

IN THE CIRCUIT COURT OF THE TWENTY-FOURTH JUDICIAL CIRCUIT

WASHINGTON COUNTY, ILLINOIS

ADMINISTRATIVE ORDER NO. 2023-AO-07

**FILED**

SEP 14 2023

*Andrea Reinken*  
Clerk of Circuit Court  
Washington County Illinois

IN RE: PORTABLE ELECTRONIC DEVICE POLICY

(a) Purpose and Scope.

While a necessity in today's world, Portable Electronic Devices can cause a distraction in court proceedings. Case participants, including attorneys, sometimes get distracted by their Portable Electronic Devices and fail to pay proper attention to the court proceeding they are participating in. Inevitably, a court visitor forgets to put their phone in "silent" mode and it rings during court proceedings causing a distraction and affecting the orderly administration of justice. In addition, Portable Electronic Devices raise security issues and privacy concerns if unauthorized video or audio recordings are made. Portable Electronic Devices also create potential issues due to unauthorized communications with jurors or witnesses. It is for these reasons that the undersigned Chief Judge of the Twenty-Fourth Judicial Circuit finds it necessary to prohibit Portable Electronic Devices from being carried into any courtroom in the Washington County Judicial Center.

The purpose of this policy is to provide guidance for the use of Portable Electronic Devices by court visitors in the Washington County Judicial Center (hereinafter "courthouse").

(b) 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 at the courthouse, other than court personnel.

(c) 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: The use of any Portable Electronic Device inside a courtroom by anyone is strictly prohibited, unless permission is given to use such a device to a specific individual, on a case-by-case basis. If such permission is granted, any Portable Electronic Device in a courtroom must remain in "silent" mode at all times.

If a court visitor has a Portable Electronic Device in their possession and is prohibited from taking the device into a courtroom due to this Policy, the court visitor shall be able to store said device, after turning it either off or on silent mode, in a lockable Portable Electronic Device storage cabinet located near the security desk in the courthouse lobby **only** if they have no other means of storage available to them, such as a parked vehicle on or near the courthouse premises. Court personnel shall not be responsible or liable for any damage to or loss of a Portable Electronic Device stored by a court visitor in any storage cabinet or other location in or near the courthouse.

- (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 Illinois Supreme Court Rule 44. The use of any Portable Electronic Device inside the courthouse by any juror or prospective juror is strictly prohibited, unless the individual is given express permission to use such device by a judge. 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 by the Resident Circuit Judge of Washington County, and on such conditions as ordered, for ceremonial events such as marriages, investitures, and graduations in problem solving courts or as outlined in the Policy for Extended Media Coverage in the Twenty-Fourth Judicial Circuit of Illinois and Illinois Supreme Court Rule 44.
- (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.

(d) Posting Notice of Portable Electronic Device Policies.

Signs with information about this Portable Electronic Device policy shall be posted prominently in the courthouse, including at the entrances, in the clerk's office, and outside each courtroom. This information shall also be publicized on the court's and clerk's websites.

Dated this 14 day of September, 2023.



DANIEL J. EMGE, CHIEF CIRCUIT JUDGE