POLICY FOR USE OF PORTABLE ELECTRONIC DEVICES IN MARTINSVILLE CITY COURTHOUSE

I. Definitions of "Portable Electronic Device" and "visitor to the court"

The term "Portable Electronic Device" is defined to include personal laptops, tablets, mobile telephones (including cell phones and any form of telephone with cameras, audio and video recording and transmission capabilities), electronic calendars, electronic book readers, smart watches, and any other electronic personal communication device. "Portable electronic device" does not include cameras, video cameras, video or audio recording equipment, or a recording device that is not otherwise a component of a portable electronic device.

The term "visitor to the court" means a member of the public who is not an active or retired judge, a magistrate, an attorney-at-law who possesses and presents a valid state bar identification card, a law-enforcement officer as defined in § 9.1-101 or court security officer, a probation officer who possesses and presents proper credentials and who is at the courthouse in the conduct of his/her official duties, a state or local agency employee who possesses and presents proper credentials and who is at the courthouse in the conduct of his/her official duties, a court reporter during the course of his/her official duties within the courthouse, and any other individual who has been authorized to possess a portable electronic device in the court upon a determination by the sheriff of the city or county in which the court sits 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 court.

II. Possession and Use of Portable Electronic Devices

The following policies and procedures govern the possession and use of Portable Electronic Devices in the courthouse and in the courtroom.

A. In the Courthouse:

Visitors to the court are allowed to possess Portable Electronic Devices in the courthouse subject to the following rules:

(1) All Portable Electronic Devices must be screened by courthouse screening devices and personnel.

(2) All Portable Electronic Devices must be turned off upon entering the courthouse and concealed at all times in clothing pockets, opaque bags, or envelopes provided by security unless visitors are on the east side of the main floor visiting city offices or are inside another office with specific permission from its head or his/her designee.

(3) Jurors may possess and use Portable Electronic Devices in the courthouse, except while in a courtroom. Jurors are strictly prohibited from using a Portable Electronic Device to conduct any research related in any way to the case on which the juror

serves at any time during the juror's term of service. Jurors are prohibited from using a Portable Electronic Device to communicate about the case on which the juror serves until after the juror is excused at the end of the case.

(4) Using Portable Electronic Devices to take photographs, make audio or video recordings, or to transmit live audio or video streaming is prohibited except with prior written authorization by a judge of the Circuit or District Court.

(5) Other Electronic Devices: Cameras, video cameras, video recording equipment and recording devices ("other electronic devices") not classified as Portable Electronic Devices are not allowed in the courthouse except for use at events such as investitures, ceremonies, and weddings. Other electronic devices may be allowed in the courthouse with prior written authorization by a judge of the Circuit or District Court.

(6) No lockers will be provided in the Martinsville City Courthouse to store electronic devices while visiting the building.

B. In the Courtroom:

Portable Electronic Devices are allowed in the courtroom subject to security screening, including courthouse screening devices, and the following rules:

(1) All visitors to the court, including jurors, must keep their Portable Electronic Devices turned off and concealed in their clothing pockets, opaque bags, or envelopes provided by security.

(2) A presiding judge may authorize use of Portable Electronic Devices in the courtroom and may impose restrictions on such use. They shall only be used for the purposes and in the matter authorized by the presiding judge.

(3) Using Portable Electronic Devices to take photographs, make audio or video recordings, or to transmit live audio or video streaming is prohibited except with prior written authorization of the presiding judge.

III. Violations and Punishment

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. Any Portable Electronic Device used in violation of this or any other court order or policy may be confiscated, and the Sheriff shall not be responsible or liable for any damage to or loss of a confiscated portable electronic device.

IV. Further Limitations by Judges

A judge may further limit or ban the possession or use of any Portable Electronic Device:

(1) pursuant to Virginia Code § 19.2-266 (to regulate media coverage of judicial proceedings):

(2) if use of the Portable Electronic Device may or does interfere with the administration of justice or causes any threat to safety, security, proper behavior, or order.

V. Possession and Use of Medical Electronic Devices

The possession and use of any electronic device that serves a medical purpose ("medical electronic device") is permitted. The term "medical electronic device" shall include but is not limited to electronic devices that aid hearing or one of the other senses, measure blood sugar or blood pressure, provide medication, or express breast milk.

(1) A smart watch or fitness tracker will not be considered a medical electronic device solely because it is used to monitor or track general fitness and health data.

(2) Smart glasses with prescription lenses may be worn provided that the electronic device remains powered off and is not accompanied by any other electronic devices except as otherwise provided herein. If the electronic function of the glasses is related to aiding sight, the device may remain powered on but must not be accompanied by any other electronic devices except as otherwise provided herein

(3) If a cellular phone is necessary to control or assist the necessary functions of a medical electronic device, it is the responsibility of the member of the public requiring a phone for the use of an electronic medical device to request a medical device pouch, *if available*, upon entry to the courthouse. The phone will remain turned on and will be placed in a Yondr pouch specifically designed to promote security, *if available,* while still allowing the phone to communicate with the medical device. The medical device pouch shall remain locked while inside the courthouse. Should the need arise to access the phone to control the medical device, a designated member of court staff will unlock the medical device pouch without judicial authorization if assistance is sought outside of the courtroom. If the need to access the phone arises inside the courtroom, the authorization of the presiding judge shall be sought and the presiding judge, in their discretion, shall direct whether the medical device pouch shall be unlocked during the proceedings or whether a brief recess shall be ordered. After the phone is used for the required purpose, the designated member of court staff that assists in unlocking the medical device pouch shall ensure that the phone is placed back in the pouch and that the pouch is locked.

VI. Posting Notice of this Policy

The policy of each court regarding the possession and use of Portable Electronic Devices shall be posted on the court's home page on the Virginia Judicial System website; on the court's local website (if any); and at the courthouse entrance.

THIS POLICY IS ADOPTED PURSUANT TO THE AUTHORITY GRANTED TO THE COURT IN VIRGINIA CODE SECTION 17.1-128.2 AND WILL TAKE EFFECT ON JULY 1, 2026.

Request for Pre-Authorization to use portable electronic device(s) or medical electronic device in the Martinsville City Courthouse

The following named person(s) is authorized to use the below described electronic device(s) inside the Martinsville City Courthouse on the date(s) specified:

Authorized Person(s): _____

_____

_____

_____

Electronic Device(s): _____

_____

_____

Purpose and Location of Use: _____

Case Name: _____

Case No.: _____

Date(s) Authorized: _____

APPROVED BY:

Date:_____ _____

Judge

□ General District □ Juvenile and Domestic □ Circuit

****A copy of this signed authorization must be presented upon entering the courthouse.****