

VIRGINIA: IN THE CIRCUIT COURT OF FRANKLIN COUNTY
RE: POSSESSION AND USE OF PORTABLE ELECTRONICS IN COURTHOUSE

It appearing to the Court that pursuant to Virginia Code Annotated § 8.01-4, § 16.1-69.35:4, and § 17.1-128.2, as amended, it is necessary to promote proper order and decorum and the efficient and safe use of courthouse facilities and the Clerk's offices, the Court ORDERS that:

- 1) The USE of Portable Electronics in the Franklin County Courthouse shall be PROHIBITED by visitors to the court with exceptions referenced herein.
- 2) "Portable electronic devices" 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.
- 3) "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, and the possession of these devices in the courthouse is STRICTLY PROHIBITED without express approval by a presiding Judge.
- 4) "Visitors to the court" are members of the public who are not active or retired judges, magistrates, validly licensed attorneys, law enforcement officers as defined in Virginia Code § 9.1-101, court security, probation officers operating within their official duties, state or local agency employees who possess and present proper credentials and are acting within their official duties, court reporters acting within their official duties, and other individuals authorized to possess a portable electronic device in the courthouse when determined by the Sheriff that such possession does not pose a security risk or threat and is necessary for conducting that individual's work or business in the court.
- 5) Visitors to the courthouse wishing to possess a portable electronic device shall be subject to a security screen of the portable electronic device upon entrance to the courthouse to ensure the device is not a weapon or a danger to any occupant of the building. A security screen shall not consist of courthouse personnel searching or accessing any data on the device. Such possession may subject visitors to the courthouse to additional security protocols, as established by the Sheriff, to ensure compliance with this Order.

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- 6) Any visitor to the courthouse who requires the use of a portable electronic device as a component of a medical device – including but not limited to insulin pumps, hearing aids, cardiac defibrillators – may use such device in accordance with the visitor's medical needs and the Americans with Disabilities Act.
- 7) Jurors are **STRICTLY PROHIBITED** from possessing and/or using portable electronic devices while acting within their official duties unless such device's possession and/or use serves as a component of a medical device in accordance with that juror's medical needs and the Americans with Disabilities Act.
- 8) Visitors to the courthouse who require the use of a portable electronic device for evidentiary purposes shall disclose such need to the on-duty bailiff for whichever Court the case is pending.
- 9) Visitors to the courthouse who bring in a portable electronic device shall keep the device secured on their person, keep the device turned off or on silent at all times, prevent the possession of the device from being a disruption of any court proceedings, and shall not use the device in any way to compromise the right of litigants to a fair trial.
- 10) Any visitor to the courthouse who wishes to use a portable electronic device to make or receive phone calls, text messages, email, or other means of electronic communication may do so **ONLY** in designated areas of the courthouse.
- 11) Visitors to the courthouse are **PROHIBITED** from using any electronic device to communicate with witnesses during trial, to record any portion of any proceeding, to take photographs or make video recordings, or to live stream any event without express prior authorization of a presiding Judge.
- 12) Any person using or possessing a portable electronic device in violation of this Order may be removed from the courthouse, found in contempt of court, and is subject to prosecution for other violations of law as may be applicable. A conviction of summary contempt is punishable by a fine of up to \$250.00 or up to ten days of incarceration. Plenary contempt is punishable by confinement in jail for not more than twelve months and a fine of up to \$2,500.00, either or both. In addition, 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 device.
- 13) The restrictions and procedures in this Order are not exhaustive. At the Sheriff's discretion, additional measures may be required of visitors to the

courthouse who wish to bring in a portable electronic device to ensure compliance and the maintenance of order and safety.

The Clerk shall post a true copy of this Order at the entrance to the courthouse, on the Court's website, to all courtrooms, and transmit copies to the Clerks of the General District and Juvenile and Domestic Relations District Courts, members of the Franklin County Bar Association, the Franklin County Sheriff's Office, and the Town of Rocky Mount Police Department.

ENTERED this 6^r day of July, 2026.

T. W. Allen

Timothy W. Allen, Judge