New Jersey Courts
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Administrative Office of the Courts

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Directive #11-20
[Questions or comments may be directed to the Office of Communications at (609) 815-2900 x52353]

TO: **Hon. Carmen Messano, P.J.A.D.**
Assignment Judges
Hon. Joseph Andresini, P.J.T.C.

FROM: **Glenn A. Grant, J.A.D.** GAG by SDB

SUBJ: **Supreme Court Guidelines on Media Access and Electronic Devices in the Courts**

DATE: **April 27, 2020**

This directive promulgates the attached Supreme Court Guidelines on Media Access and Electronic Devices in the Courts ("Guidelines"), as approved by the Supreme Court to be effective immediately. The Guidelines supersede the Supreme Court Guidelines on Electronic Devices in the Courtroom promulgated by Directive #08-14 (effective February 2, 2015, as supplemented on January 28, 2015).

The updated Guidelines are founded on the premise that any attempt to define media access in and around courthouses – and to regulate access to and use of electronic devices by court users – must bridge the gap between media access concerns and court security considerations. The Guidelines integrate and balance our commitment to public access and our duty to uphold the security of our court facilities and the safety of our court users. These responsibilities apply whether court events are conducted in person or using remote (video and phone) options.

The Guidelines also articulate a distinct policy on personal access to and use of cell phones in courtrooms. Court users may keep personal phones with them in courtrooms so long as they are silenced; however, audible use of cell phones in courtrooms is prohibited, and judges may further limit access as necessary.

Questions on the Supreme Court Guidelines on Media Access and Electronic Devices in the Courts should be directed to the Office of Communications at (609) 815-2900 x52353.

Attachment
cc: Chief Justice Stuart Rabner
Steven D. Bonville. Chief of Staff
AOC Directors and Assistant Directors
Clerks of Court
Trial Court Administrators
Special Assistants to the Admin. Director

Interpreter
ADA Americans with Disabilities Act
ENSURING AN OPEN DOOR TO JUSTICE

SUPREME COURT GUIDELINES ON MEDIA ACCESS AND ELECTRONIC DEVICES IN THE COURTS

[Promulgated by Directive #11-20 (April 27, 2020)]

New Jersey Courts

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A. INTRODUCTION

Electronic devices with the capacity to record, transmit, and broadcast images, audio, and video are ubiquitous in twenty-first century society. These devices are integral to modern media practices – yet they also are used by individuals for non-media purposes. Any attempt to define media access in and around courthouses and/or to regulate access to and use of electronic devices by court users therefore must bridge the gap between media access concerns and court security considerations.

Regulation of electronic devices in and around courthouses implicates the intersection of individuals' constitutional rights to information and expression and the courts' constitutional duty to provide safety and security for court users. Ultimately, however, the courts must approach this issue from a practical, operational perspective. Recognizing the need to balance media and security interests that may be in conflict, these guidelines provide operational protocols designed to enable our courts to function safely and to administer justice fairly, including with appropriate transparency.

B. FRAMEWORK

The guidelines differentiate between court users who wish to record, transmit, and broadcast court proceedings and those who do not. Members of the first category – whether within or outside the scope of traditional press outlets – are subject to specific media policies. Other court users, even if using devices with media-type capabilities, may not be bound by media regulations if they are not seeking to or engaged in media activities. Even if not subject to media policies, such court users – including but not limited to attorneys and members of the general public – are bound by policies governing possession and use of electronic devices.

The guidelines include a substantial security component as necessitated by the increasing risks to safety posed by widespread use of electronic devices for media and non-media purposes. The guidelines define the rights, responsibilities, and restrictions on access to and use of electronic devices by individuals in and around court facilities. Some content applies to all categories of court users while other rights and/or responsibilities are assigned only to certain classes of persons (e.g., court staff are permitted to use Judiciary-issued electronic devices to communicate for work- related purposes; jurors in courtrooms and deliberation rooms must turn off or render inoperable electronic devices; emergency personnel may access, retain, and use electronic devices in all areas of the courthouse and surrounding facilities). The guidelines regulate conduct while acknowledging that in some situations it is necessary to consider not only the action but also the actor.

C. GOALS

The goals of the *Supreme Court Guidelines on Media and Electronic Devices in the Courts* are to create statewide consistency in the use of *electronic devices*, to provide security for the public, attorneys, jurors, witnesses, litigants, judiciary employees, and judges and to ensure the integrity of all court proceedings.

