VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF CHARLES CITY

ORDER RELATING TO PORTABLE ELECTRONIC DEVICES

Pursuant to Virginia Sections16.1-69.35:4(B) and 17.1-128.2 of the Code of Virginia (1950) as amended, it is ORDERED that the Circuit Court for Charles City County adopts the following Portable Electronic Devices Policy, which shall apply to the entirety of the Charles City County Courthouse. This policy will be in effect beginning September 1, 2026.

1. DEFINITIONS. For purposes of this policy, the following definitions will apply.

   a. "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. "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.

   b. "Professionals appearing on official business" means attorneys, law enforcement officers, Department of Social Services employees, probation officers, court reporters, and victim/witness advocates visiting the courthouse within the scope of their employment.

   c. "Courthouse employees" means personnel who work in the courthouse and are visiting the courthouse within the scope of their employment.

   d. "Member of the public" means all visitors to the courthouse who are not professionals appearing on official business under paragraph 1(b) or courthouse employees under paragraph 1(c).

   e. "Recording" means using of a portable electronic device or other device to take photographs, make audio or video recordings, or transmit live audio or video streaming.

2. POSSESSION IN THE COURTHOUSE.

   a. MEMBERS OF THE PUBLIC: In order to maintain safety, security, proper behavior, order, and the administration of justice, a member of the public may bring a portable electronic device into the courthouse only when it is powered off and placed in a locked pouch provided at the security checkpoint entering the courthouse. The pouch must remain locked inside the courthouse unless otherwise authorized by a judge.

   b. PROFESSIONALS and COURTHOUSE EMPLOYEES: Professionals appearing on official business and courthouse employees may bring a portable electronic device into the courthouse without requiring it to be placed in a lockable pouch.

3. DEVICES FOR PRESENTING EVIDENCE: To ensure that any portable electronic device brought to the court for the purpose of presenting evidence will be made available for such use, a bailiff in each courtroom in session shall have a device capable of opening a lockable pouch. The pouches will be opened at the direction of the presiding judge when needed for presenting evidence.

4. SPECIFIC AUTHORIZATION: Anyone with specific authority from the Court may possess and use their portable electronic devices within the scope of that authority, subject to the restrictions in paragraphs 6 through 8 below.

5. USE IN COURTROOMS: Members of the public may not use a portable electronic device in the courtroom without specific authorization from the presiding judge. Professionals appearing on official business and courthouse employees may use their portable electronic devices in courtrooms subject to the restrictions in paragraphs 6 through 8 below and further prohibition or restriction by the presiding judge. Portable electronic devices must remain silent.

6. RECORDING: Subject to paragraph 9 below and Virginia Code § 16.1-69.35:2, recording within the courthouse is prohibited except with prior written authorization by a presiding judge. An individual authorized under Virginia Code § 16.1-69.35:2 to audio record district court proceedings must inform the presiding judge in court that they intend to record the proceedings before beginning to record.

7. PROHIBITED DEVICES: Cameras, video cameras, video or audio recording equipment, and recording devices—including smart glasses—that are not otherwise a component of a portable electronic device are not considered portable electronic devices under this policy and are prohibited inside the courthouse absent specific written permission of a presiding judge.

8. FURTHER LIMITATIONS: A judge or other authorized officer may prohibit or further restrict the use of any portable electronic device as needed to maintain safety, security, proper behavior, order, and the administration of justice.

9. COURT REPORTERS: Notwithstanding paragraph 7 above, licensed court reporters retained by the Court or one of the parties to create an official record of the proceedings may bring audio recording equipment into the courthouse for use in their official duties. Moreover, notwithstanding paragraph 6 above, court reporters may audio record the proceedings for which they are tasked to create an official transcript.

10. CONFISCATION OF EQUIPMENT AND EJECTION OF USER: Persons violating this Order may be ejected from the Courthouse and/or found in contempt of court and subject to penalties as provided by law for contempt. Any portable electronic device or other device used or possessed in violation of this Order or related order or policy may be confiscated.

11. MEDIA REGULATION: Nothing in this order limits a Court's authority pursuant to Virginia Code § 19.2-266 to regulate media coverage of judicial proceedings.

The Court DIRECTS the Clerk of the Charles City County Circuit Court to spread a copy of this Order upon the respective order books, post a copy in an accessible, prominent, and conspicuous manner at the entrance of the Courthouse, post a copy with the date of entry in the clerk's office, furnish a copy to the attorneys regularly practicing before the respective circuit courts, and furnish a copy to the clerks of the Charles City County General District and Juvenile and Domestic Relations District Courts.

The Court DIRECTS the Clerk of the Charles City County Circuit Court to file a copy with the Executive Secretary of the Supreme Court.

ENTERED this 30th day of June, 2026.

Joshua P. DeFord
Chief Judge, Ninth Judicial Circuit