

## **VIRGINIA: IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY**

### **ORDER REGARDING PERSONAL ELECTRONIC DEVICES IN COURTHOUSE**

It appearing to the Court that pursuant to Virginia Code § 8.01-4, as amended, it is necessary to promote proper order and decorum and the efficient and safe use of courthouse facilities and the Clerk's office, the Court ORDERS that:

- 1) **As to the First Floor of the Rockingham County Circuit Court building**, all members of the general public may possess and use portable electronic devices as of January 14, 2019. Such devices will be placed on silent mode, and shall not make any noises within the courthouse. Furthermore, using a portable electronic device in this area to take photographs, make audio or video recordings, or transmit live audio or video streaming is prohibited, except with prior authorization by the Clerk or a Judge of the Circuit Court.
- 2) **As to all other areas of the Rockingham County Circuit Court building, including all courtrooms**, no person shall possess or use any portable electronic device, as of January 14, 2019, except the following persons:
  - a. Law enforcement officers in the performance of their duties;
  - b. Attorneys and their staff members. Attorneys shall not possess the personal electronic device of any other person, including clients and witnesses. Staff members include licensed private investigators who are present at all times with the attorney(s) employing the investigator on a retained or appointed basis;
  - c. The Clerk and his or her staff members;
  - d. Employees of title examination companies in the performance of their duties;
  - e. Judges, including retired judges, and their staff members;
  - f. Court Reporters in the performance of their duties;
  - g. Employees and elected officials of a local, state, or federal government and their agents in the performance of their duties;
  - h. Maintenance persons, delivery persons, and vendors in the performance of their duties, as approved by Court Security;
  - i. Persons required to wear an electronic monitoring device by a court of competent jurisdiction;
  - j. Marriage officiants in the performance of their duties and marriage celebrants approved by Court Security; and,
  - k. Such individuals and members of the media permitted to do so by a Judge of the Rockingham County Circuit Court.

**Furthermore, no person except a duly sworn court reporter or a Court Security member acting in the performance of his or her duties shall use a portable electronic device or other device to take photographs, make audio or video recordings, or transmit live audio or video streaming in these areas, except with prior written or oral authorization by a Judge of the Circuit Court.**

Any person permitted to possess or use personal electronic devices in these areas shall place the device on silent mode, and ensure that it not make any noises within these areas.

The Clerk shall provide storage to any individual seeking access to the public spaces and courtrooms in these areas, who is determined by Court Security to have no means for storage readily available, such as a car parked nearby or a companion, for any device(s) prohibited herein that are of reasonable size as determined by the Clerk. The Clerk shall not be responsible for any loss, theft, or damage to said device(s) and shall post such disclaimer at the storage area.

- 3) Any person using or possessing a portable electronic device in violation of this Order may be removed from the courthouse, found in contempt of court, and is subject to prosecution for other violations of law as may be applicable. A conviction of summary contempt is punishable by a fine of up to \$250.00 or up to ten days of incarceration. Punishment of plenary contempt is punishable by confinement in jail for not more than twelve months and a fine of up to \$2500.00, either or both. In addition, any portable electronic device used in violation of this or any other court order or policy may be confiscated, and the Sheriff shall not be responsible or liable for any damage to or loss of a confiscated device.
- 4) A portable electronic device includes, but is not limited to any phone, smart phone, cell phone, recording device, computer, laptop computer, electronic calendar, tablet, camera, transmitter, smartwatch or radio. **All portable electronic devices and other devices are subject to security screening upon entry to the courthouse as the Sheriff may so require.**
- 5) The previous order of August 30, 2016, is revoked as of January 14, 2019.

The Clerk shall post a true copy of this Order at the entrance to the courthouse and to all courtrooms and transmit copies to members of the Harrisonburg-Rockingham Bar Association, and the Rockingham County Sheriff's Office.

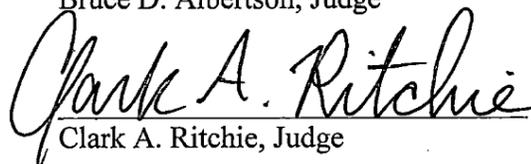
Entered this 4th day of January, 2019.



Thomas J. Wilson, Judge



Bruce D. Albertson, Judge



Clark A. Ritchie, Judge