

VIRGINIA: IN THE TWENTY-EIGHTH JUDICIAL CIRCUIT

ORDER AND POLICY

FOR THE USE OF

PORTABLE ELECTRONIC DEVICES

IN COURTHOUSES AND COURTROOMS

EFFECTIVE JULY 1, 2026, Pursuant to Virginia Code Section 16.1-69.35:4 and Section 17.1-128.2, and upon consideration of competing interests of promoting access to justice and maintaining security, safety, and order in courthouses and courtrooms, the Court sets forth the following policy in regard to the use of Portable Electronic Devices in courthouses and courtrooms:

DEFINITION OF "PORTABLE ELECTRONIC DEVICE"

The term "Portable Electronic Device" is defined to include (i) personal laptops, (ii) tablets, (iii) mobile telephones, including cell phones and any telephone with a camera, audio and video recording capabilities, and transmission capabilities, (iv) electronic calendars, (v), electronic book readers, (vi) "smart" watches (vii) smart eyeglasses, and any other electronic personal communication device. "Portable Electronic Devices" does not include a camera, 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" 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 Virginia Code Section 9.1-101 or court security officer, a probation officer who possesses or presents proper credentials and who is at the courthouse in the conduct of his official duties, state or local agency employee who possesses and presents proper credentials, and who is at the courthouse in the conduct of his official duties, a court reporter during the course of his 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 of 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.

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(s).

IN THE COURTHOUSE:

Portable Electronic Devices brought into the courthouse are subject to security screening, including courthouse screening devices, and the following rules:

- (i) Court visitors may bring Portable Electronic Devices in the common areas of the courthouse upon the device being secured in a "YONDR" bag or comparable containment device in lobbies and hallways. Further restrictions, including restricting mobile telephone conversations to a designated area, as determined by the presiding Circuit Judge in conjunction with the Sheriff, may be imposed as needed to maintain safety, security, proper behavior, order, and the administration of justice. All Portable Electronic Devices must be powered off at all times within the courthouse without express permission from the presiding Circuit Court Judge or while being used in a designated area.
- (ii) Using Portable Electronic Devices in the courthouse or courtrooms to take photographs, make audio or video recordings, or to transmit live audio or video is PROHIBITED, except with prior written authorization by a judge of the Circuit or District Court.
- (iii) Other Electronic Devices: Cameras, video cameras, eyeglasses (meta or comparable), 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, or as otherwise allowed by prior written authorization of the presiding Circuit Judge or Chief Circuit Judge.

A. IN THE COURTROOMS:

Portable Electronic Devices shall not be brought into or used in the courtroom without authorization from the presiding judge. A presiding judge may authorize the possession and use of Portable Electronic Devices in the courtroom and may impose restrictions on such possession and use. If the possession of Portable Electronic Devices in the courtroom is authorized, they must remain powered off at all times, unless otherwise authorized by the presiding judge. They shall only be used for the purposes and in the manner authorized by the presiding judge.

Photography, video recording, audio recording, or video transmission or communication of any information using any media from inside the courtroom is prohibited without prior written authorization of the presiding judge. A visitor to the court may, with the express permission of the presiding judge, use a Portable Electronic device to (i) present evidence or other information or (ii) conduct research related to the proceeding.

B. CONFISCATION OF EQUIPMENT AND EJECTION OF USER:

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 Devices used in violation of this, or any other court order or policy may be confiscated by either the Court or the Sheriff, and neither shall be responsible or liable for any damage to or loss of a confiscated device.

C. FURTHER LIMITATIONS BY JUDGES:

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

- (i) Pursuant to Virginia Code Section 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.

POSTING NOTICE OF THIS POLICY:

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

STORAGE OF PORTABLE ELECTRONIC DEVICES:

Storage of devices will be limited to Yondr bags, as available, for persons who represent to security that they have no other means of storage available to them, such as a vehicle parked on or near the courthouse premises.

Enter this ORDER this 3 day of August,
effective for
July 1, 2026.

A handwritten signature in black ink, appearing to read 'Deanis L. Simmons', is written over a horizontal line.

Deanis L. Simmons, Chief Judge