

# 15<sup>TH</sup> JUDICIAL DISTRICT COURT

## PHONES & ELECTRONIC DEVICES USE POLICY

Effective date: Monday, August 15, 2022

### **Purpose:**

Use of laptop computers, cell phones, smart phones, tablets and other similar portable electronic devices has for many attorneys, litigants, and other users of the court, become an important tool for conducting work and personal business. Use of these devices has facilitated scheduling, e-filing, legal research as well as case preparation, presentation and transportation.

To protect the rights of court participants, ensure a fair trial, and maintain courtroom decorum, it is necessary for the Court to allow these devices into the courthouse, but place appropriate limits on the use of portable electronic devices. The purpose of this policy is to establish said limits. In accordance with MCR 8.110 and MCR 8.115, this policy is hereby enacted for the Ann Arbor Justice Center located at 301 E. Huron Street in Ann Arbor, Michigan.

**Definitions.** The following definitions apply in this rule:

1. A “portable electronic device” is a mobile device capable of electronically storing, accessing, or transmitting information. The term encompasses, among other things, a transportable computer of any size, including a tablet, a notebook, and a laptop; a smart phone, a cell phone, or other wireless phone; a camera and other audio or video recording devices; a personal digital assistant (PDA); other devices that provide internet access; and any similar items.
2. The “courthouse” includes all areas within the exterior walls of this court building used for the administration and operation of the court. The “courthouse” also includes areas outside a court building where a judge conducts an event concerning a court case.
3. “Courtroom participant” includes a litigant (plaintiff or defendant), witness, or juror who is present in the courtroom as part of a proceeding.

**Photography and audio or video recording or broadcasting.** The following restrictions apply to photography or for audio or video recording or broadcasting in the courthouse:

1. In a courtroom: In a courtroom, no one may use a portable electronic device to take photographs or for audio or video recording or broadcasting (including livestreaming or

use on social media) unless that use is specifically allowed by the Judge presiding over that courtroom.

2. Outside a courtroom: In areas of a courthouse other than courtrooms, no one may photograph, record, or broadcast (including livestreaming or use on social media) in any court areas without the permission of the court administrator or chief judge.
3. Jurors: No one may photograph, record, or broadcast (including livestreaming or use on social media) any juror, the jury pool or anyone called to the court for jury service.
4. Court Documents: Attorneys parties and members of the public may use a cell phone or other portable electronic device to reproduce public court documents in a clerk's office as long as the device leaves no mark or impression on the document and does not unreasonable interfere with the operation of the clerk's office.
5. The court may adopt further reasonable limits on photography and audio or video recording or broadcasting in a courthouse that are not inconsistent with this policy or the Michigan Court Rules.

**Jurors and witnesses. The following restrictions apply to use of portable electronic devices by jurors, including prospective jurors, and by witnesses.**

1. Jurors: Jurors must turn off their portable electronic devices while present in a courtroom. Jurors must turn over to the court their portable electronic devices during deliberations. Prior to deliberations, the court must provide jurors with a phone number where they can be reached in case of an emergency during deliberations.
2. Witnesses: A witness must silence any portable electronic device while in a courtroom, and may use a device while testifying only with permission of a judge.


**Attorneys, parties, and members of the public.** The following provisions apply to use of portable electronic devices in a courtroom by attorneys, parties, and members of the public. Any allowed use of a portable electronic device under this paragraph is subject to the authority of a judge to terminate activity that is disruptive or distracting to a court proceeding, or that is otherwise contrary to the administration of justice.

1. Allowed uses: Attorneys, parties, and members of the public may use a portable electronic device in a courtroom to retrieve or to store information (including notetaking), to access the Internet, and to send and receive text messages or information.
2. Prohibited uses: Attorneys, parties, and members of the public must silence portable electronic devices while in the courtroom. A portable electronic device may not be used,

without permission of the court, to make or to receive telephone calls or for any other audible function while court is in session. Portable electronic devices may not be used to communicate in any way with any courtroom participant including, but not limited to, a party, a witness, or juror at any time during any court proceedings. Additional prohibited uses related to photography, recording, and broadcasting are listed above.

**Use of a portable electronic device outside a courtroom; limitations.** A person may use a portable electronic device in this courthouse, except as prohibited above, subject to the authority of the judges, magistrate, and court administrator to limit or terminate activity that is disruptive to court operations or that compromises courthouse security. Such limitations and terminations must be consistent with this Local Administrative Order and the Michigan Court Rules.

**Violations of this rule.** If these rules are violated, the Judge presiding over the courtroom may confiscate the device for the remainder of the day or order that the phone be turned off and put away. After multiple violations, the Judge presiding over the courtroom may impose any other appropriate sanction, including assessment of a fine, the removal of that person or persons from the courtroom, or incarceration, for contempt of court.

  
8.8.22  
Karen Q. Valvo, Chief Judge P56974