D. RATIONALE

The pervasiveness of *electronic devices* and their availability to the general public, requires courts to implement guidelines governing the use of *electronic devices* in and around a courthouse, so that their use does not disrupt proceedings or compromise security, fairness to litigants, efficiency and/or appropriate courtroom decorum.

E. APPLICABILITY

Courts have substantial authority to regulate media access to court proceedings as well as access to and use of electronic devices for media/broadcast and other purposes. The guidelines govern in the absence of any exercise of such authority. They do not limit or modify the court's existing authority to impose greater restrictions or to permit an exception to a general limitation or regulation. The "gray areas" – the situations in which reasonable persons may disagree about whether it is better by default to permit or to restrict access to or use of electronic devices – should be considered with the explicit understanding that if the default does not work it is subject to change by action of the court.

F. DEFINITION OF ELECTRONIC DEVICES

As utilized in these guidelines, the term "*electronic devices*" means any mechanical devices (e.g., conventional cameras, audio recorders, video cameras, etc.) and/or microprocessor- based devices (e.g., computers, cell phones, cameras, communication or recording devices, portable devices, etc.) that have the capability to transmit (wired or wireless), broadcast, record and/or take photographs or any other similar device, whether now in existence or later developed, that has the ability to store, relay, share or transmit information.

G. POSSESSION AND USE OF ELECTRONIC DEVICES

Section 1: Inside the Courtroom

This policy establishes that *electronic devices* as defined herein may be brought

into courthouses subject to all appropriate security screening. Unless authorized by the Assignment Judge, all *electronic devices* shall be powered off or maintained in silent mode prior to entering any courtroom. Persons in possession of an electronic device are not permitted to use the device to conduct phone conversations or to transmit, broadcast, take photographs, or record in any court without permission from the court. Permitted use is subject to further reasonable restrictions by the court, law enforcement, and/or facility owners so that their use does not disrupt proceedings or compromise security, fairness to litigants, efficiency and/or appropriate courtroom decorum.

- Notification

  Policies prohibiting unauthorized use of *electronic devices* and the possible sanctions for noncompliance will be prominently displayed in the courthouse (including in jury assembly and deliberation rooms) and on the Judiciary website – njcourts.gov.

- Unauthorized Use

  Any person who uses an *electronic device* to transmit, broadcast, record and/or take photographs without court approval and in willful violation of this policy may be held in contempt of court, in violation of R 1:10-1 punishable by a term of imprisonment not to exceed six (6) months or a fine of up to $1,000, pursuant to N.J.S.A. 2C:43-3 and N.J.S.A. 2C:43-8 and may be charged with a violation of N.J.S.A. 2C:29-9 (Criminal Contempt), as deemed appropriate by law enforcement. Further, any *electronic device* used in willful violation of this order may be subject to seizure and forfeiture pursuant to N.J.S.A. 2C:64-1.

The Order Restricting Access to Electronic Devices in Courtrooms (Exhibit

B) shall be prominently displayed in appropriate locations in courthouses as determined by the Chief Justice, Presiding Judge of the Appellate Division, Assignment Judge, Presiding Judge of the Tax Court, or Presiding Judge of the Municipal Court. The Notice Regarding Personal (Non-Media) Access to and Use of Cell Phones in Courtrooms (Exhibit C) shall be posted[1] in all rooms used only as courtrooms. In the Municipal Courts, that Cell Phone Notice (Exhibit C) shall be displayed when court is in session.

Section 2: Jurors

Jurors' use of *electronic devices* shall be governed by the Policy Regulating Jurors' Use of Electronic Devices During Jury Service (initially promulgated in 2010; reaffirmed as supplemented by the Judicial Council on June 21, 2018).

All jurors will be advised to turn off their electronic devices when in a courtroom or grand jury room, including rooms used for state grand jury.

Jurors who are seated on a trial or a grand jury will be instructed to turn off all electronic devices that have the capabilities described above, and that those devices cannot be used in a deliberation room or grand jury room, including rooms used for state grand jury. Use of such devices will be restricted to court recesses when a juror is outside the deliberation room or courtroom, unless ordered otherwise by the judge.

At no time during a juror's service in trial court is the juror permitted to provide an account of juror service to others, including any participants in the trial, through any electronic means, such as social media websites.

