

**The Circuit Court for Dorchester County
State of Maryland**

Administrative Order
2010-10

WHEREAS, the Court of Appeals of Maryland adopted a policy regarding the possession and use of cell phones and other electronic devices in Maryland court facilities; and

WHEREAS, said policy was formalized as Maryland Rule 16-110, to become effective on January 1, 2011; and

WHEREAS, this Court deems it appropriate to summarize the policy for purposes of posting appropriate notices throughout the courthouse premises; and

WHEREAS, this Court also deems it appropriate to augment said policy and impose restrictions on the possession and use of cell phones and other electronic devices within certain areas of the court facility as deemed necessary and appropriate for this particular jurisdiction;

NOW, THEREFORE, it is hereby ORDERED this 28th day of December, 2010, by the Circuit Court for Dorchester County, Maryland as follows:

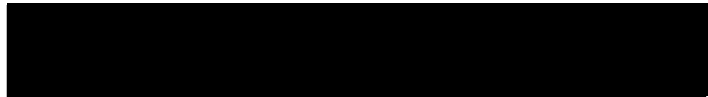
1. That, except as more particularly set forth herein below, the terms and provisions of Maryland Rule 16-110 shall govern and control the possession and use of cell phones and other electronic devices on the Dorchester County Circuit Courthouse premises; and

2. That all cell phones and other electronic devices must be turned off and not placed in use on the top floor of the Courthouse, both inside and outside of the courtrooms. However, court personnel, attorneys and law enforcement officials present in their official capacity shall be permitted to use such devices provided that said devices shall be maintained in a silent mode and used in a manner that will not disrupt court proceedings; and

3. That, to the extent that the terms of this Administrative Order and Maryland Rule 16-110 conflict with the notice that was ordered to be posted at the entrance of the Courthouse pursuant to Administrative Order 2010-01, dated May 21,

2010, the provisions of this Administrative Order and Maryland Rule 16-110 shall prevail; and

4. That a copy of the attached policy regarding cell phones and other electronic devices shall be prominently displayed immediately inside of the public entrance to the courthouse and immediately outside of the entrances to all courtrooms and offices of the Clerk of Court.

A solid black rectangular redaction box covering the signature of the Administrative Judge.

Brett W. Wilson, Administrative Judge

CIRCUIT COURT FOR DORCHESTER COUNTY, MD

POLICY REGARDING CELL PHONES; OTHER ELECTRONIC DEVICES; CAMERAS

POSSESSION AND USE OF ELECTRONIC DEVICES

Pursuant to Maryland Rule 16-110, beginning on January 1, 2011 and subject to inspection by court security personnel, a person may:

- bring an electronic device into the courthouse; and
- use the electronic device for the purpose of sending and receiving phone calls and electronic messages and for any other lawful purpose not otherwise prohibited

DEFINITIONS

- "Electronic device" means:

(A) a cell phone, a computer, and any other device that is capable of transmitting, receiving, or recording messages, images, sounds, data or other information by electronic means or that, in appearance, purports to be a cell phone, computer, or other such device; and

(B) a camera, regardless of whether it operates electronically, mechanically or otherwise and regardless of whether images are recorded by using digital technology, film, light-sensitive plates or other means.

RESTRICTIONS

- All electronic devices must be turned off and not used while on the top floor of the Courthouse, both inside and outside of the courtrooms. However, court personnel, attorneys and law enforcement officials present in their official capacity may use such devices provided that the devices shall be maintained in a silent mode and used in a manner that will not disrupt court proceedings.
- Under no circumstances shall an electronic device be used in a manner that interferes with court proceedings, the work of court personnel or the transaction of court business by other members of the public.
- Rule 5-615 Order on Exclusion of Witnesses

An electronic device may not be used to facilitate or achieve a violation of an order concerning nondisclosure of information to a witness whom the Court has sequestered or excluded from a proceeding.

- Photographs and Video

Except as permitted in accordance with Rule 16-109, Rule 16-110, Rule 16-405, or Rule 16-504 or as expressly permitted by the local administrative judge, a person may not (1) take or record a photograph, video, or other visual image in this Courthouse, or (2) transmit a photograph, video, or other visual image from or within this Courthouse.

- Jury Deliberation Room

An electronic device may not be brought into a jury deliberation room without the express permission of the presiding judge.

- Courtroom

All electronic devices inside a courtroom shall remain off and no electronic device may be used to receive, transmit or record sound, visual images, data or other information without the express permission of the presiding judge.

- Subject to Rule 16-110(b)(2)(F), the Court shall liberally allow the attorneys and the attorneys' support staff in a proceeding currently being heard make reasonable and lawful use of an electronic device in connection with the proceeding.
- Upon a finding that the circumstances of a particular case raise special security or privacy issues that justify a restriction on the possession of electronic devices, the local administrative judge or the presiding judge may enter an order limiting or prohibiting the possession of electronic devices in a courtroom or other designated areas of the Courthouse.

VIOLATION OF RULE

- Security personnel or other court personnel may confiscate and retain an electronic device that is used in violation of the Rule. Return of the item shall be subject to further order of the court. No liability shall accrue to the security personnel or any other court official or employee for any loss or misplacement of or damage to the device.
- **An individual who willfully violates this Rule or any reasonable limitation imposed by the local administrative judge or the presiding judge may be found in contempt of court and sanctioned in accordance with the Rules in Title 15, Chapter 200.**