

Circuit Court for St. Mary's County

Policy Regarding Cell Phones; Other Electronic Devices; Cameras

Possession and Use of Electronic Devices

Pursuant to Maryland Rule 16-110, beginning on January 1, 2011 and **subject to inspection by court security personnel**, a person may

- ❑ bring an electronic device into the courthouse; and
- ❑ use the electronic device for the purpose of sending and receiving phone calls and electronic messages and for any other lawful purpose not otherwise prohibited.

Definitions

- ❑ “Electronic device” means:
 - (A) a cell phone, a computer, and any other device that is capable of transmitting, receiving, or recording messages, images, sounds, data, or other information by electronic means or that, in appearance, purports to be a cell phone, computer, or other such device; and
 - (B) a camera, regardless of whether it operates electronically, mechanically, or otherwise and regardless of whether images are recorded by using digital technology, film, light-sensitive plates, or other means.

Restrictions

- ❑ Rule 5-615 Order on Exclusion of Witnesses
 - An electronic device may not be used to facilitate or achieve a violation of an order entered pursuant to Maryland Rule 5-615(d).
- ❑ Photographs and Video
 - Except as permitted in accordance with Rule 16-110, Rule 16-109, Rule 16-405, or Rule 16-504 or as expressly permitted by the local administrative judge, a person may not (1) take or record a photograph, video, or other visual image in this courthouse, or (2) transmit a photograph, video, or other visual image from or within this courthouse.
- ❑ Jury Deliberation Room
 - Except with permission from a judge of the court, an electronic device may not be brought into a jury deliberation room while the jury is deliberating.

□ Courtroom

Except with the express permission of the presiding judge, all electronic devices inside a courtroom shall remain off and no electronic device may be used to receive, transmit, or record sound, visual images, data, or other information.

□ Subject to Rule 16-110(b)(2)(F), the court shall liberally allow the attorneys in a proceeding currently being heard and persons associated with the attorney to make reasonable and lawful use of an electronic device in connection with the proceeding.

□ Upon a finding that the circumstances of a particular case raise special security or privacy issues that justify a restriction on the possession of electronic devices, the local administrative judge or the presiding judge may enter an order limiting or prohibiting the possession of electronic devices in a courtroom or other designated areas of the courthouse.

Violation of Rule

□ Security personnel or other court personnel may confiscate and retain an electronic device that is used in violation of this Rule, subject to further order of the court or until the owner leaves the building. No liability shall accrue to the security personnel or any other court official or employee for any loss or misplacement of or damage to the device.

□ An individual who willfully violates this Rule or any reasonable limitation imposed by the local administrative judge or the presiding judge may be found in contempt of court and sanctioned in accordance with the Rules in Title 15, Chapter 200.