This policy does not prevent a judge from ordering additional measures regarding

[1] These Guidelines were promulgated during the COVID-19 pandemic when the New Jersey courts were operating remotely (by phone and video) rather than in courtrooms. Notices should be posted in courtrooms within a reasonable time after the courts reopen for in-person operations.

the use or possession of such devices by jurors during a trial should the judge determine that such action is necessary. Such additional measures may include requiring jurors to temporarily surrender such devices. Among other options, judges may require that jurors store devices in a visible multipart holder; secure devices in a locked storage unit; or temporarily turn over devices to court personnel to maintain securely in an internet-blocking container.

Section 3: Common Areas of the Court Facility

While in common areas of a courthouse, all persons are permitted to possess and use *electronic devices* for any purpose other than to transmit, broadcast, or record sound, video, and/or photographs of court proceedings and court business. Such permitted use is subject to further reasonable restrictions by the court, law enforcement, and/or facility owners so that their use does not disrupt proceedings or compromise security, fairness to litigants, efficiency and/or appropriate courtroom decorum.

Section 4: Court Facility Grounds

Except as otherwise provided in these guidelines, the use of *electronic devices* on the grounds outside the court facility shall be permitted. Nothing in this policy is intended to limit the authority of law enforcement to provide security for the public, attorneys, jurors, witnesses, litigants, judiciary employees, and judges.

H. REQUEST FOR PERMISSION TO PHOTOGRAPH, ELECTRONICALLY RECORD, BROADCAST, AND/OR TRANSMIT A PROCEEDING

Section 1: Permission Required

A person desiring to transmit, broadcast, or record sound, video, and/or photographs of a court proceeding ("requestor") shall request permission from the court in writing by completing the Permission Request Form and Acknowledgement of User

Guidelines attached as Exhibit "A", which shall be accessible on the Judiciary website, njcourts.gov.

The request shall be presented to the court within a reasonable time prior to the commencement of the proceeding to permit the court adequate time to consider the request. In the event that time constraints render a prior written request impracticable, the court may entertain an oral request.

Section 2: Consent of Parties Not Required

Permission to transmit, broadcast, or record sound, video, and/or photographs of court proceedings using an electronic device shall not be conditioned upon obtaining consent of any party, any party's attorney, or any witness or participant in a proceeding.

Section 3: Decision of the Court

The court shall decide whether to grant permission as soon as practicable, giving due consideration to the number of requests, the timeliness thereof, and the requestor's need for access to the proceeding. The court shall specify whether permission is granted for a specific proceeding or for all court proceedings open to the public in a given matter until it is concluded. The court retains the discretion to modify or rescind such permission in the event that circumstances relating to the proceeding warrant such measures.

Section 4: Exception for Adoptions and Special Events

An agreement for the use of *electronic devices* to transmit, broadcast, or record sound, video, and/or photographs of court proceedings, as set forth in this section, shall not be required in the case of adoptive parents and other family members present at final hearings in uncontested adoption cases, provided that the judge presiding over that hearing grants those individuals permission to photograph, electronically record, broadcast and/or transmit the hearing. In addition, an agreement for the use of *electronic*

devices to transmit, broadcast, or record sound, video, and/or photographs shall not be required for special events hosted in and around courthouses, including Law Day celebrations, provided that the electronic device used in either scenario is a small scale multiuse handheld device. All larger devices that are not multiuse will still require written permission according to the procedures outlined in these Guidelines. Advanced notice should be given to court security in the courtroom and at the magnetometers regarding all adoptions and special events.

Section 5: Exclusions

Transmission, broadcasting, recording and/or photographing is prohibited at any proceeding closed by court order, statute or Rule of Court. Attached hereto as Appendix II is a reference to New Jersey Rules of Court and New Jersey statutes that relate to the sealing of court proceedings and records. The appendix is merely a guide and is not intended to be an exhaustive list of all potentially relevant Rules of Court and statutes.

Section 6: Restrictions

The following restrictions apply to any requestor granted permission to transmit, broadcast, or record sound, video, and/or photographs of court proceedings:

- Transmission, broadcasting, recording and/or photographing victims of crime under 18 years of age at the time of trial and of witnesses under 14 years of age at the time of trial shall be allowed only at the discretion of the court.
- Transmission, broadcasting, recording and/or photographing is prohibited at juvenile proceedings. Transmission, broadcasting, recording and/or photographing of defendants 17 years of age who are charged with motor vehicle violations that are heard in municipal court is permissible.
- Transmission, broadcasting, recording and/or photographing conferences

between an attorney and client or between co-counsel of a client that occur in a courtroom or anywhere in a court facility is prohibited.

