

## **POLICY REGARDING PORTABLE ELECTRONIC DEVICES**

It appearing to the Court that pursuant to Virginia Code §§ 8.01-4 and 17.1-128.2, and to promote proper order and the efficient and safe use of the Waynesboro Circuit Court and the Clerk of Court's office, the Court hereby ORDERS that the following policy for the use of portable electronic devices be and hereby is adopted and shall remain in effect until modified by subsequent order of this Court.

### **Definition of "Portable Electronic Device"**

*"Portable electronic device"* means (i) a personal laptop; (ii) a tablet; (iii) a mobile telephone, including a cell phone and any telephone with a camera, audio and video recording capabilities, and transmission capabilities; (iv) an electronic calendar; (v) an electronic book reader; (vi) a smart watch; or (vii) any other electronic personal communication device; (viii) smart glasses or any wearable device, capable of audio-video recording or transmission. "Portable electronic device" does not include a camera, a video camera, video or audio recording equipment, or a recording device that is not otherwise a component of a portable electronic device.

### **Definition of "Visitor to the Court"**

*"Visitor to the court"* ("*visitor*") means a member of the public who is not i.) an active or retired judge, ii.) a magistrate, iii.) an attorney-at-law who possesses and presents a valid state bar identification card, iv.) a law-enforcement officer as defined in § 9.1-101 or court security officer, v.) a probation officer who possesses and presents proper credentials and who is at the courthouse in the conduct of his or her official duties, vi.) a state or local agency employee who possesses and presents proper credentials and who is at the courthouse in the conduct of his or her official duties, vii.) city or state employees possessing proper credentials who work in the courthouse or who are in the courthouse on official business; (viii) a court reporter during the course of his or her official duties within the courthouse, ix.) any other individual who has been authorized to possess a portable electronic device in the courthouse upon a determination by the Sheriff of the City of Waynesboro that such individual's possession of a portable electronic device does not pose a security risk or threat and that access to such portable electronic device is necessary for conducting such individual's work or business in the courthouse.

### **Screening of Visitor to the Court**

Upon entering the courthouse, court security will ask the visitor if the visitor needs to enter the courtroom or if the visitor's business is with the clerk's office or other offices in the courthouse. Security will instruct visitors entering the courtroom to either store the portable electronic device in the provided storage locker or return the device to the visitor's vehicle.

### **Storage of Portable Electronic Devices**

Storage for portable electronic devices is provided at the security entrance to the courthouse for anyone who is not allowed to bring their devices into the courtroom at no cost. The sheriff shall not be responsible or liable for any damage to or loss of a stored device.

### **Devices in the Courtroom**

Portable electronic devices are prohibited in the courtroom without authorization from the presiding judge. Camera(s), video camera(s), video or audio recording equipment, or a recording device that is not otherwise a component of a portable electronic device are prohibited in the courtroom without the authorization from the presiding judge. Photography, video recording, video transmission, or audio recording inside the courtroom is prohibited, without prior written or oral authorization of the presiding judge, except by a duly sworn court reporter or court security member acting in the performance of his or her duties.

## **Exception for Lawyers, Law Enforcement, Staff**

The following individuals are presumed to have permission from the presiding Judge to possess portable electronic devices in the courtroom:

- i.) Law enforcement officers in the performance of their duties;
- ii.) Attorneys and their staff members;
- iii.) Commonwealth's Attorney, Assistant Commonwealth's Attorneys and their staff members;
- iv.) The Clerk of Court and her staff members;
- v.) Judges, including retired judges, and their staff members, law clerks, and judicial interns;
- vi.) Persons required to wear an electronic monitoring device by a court of competent jurisdiction;
- vii.) Probation officers; officers of the Department of Corrections or officers of the regional jail while in performance of their official duties.
- viii.) Such individuals and members of the media permitted to do so by the presiding judge.

All individuals permitted to possess or use portable electronic devices in the courtroom shall place the device on silent mode and ensure that the device not make any noises in the courtroom.

## **Portable Electronic Devices in the Courthouse separate from the Courtroom:**

Visitors, if not entering the courtroom, may possess portable electronic devices in the lobby and the hallways, and the clerk's office so long as the use of the portable electronic device does not interfere with court proceedings or the business of the clerk's office. Photography, video recording, audio recording, or video transmission inside the clerk's office is prohibited, without prior written or oral authorization of the presiding judge or the clerk of court, except by law enforcement officer(s) or member(s) of the sheriff's department in the performance of his or her duties. All visitors that possess a portable electronic device shall place the device on silent mode and ensure that the device does not may any noises while inside the courthouse.

## **Penalties for Users; Confiscation of Devices**

**Any person using a portable electronic device in violation of this, or any other court order or policy may be removed from the courthouse, found in contempt of court, and subject to penalties as provided by law. A conviction of summary contempt is punishable by a fine of \$250.00 and up to 10 days in jail. Punishment of plenary contempt is punishable by confinement in jail for not more than twelve months and a fine up to \$2,500.00, either or both.**

Any portable electronic device used in violation of this policy will be confiscated, and the sheriff shall not be responsible or liable for any damage to or loss of a confiscated device.

## **Further Limitations by the Judge**

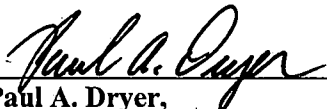
The presiding judge may further limit or ban the possession or use of any portable electronic device:

- i) pursuant to Virginia Code § 19.2-266 (to regulate media coverage of judicial proceedings);
- ii) if possession or use of the portable electronic device may or does interfere with the administration of justice or cause any threat to safety or security; or
- iii) for any other reason.

Copies of this Order shall be:

- i) conspicuously posted at the entrance of the courthouse;
- ii) posted on the Virginia Judicial System website;
- iii) posted on the City of Waynesboro website.

**The January 1, 2026, and all prior orders regarding the use of portable electronic devices are hereby REVOKED as of July 1, 2026.**

  
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Paul A. Dryer,  
Judge Waynesboro Circuit Court

6/29/2026  
Date