

County of Pueblo, State of Colorado, Tenth Judicial District

Amended Chief Judge Administrative Order

15-13

Concerning Electronic Devices in Judicial Building

PURSUANT TO AUTHORITY GRANTED TO CHIEF JUDGES of the judicial districts of the State of the Colorado by Chief Justice Directive 95-01, "Authority and Responsibility of Chief Judges," the following order is hereby entered:

In all courts and jury deliberation rooms: All electronic devices, except those used by a party or its representative to the extent necessary for the prosecution or defense of a case, shall be turned off. Any electronic transmission of information from the courtroom is prohibited without express consent of the Court. No Person, except court personnel, may make a sound or photographic recording (still and/or video, including by laptop computer, tablet, cell phone or any other electronic device) of any proceeding or person, including, but not limited to, jurors, witnesses, or parties. Official transcripts of proceedings may be ordered through the office of the Clerk of Court. A party or its representative may use electronic devices so long as such use is not disruptive of court proceedings and the device is muted. A judicial officer may further restrict use and possession of electronic devices in the courtroom.

In all hallways, probation offices, and other public areas of the building (other than courtrooms and jury deliberation rooms): Electronic devices may be used so long as such use is not disruptive of court proceedings or probation functions. Cell phones must be set to vibrate and silent ring settings and may not be used to capture images, videos, or sound recordings. Use of any type of audio- or video- recording device, including, but not limited to, tablets or cell phones in the clerk's office, clerk's window, probation offices, or jury assembly room, is strictly prohibited without express consent of the Court. A judicial officer may further restrict use and possession of electronic devices that are disruptive of proceedings.

Exceptions: Exceptions to these rules may be granted solely by permission of a judicial officer of the 10th Judicial District.

Media: Members of the media desiring access to the courthouse with cameras or other recording devices shall be required to present a valid media credential or other valid photo identification and business card at the security checkpoint. With a valid media credential, cameras shall be permitted and may be used in the hallways and public areas of the courthouse. The use of cameras may be limited to designated areas of the judicial building. Public Access to Records and Information Court Rule 2, Chapter 38, governing Expanded Media Coverage applies and cameras are not allowed in courtrooms, or in a hallway or public area to photograph or record a court proceeding, without express consent of the Court.

Violations: Anyone found to be in violation of these rules may be subject to contempt proceedings for violation of the Chief Judge Order. Sanctions may be remedial or punitive, including fine and or jail sentence. Upon probable cause to believe a violation of this order is occurring or has occurred, the Court, probation officers and security personnel and law enforcement officers are authorized to immediately confiscate devices used in the violation. Law enforcement officers shall have the discretion to temporarily secure any item confiscated for purposes of conducting an investigation.

The item confiscated may be searched with the consent of the owner of the item. In the alternative, if consent is refused or cannot be obtained, a law enforcement officer may conduct a

warrantless search of the item without the owner's consent and without a search warrant only when an exception to the warrant rule applies or when otherwise authorized by law. Any application for a search warrant must be prepared and submitted to a judicial officer as soon as practicable and without undue or unnecessary delay.

If the search of an electronic device reveals that it contains potential evidence that may be material to an allegation of contempt, a law enforcement officer may request that the judicial officer presiding in the courtroom involved (or in the case of a violation occurring outside a courtroom, the Chief Judge) issue a citation for contempt. If a citation for contempt issues or if a judicial officer initiates direct contempt proceedings, the electronic device in question may be impounded by law enforcement pending resolution of the contempt proceedings. The judicial officer handling the contempt proceedings shall make a determination as to what sanctions, if any, shall be imposed and the disposition of the device.

In all instances occurring outside of the courtroom, security personnel and law enforcement officers have the discretion to investigate for any possible violation of the Order or of law. They may take no action or, in their discretion, contact the Duty Judge and or Chief Judge for direction as to the appropriate court of action, based upon the particular circumstances involved.

So Ordered, this 24th day of July, 2014, as amended November 17, 2021.



Chief Judge