- Transmission, broadcasting, and/or recording of side-bar conferences between the court and counsel is prohibited.
- Transmission, broadcasting, recording and/or photographing of a jury, any individual juror or any other person that would permit the identification of any juror is prohibited.
- Transmission, broadcasting, recording and/or photographing of a proceeding in which one is a party, litigant, or witness is prohibited without explicit court approval.

Nothing contained herein shall prohibit the transmission, broadcasting, recording and/or photographing of any juror who has been discharged from jury service in any proceeding unless otherwise ordered by a court.

Section 7: Judicial Discretion

a. **Fair Proceeding.** The court retains discretion to impose such restrictions on the use of electronic devices necessary to implement the goals of these guidelines. There may need to be adjustments made to the approved use of electronic devices where proceedings are conducted by video rather than in person. Transmission, broadcasting, recording and/or photographing may be excluded in any proceeding where the court determines such use would cause a substantial increase in the threat of, or the potential for, harm to a litigant, juror, witness, or any other participant in the case or would otherwise unduly interfere with the integrity of the proceeding. In determining whether such substantial increase in the threat of, or the potential for, harm exists, a court may appropriately consider the potential for intimidation of

witnesses, victims and others when exercising its discretion in deciding whether to grant, limit, or deny permission to transmit, broadcast, or record sound, video, and/or photographs of a court proceeding.

b. **Order to Exclude or Vary Coverage Previously Permitted.** The court, may, upon reasonable notice with an opportunity for the requestor and any other affected person(s) to be heard, terminate, limit, or otherwise modify the conditions of transmission, broadcasting, recording and/or photographing in any court proceeding or trial.

Section 8: Pretrial Conference

The court may, at its discretion, require a requestor to attend a pretrial conference prior to the court making a decision on a request to transmit, broadcast, or record sound, video, and/or photographs of court proceedings. The purpose of such pretrial conference shall be limited to decisions regarding transmission, broadcasting, recording and/or photographing and not to substantive matters beyond the scope of these guidelines. Any such required pretrial conference shall include the court, the attorneys for the litigants, requestor(s) and/or their attorneys, and any other persons identified as necessary by the court.

At such pretrial conference, the court shall distribute and review with all present the provisions of these guidelines. Any objections to transmission, broadcasting, recording and/or photographing the particular matter shall be considered at this conference. The court shall consult with the requestors and/or their attorneys before imposing any special limitations or restrictions on transmission, broadcasting, recording and/or photographing in the particular matter.

No formal pretrial order is required. However, the court, subsequent to the pretrial

conference, shall reduce to writing or make a record of the decisions reached at the pretrial conference, including, but not limited to, any and all limitations or restrictions imposed.

Section 9: Notice

This policy shall be made available on the Judiciary website, njcourts.gov. Notice to the public and court users shall be displayed at the entrance to each courtroom and at all court facility entrances.

Section 10: Appellate Review

Any requestor aggrieved by any decision concerning transmission, broadcasting, recording and/or photographing may move for leave to appeal the decision to the Superior Court where the decision was by the Municipal Court, to the Appellate Division where the decision was by the Superior Court or Tax Court, or to the Supreme Court where the decision was by the Appellate Division. Such motions shall be made within three (3) business days after any such decision.

APPENDIX I

A. General Requirements and Responsibilities

(1) **Electronic Devices.** Transmission, broadcasting, recording and/or photographing equipment and related wiring shall be unobtrusive and shall be located in places designated in advance of any proceeding by the court so as not to cause disruption.

(2) **Electronic Device Recordings Inadmissible.** No electronic device recordings shall be admissible as evidence or used to challenge the accuracy of the official court record. Notwithstanding inadmissibility as the official court record, electronic device recordings may be used as evidence in separate proceedings in the discretion of the court. An individual who has been granted permission by the court to record trial proceedings may seek to show portions of that video or other recording during closing arguments, subject to the judge's determination.

