

ELECTRONIC DEVICES IN A COURTHOUSE

The use of cell phones, laptop computers, pagers and other personal communication devices have, for many attorneys, litigants and other users of the court, become an important part of their work and personal lives. Appropriate use at the courthouse will allow persons to access information for presentation to the court; it will allow persons to transact other business while waiting for their hearing. Inappropriate use can cause a distraction and demean the atmosphere of the courtroom.

Pursuant to the Vermont Constitution, Chapter II, § 30, the Supreme Court establishes this policy for electronic devices in a courthouse, effective November 1, 2008.

All cell phones, pagers, computers and similar electronic devices are authorized to be brought into a courthouse. A weapon screening officer will verify that the device is in fact an operating device and not a weapon. These devices may be operated in public areas of the building with the exception of courtrooms, where the device may be operated only with the judge's consent.

Each person with a cell phone, pager, computer and other devices shall ensure that the cell phone or device is turned off before entering a courtroom. Cell phones or devices shall not be taken out or used in a courtroom whether or not the court is in session in that courtroom except with the consent of the judge. In addition, those cell phones or devices that contain a camera or video camera shall not be used to photograph the weapon screening area or any person without the person's consent. Any person that fails to comply with the proper use of cell phones, pagers, computers and other electronic devices may have the item confiscated and returned to them when they exit the building.

Unless otherwise specified by the presiding judge, jurors actually selected to serve on a jury must leave their cell phones, pagers, computers or other communications devices with a responsible individual identified by the presiding judge when they arrive at the courthouse in the morning and may retrieve them during lunch breaks and at the end of the day.

A notice shall be posted on the outside of the courtroom doors reminding the public to turn off all electronic devices prior to entering the courtroom. This notice should also include that the devices may be confiscated if used in the courtroom.

Done in Chambers at Montpelier, Vermont this 1st day of October 2008.

Paul L. Reiber, Chief Justice

John A. Dooley, Associate Justice

Denise R. Johnson, Associate Justice

Marilyn S. Skoglund, Associate Justice

Brian L. Burgess, Associate Justice