

VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF MATHEWS

ORDER RELATING TO PORTABLE ELECTRONIC DEVICES

Pursuant to Virginia Code §§ 16.1-69.35:4(B) and 17.1-128.2 the Court sets the following Portable Electronic Devices Policy, which will apply to the entirety of the Mathews County Courthouse.

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 active or retired judges, magistrates, attorneys, law enforcement officers, state or local agency employees, probation officers, court reporters, court-approved interpreters, and victim/witness advocates visiting the courthouse within the scope of their employment.

"Professionals appearing on official business" also include title examiners, land surveyors and other similar professionals who require the use of their portable electronic device for research in the circuit court clerk's office, who have obtained prior written authorization from the clerk to bring their device into the clerk's office, and who do not bring their device into a courtroom while court is in session.

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 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 lockable pouch. The pouch must remain locked inside the courthouse unless otherwise authorized by a judge or clerk.

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 courthouse for the purpose of presenting evidence will be made available for such use, a bailiff in each courtroom in session will have a device capable of opening the lockable pouch. Lockable pouches will be opened at the direction of the presiding judge when needed for the purposes of 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 while court is in session only for court-related business 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. In addition, on any given day due to attendance or otherwise should there be insufficient lockable pouches available for use by members of the public, court security officers may restrict members of the public from bringing portable electronic devices into the courthouse until such time as sufficient lockable pouches are available.

9. **COURT REPORTERS:** Notwithstanding paragraph 7 above, approved 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.

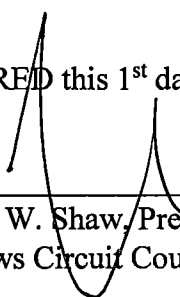
11. **MEDIA REGULATION:** Nothing in this order limits a Court's authority pursuant to Virginia Code § 19.2-266 to regulate media coverage of judicial proceedings.

12. **EFFECTIVE DATE:** This policy takes effect on August 3, 2026. Until such time, the existing portable electronic device policies remain in full force and effect.

The Court **DIRECTS** the Clerk of the Mathews Circuit Court to spread a copy of this Order upon the respective order book, 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 circuit court, and furnish a copy to the clerks of the Mathews General District and Juvenile and Domestic Relations District Courts.

The Court **DIRECTS** the Clerk of the Mathews Circuit Court to file a copy with the Executive Secretary of the Supreme Court.

ENTERED this 1st day of July, 2026.



Jeffrey W. Shaw, Presiding Judge
Mathews Circuit Court