable Electronic Devices in the common areas of the courthouse, such as lobbies and hallways. Further restrictions, including restricting mobile telephone conversations to designated areas, may be imposed as needed to maintain safety, security, proper behavior, order, and the administration of justice. All Portable Electronic Devices must be placed in "silent" mode at all times within the courthouse.
- (2) **Use in Courtrooms:** Case participants including lawyers, parties (including self-represented litigants), and witnesses may use a Portable Electronic Device inside a courtroom to check calendars or present case-related information with permission of the Court. All other uses of Portable Electronic Devices inside courtrooms (especially the use of Portable Electronic Devices to take photographs and/or video) are prohibited, unless

specifically authorized by the judge presiding in the courtroom. All Portable Electronic Devices must remain in "silent" mode at all times in courtrooms.

(3) Prohibited Uses in Common Areas and Courtrooms: The taking of photographs, audio and video recordings are generally prohibited without prior approval of a judge or as governed by Uniform Superior Court Rule 22. No Court Visitor may use a Portable Electronic Device to communicate or attempt to communicate with any potential juror or juror at any time. No Court Visitor may use a Portable Electronic Device to harass, intimidate, or communicate about given testimony with any witness at any time.

(4) Other Electronic Devices: Cameras, video cameras, video recording equipment and recording devices not classified as Portable Electronic Devices are not allowed in the courthouse, unless permitted under Uniform Superior Court Rule 22, or authorized by a presiding judge, and on such conditions as ordered.

(5) Confiscation of Equipment and Ejection: Court Visitors using a Portable Electronic Device, or possessing other electronic devices, in violation of this or any other court order or policy may be removed from the courthouse, found in contempt of court, or subject to penalties as provided by law. Any Portable Electronic Device used in violation of an order may be confiscated and held until the possessor leaves the courthouse. Court personnel shall not be responsible or liable for any damage to or loss of a confiscated Portable Electronic Device.

(6) Restrictions on Portable Electronic Devices: If a presiding judge determines that Portable Electronic Devices interfere with the administration of justice in their courtroom, or cause a threat to safety or security, they may prohibit Portable Electronic Devices from being carried into specific courtrooms.

(7) Suspension or Modification of This Rule During Heightened Security: The privileges conferred by this order shall be subject to suspension or modification without notice in the event that the Sheriff or the Chief Judge of the Eastern Judicial Circuit declares a need for a heightened level of security at the courthouse.


IT IS THEREFORE ORDERED that failure to silence all Portable Electronic Devices constitutes direct contempt of court and an interference with the administration of justice and is punishable summarily. The Sheriff's Department may immediately confiscate any device which makes any sound in a court proceeding and shall be disposed of as deemed appropriate by the Sheriff's Department. Other sanctions may include a fine up to \$1,000 or a sentence of confinement not to exceed twenty (20) days in jail or both.

This order shall not apply to the official communication equipment in the possession of employees of the Sheriff's Department. A copy of this Order shall be prominently posted in each Courtroom.

SO ORDERED this 10th day of May, 2023.

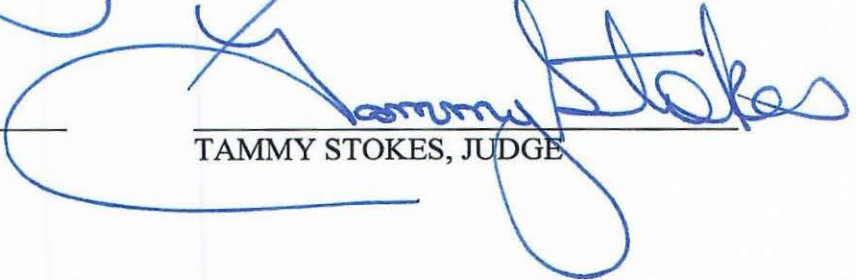

PENNY FREESEMANN, CHIEF JUDGE


JOHN MORSE, JUDGE


TIMOTHY WALMSLEY, JUDGE


BENJAMIN KARPF, JUDGE


LISA COLBERT, JUDGE


TAMMY STOKES, JUDGE