(3) **Pooling Capability Requirements.** Any person who obtains permission from the court to photograph, electronically record, broadcast and/or transmit proceedings shall provide pooling capabilities, if requested, so that others may share in the coverage. Pooling requires, at a minimum, that the pooling supplier have available capabilities to pool by providing multiple electronic connections for other media representatives desiring participation by the use of their own recording equipment or by direct line hook-up. Any individual who has obtained court permission to cover proceedings shall pool his/her video/audio signals or photographs at the request of others without requiring the others to obtain further court approval.

(4) **Pooling Arrangements.** Participating users of electronic devices and participating still photographers are to make their own pooling arrangements, including the establishment of necessary procedures, the provision of appropriate pooling

equipment as described in these guidelines, and selection of a pool representative without calling upon the court to mediate any dispute as to the appropriate media representative, costs or equipment authorized for a particular proceeding.

B. Equipment, Sound and Light Criteria

(5) Sound or Light Distractions. No electronic device that produces distracting sound or light either from the equipment itself or from its operation shall be used to cover judicial proceedings. The court may, at its discretion, require proof that equipment meets these guidelines before approving the equipment for use at a particular proceeding. Further, the court may order operation of any equipment to cease if that equipment does not meet these guidelines.

(6) Temporary Artificial Light. Absent prior approval from the court, no temporary artificial lighting device of any kind shall be employed in connection with any electronic video television camera, electronic device or still photographic cameras.

(7) Adding Light Sources. With the approval of the court and the concurrence of the owner of the building in which a court facility is situated, modifications and additions may be made to light sources existing in the facility, provided that any such modifications or additions are installed and maintained at the user's expense.

C. Placement of Equipment

(8) Placing/Removing Equipment. Other than electronic devices capable of being hand- held, photographic equipment and electronic equipment, including still cameras, microphones, and audio/video recording equipment shall be placed in or removed from the courtroom facility only prior to commencement or after adjournment of proceedings each day, or during a recess in the proceedings.

(9) Courtroom Placement. Other than hand-held electronic devices, all other electronic video camera equipment, broadcast audio equipment and all other

electronic devices shall be positioned only in areas designated by the court. Microphones are prohibited at, on, or in the immediate vicinity of counsel tables and the judge's bench absent prior written approval of the court, to avoid capturing attorney client communications and sidebar conversations respectively. Video recording equipment that is not a component part of the video camera shall be located in an area remote from the courtroom. The areas designated shall provide reasonable access for coverage.

(10) **Placement in Other Areas.** When the need arises, the court may provide additional rooms or areas where others may view the proceedings. Other individuals may, at their own expense and with their own equipment, make the necessary pooling arrangements to bring an electronic signal into such additional rooms or areas for viewing and for video/audio recording of the proceedings. All camera and audio equipment not designated by the court to be in the courtroom shall be positioned only in such rooms or areas.

(11) **Fixed Locations for Persons and Equipment.** All persons using electronic devices shall assume fixed positions within the designated location in the courtroom and, once positioned, shall not move about the courtroom in any way in order to photograph or record court proceedings. Noncompliance with this provision may be cause for the court to order the person to leave the courtroom and/or remove equipment from the courtroom.

APPENDIX II

R. 1:2-1	Proceedings in open court
R. 1:2-2	Verbatim record of proceedings
R. 1:2-3	The verbatim record shall include references to all exhibits R. 1:38- 1 et seq. (Public access to court records and administrative records)

Closures Pursuant to Court Rule:

R. 1:20A-5	Fee arbitration matters
R. 3:6-7	Secrecy of grand jury proceedings
R. 3:6-9(c)	Hearing on request of public official after grand jury censure
R. 3:13-3(f)	Protective orders
R. 4:10-2(e)	Claims of privilege or protection of trial preparation materials
R. 4:74-7(e)	Adult civil commitment hearings
R. 5:3-2	Family actions involving/affecting the welfare of a juvenile
R. 5:12-4(b)	Hearings and trials held by Division of Child Protection and Permanency
R. 5:19-2	Confidentiality of juvenile delinquency hearings

Closures Pursuant to Statute:

N.J.S.A. 9:3-47(c), N.J.S.A. 9:3-48(b)(e)	Hearing on complaint for adoption of child is held in camera
N.J.S.A. 2C:14-7(a)	Court shall conduct in camera hearing to determine admissibility of sexual offense victim's previous sexual conduct
N.J.S.A. 9:17-42	Any proceeding held under the Uniform Parentage Act shall be held in closed court and all papers, records and information pertaining there to is confidential
N.J.S.A. 2A:84A-21.4	Upon the finding of a waiver of privilege, the court shall order the

	production of materials for in camera inspection and determination as to admissibility
N.J.S.A. 2A:61B-1d(1)	Court shall conduct hearing in camera to determine admissibility of evidence of victim's previous sexual conduct in action for sexual abuse.

