

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
ADMINISTRATIVE ORDER 11-17**

**The Possession and Use of Electronic Devices in the Superior Court Courtrooms and  
Hearing Rooms**

**WHEREAS**, the Superior Court has regulated the use of devices that capture images (cameras) and sound (recorders) in the courthouse through both Court Rules and directives from presiding judicial officers;<sup>1</sup> and

**WHEREAS**, broadcasting or transmitting from courtrooms of the Superior Court has been regulated; and

**WHEREAS**, science and technology have made it possible to digitally record images and sounds and have equipped devices not traditionally considered either a camera or a recorder (such as laptops, cell phones, smart phones, electronic tablets, and MP3 players) with the capacity to record images or sound or both; and

**WHEREAS**, these electronic devices typically are small, can be operated surreptitiously, and can be used in a manner that is contrary to the administration of justice; and

**WHEREAS**, technology has made it possible to capture images or sound, or both, and to disseminate or broadcast them either immediately from the courtroom or at some point in the future, contrary to Court policy; and

**WHEREAS**, the use of such devices in the courtroom when not part of court proceedings may be disruptive to the court proceedings; and

**WHEREAS**, Superior Court rules do not specifically address the use of those types of electronic devices in a courtroom or hearing room; and

**WHEREAS**, there is a need to establish a general understanding of what is acceptable regarding the possession and use of electronic devices in the courtrooms and hearing rooms, while at the same time not interfering with the discretion of the presiding judicial officer to operate the courtroom in an appropriate manner; and

**WHEREAS**, a more specific understanding of acceptable conduct will enhance the ability of the United States Marshal and the Chief Security Officer to enforce Superior Court policy and rules;

**NOW, THEREFORE**, it is by the Court,

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<sup>1</sup> See Criminal Division Rules 53, 36-I (f) (g) and (h); Civil Division Rules 201(f) (g) and (h) and 203(b); Family Court General Rule N (f) and (g); Juvenile Rule 53; and Neglect Rule 45(e).

**ORDERED**, that this Administrative Order applies except where inconsistent with any Superior Court rule;<sup>2</sup> it is further

**ORDERED**, that for the purposes of this Administrative Order, “*electronic device*” means the following: 1) a cellular telephone, smart phone, any type of computer (including but not limited to a laptop, handheld, or tablet), any analog or digital recorder, MP3 player, and any other device that is capable of receiving, transmitting, 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 2) 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 any other means; it is further

**ORDERED**, that before entering any courtroom, everyone shall turn off all electronic devices in his or her possession. Pocket-sized electronic devices shall be turned off and stowed so that they are not visible. This order includes all members of the media and students, who may take notes manually. This prohibition does not include a litigant representing himself or herself and to whom the court has given permission to use an electronic device or any person appearing before a judicial officer in the well of the courtroom if authorized by the presiding judicial officer to use an electronic device in the courtroom. Members of the Bar or other individuals who are authorized to sit in designated rows of the courtroom (such as pretrial service officers, probation officers, supervision officers, or social workers in court on official business) are also exempt. Members of the media may be given permission by the presiding judicial officer to use electronic devices in the courtroom for official business; it is further

**ORDERED**, that if an electronic device is used while sitting in a designated row in a courtroom by a Member of the Bar, pretrial service officer, probation officer, supervision officer, social worker or litigant representing himself or herself, or by a member of the media who is given permission by the presiding judicial officer, the following restrictions apply unless otherwise directed by the presiding judicial officer:

- Usage is limited to court or business-related matters, such as legal research, scheduling, presentation of evidence, etc.
- Photographs or imagery shall not be made.
- Audio or video recordings shall not be made.
- Transmissions of any type shall not be sent or received.
- A call shall not be made or received on a cellular telephone.
- The notification mode of any cellular telephone shall be set on vibrate or silent.
- An MP3 player or any equivalent device shall not be used;

it is further

**ORDERED**, that security personnel or other court personnel designated by the judicial officer may confiscate and retain an electronic device that is used in violation of this procedure, subject to further order of the court or until the owner leaves the building. Absent action by the presiding judicial officer, either the Chief Security Officer, the United States Marshal, or their

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<sup>2</sup> See Rules cited in footnote 1.

designees may make a determination of the disposition of the confiscated item, which may include preserving the item as evidence, returning the item to its owner, or any other reasonable disposition of the item. Their jurisdiction to determine the disposition of the confiscated item is under the authority of this Order; it is further

**ORDERED**, that a person who does not comply with these procedures may be ejected from the courtroom or courthouse; it is further

**ORDERED**, that a person who willfully violates this procedure or any reasonable limitation imposed by the presiding judicial officer may be found in civil or criminal contempt of court and may be sanctioned; it is further

**ORDERED**, that these procedures are not intended to interfere with the use of an adaptive technology used by a person with a disability; and it is further

**ORDERED**, that the Executive Officer shall prepare, within 60 days of the date of this Order, signage and other forms of notice to the public about the possession and use of electronic devices in Superior Court courtrooms and hearing rooms, consistent with this Administrative Order.

**SO ORDERED.**

**BY THE COURT**

**Date: November 9, 2011**

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**Lee F. Satterfield**  
**Chief Judge**

**Copies to:**

**Judges**  
**Senior Judges**  
**Magistrate Judges**  
**Executive Officer**  
**Clerk of the Court**  
**Division Directors**  
**Chief Security Officer**  
**U.S. Marshal for the Superior Court**  
**Library**  
**Washington Daily Law Reporter**  
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