But see T.S.R. v. J.C., 288 N.J. Super. 48 (App. Div. 1996) (construing that statute as authorizing the court to permit full disclosure and open trial on the victim's motion over the defendant's objection).

EXHIBIT A

New Jersey Judiciary
Request for Permission to Photograph, Electronically Record or Broadcast a Court Proceeding

Completed forms must be submitted to the Trial Court Administrator or Designee for approval.

Date of Request	Name of Requestor	Telephone Number

Affiliation	Email Address

Permission is requested for:

Name of Case/Event	Judge/Courtroom Number	Date	Time

I request permission to use recording equipment for the following activities (check all that apply):

☐ Video Recording ☐ Still Photography ☐ Live Streaming/Live Broadcast ☐ Audio Recording

Specific equipment to be used:

By signing this agreement below, I certify that:

1. I have read the attached Supreme Court Guidelines on Electronic Devices in the Courtroom and agree to comply accordingly.
2. I am aware that if I fail to abide by the provisions of these guidelines, I may be subject to discipline by the court and/or charged with contempt of court and brought before a judge for alleged violation of *R* 1:10-1, punishable by a term of imprisonment not to exceed six (6) months or a fine of up to $1,000, pursuant to *N.J.S.A.* 2C:43-3 and *N.J.S.A.* 2C:43-8 and may be charged with a violation of *N.J.S.A.* 2C:29-9 (Criminal Contempt), as deemed appropriate by law enforcement.
3. Further, any electronic device used in willful violation of this order may be subject to seizure and forfeiture pursuant to *N.J.S.A.* 2C:64-1.
4. If requested, I agree to provide pooling capabilities as required by the Supreme Court Guidelines on Electronic Devices in the Courtroom.

Requestor Signature _____ Date _____

Official Use Only

☐ **Request Denied** ☐ **Request Approved**

Judge/Trial Court Administrator/Operations Manager (or designee) _____ Date _____

Special Notations:

Revised Form Promulgated by Notice 07/29/2019, CN 11862

EXHIBIT B

_____ Vicinage

Order Restricting Use of Electronic Devices in the Courtroom

It is hereby ORDERED that:

1. Unless authorized in writing by the Assignment Judge, all electronic devices shall be powered off or maintained in silent mode prior to entering any courtroom; and
2. The court may further restrict access to and/or use of electronic devices, including by requiring that cell phones and other devices are kept out of sight while court is in session, or that devices are powered off; and
3. A person who uses an electronic device to transmit, broadcast, record and/or take photographs without court approval and in willful violation of this policy may be held in contempt of court, in violation of R. 1:10-1, and may be punished by a term of imprisonment not to exceed six (6) months or a fine of up to $1,000, pursuant to N.J.S.A. 2C:43-3 and N.J.S.A. 2C:43-8 and may be charged with a violation of N.J.S.A. 2C:29-9 (Criminal Contempt), as deemed appropriate by law enforcement. Further, any electronic device used in willful violation of this order may be subject to seizure and forfeiture pursuant to N.J.S.A. 2C:64-1; and
4. This Order will be posted at or near the entrance to all courtrooms in the _____ Vicinage.

_____

Hon._____, Assignment Judge

EXHIBIT C

NOTICE: Restrictions on Personal (Non-Media) Cell Phone Use in Courtrooms

Attorneys, parties, and members of the public. The following provisions apply to use of cell phones and comparable electronic devices (hereinafter "cell phones") in a courtroom by attorneys, parties, and members of the public.

(a) Allowed uses: Attorneys, parties, and members of the public may use a cell phone in a courtroom to retrieve or to store information (including notetaking), and to send and receive text messages or information.

(b) Prohibited uses: Attorneys, parties, and members of the public must silence cell phones while in the courtroom. A cell phone 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. Cell phones 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. Cell phones may not be used to take photographs or to record audio or video in any courtroom.

(c) Any allowed use of a cell phone 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.