

DISTRICT COURT, WELD COUNTY, COLORADO Court Address: 901 9th Avenue, Greeley, CO 80631-1113 Mailing Address: P.O. Box 2038, Greeley, CO 80632-2038	▲ COURT USE ONLY ▲
<p style="text-align: center;">ADMINISTRATIVE ORDER 12-02 <i>Amended September 10, 2014</i></p>	
<p style="text-align: center;">ORDER REGARDING ELECTRONIC DEVICES IN JUDICIAL BUILDINGS</p>	

WHEREAS concerns have arisen concerning certain types of improper uses of electronic devices in the court buildings in the Nineteenth Judicial District; and

WHEREAS the Court recognizes the need to have a policy that facilitates normal and proper use of such devices while prohibiting improper uses; and

WHEREAS the Chief Judge of the District is authorized by Chief Justice Directive 95-01 to enter orders of this nature.

THE COURT HEREBY ORDERS:

The use of all electronic devices, including but not limited to cell phones, personal digital assistants (PDAs), laptops, computer tablets (e.g. “I-Pad” type devices) and all devices capable of capturing photographs or creating audio or video recordings, is strictly controlled within court facilities. Prohibited uses include all photography and videography including sound recordings, broadcast sound, and broadcast still or moving images. More highly restrictive access in an individual courtroom, if applicable at the discretion of the Judicial Officer, shall be posted at the courtroom entrance.

I. IN ALL HALLWAYS AND PUBLIC AREAS OF JUDICIAL BUILDINGS (ALL AREAS OTHER THAN COURTROOMS):

Electronic devices may be used so long as such use is not disruptive of court proceedings. All devices including cell phones, tablets, laptop computers and PDAs must be set to vibrate or silent ring settings and may never be used to capture images, videos, or sound recordings. Use of any type of audio- or video-recording device, including, but not limited to, cell phones, laptop computers, or cameras in the clerk’s office, at the clerk’s window, 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 is disruptive of court proceedings or creates a potential danger to anyone in or around our court facilities.

II. IN ALL COURTROOMS:

All electronic devices shall be turned off when entering the courtroom and shall remain turned off at all times while in the courtroom. The exception to this prohibition is that such devices may be used for note taking, settings, legal research, and use of stored electronic data for court proceedings, provided they are muted and not disruptive of any court proceedings. Any electronic transmission of information from the courtroom is prohibited without express consent of the Court. No person, except court personnel and media operating under an court approved order for expanded media coverage, may make a sound or photographic recording of any proceeding or person including, but not limited to, jurors, witnesses, attorneys, court personnel, or parties. Official transcripts of proceedings may be ordered through the office of the Clerk of Court. A Judicial Officer may further restrict use and possession of electronic devices in the courtroom.

III. EXCEPTIONS:

Exceptions to these rules may be granted solely by permission of a Judicial Officer of the Nineteenth Judicial District.

IV. MEDIA:

Court Facility Access: 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 official 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. All others wishing to request access to the facility with cameras or other recording devices with the intent to capture any type of photographs, video or audio must complete the form provided here as Attachment A to be submitted to the District Administrator in Room 315, 901 Ninth Avenue.

Courtroom Access: Current rules for expanded media access govern the use of cameras in courtrooms. *See* Rule 2, Chapter 38 of Colorado Supreme Court Rules, Public Access to Records and Information. Additional information including a request form is available at <http://www.courts.state.co.us/userfiles/file/Media/Cameras%20in%20the%20Courtroom%202010%20update.doc>.

V. VIOLATIONS:

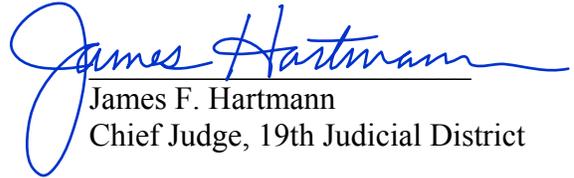
Anyone found to be in violation of the provisions of this Administrative Order is subject to having the electronic device confiscated and may be subject to contempt proceedings. Sanctions for contempt may be remedial or punitive, including a fine and/or jail sentence. Upon probable cause to believe that a violation of this order is occurring or has occurred, the court and law enforcement officers are authorized to seize any item they reasonably believe was used in violation of this order or which presents a potential or real physical danger. If any phone, camera, or other electronic device was used or is being used in violation of this order, law enforcement may be summoned and, upon a finding of probable cause, will confiscate such item based on their observations, investigation, or on a credible third-party report of such a violation. Law enforcement shall promptly notify the Judicial Officer assigned to that courtroom of the alleged violation, but may not inspect the contents of the device without a warrant or court order. The Judicial Officer shall

determine whether a warrant is necessary before law enforcement may inspect the stored data in the device or if exigent circumstances exist for a warrantless search of the electronic device. The Judicial Officer assigned to that courtroom shall make a determination as to what sanctions shall be imposed for a violation of the provisions of this order and the disposition of the device. If it is determined that photographs, audio or video was taken in the courtroom in violation of this order and the video, audio or photographs are not evidence of a separate criminal offense, law enforcement shall consult with the Judicial Officer regarding whether the images or audio should be removed from the electronic device, retained pending a contempt proceeding, or some other action taken. If the photograph, video or audio is evidence of a separate criminal law violation, law enforcement will determine what actions to take under their agency protocol for investigating a crime.

In all other instances occurring outside of the courtroom, the Weld County Sheriff's Office has the discretion to investigate for any possible violation of criminal law or violation of this Administrative Order. The Sheriff's Office may take no action or, in their discretion, contact the Duty Judge or the Chief Judge for direction as to the appropriate course of action.

Dated: September 10, 2014

By the court:


James F. Hartmann
Chief Judge, 19th Judicial District

ADMINISTRATIVE ORDER 12-02 Attachment A

Request for Expanded Electronic Access to 19th Judicial District Court Facility
(not applicable for expanded media access as governed by Rule 2, Chapter 38 of Colorado Supreme Court Rules, cameras in the courtroom)

Name (including affiliated organization if applicable): _____

Contact information (address, email): _____

Date of request: _____ Date of requested access: _____

If specific case related: Date of proceeding: _____ Time of the proceeding _____ a.m./p.m.

Case No. _____ Case name _____

The type of expanded electronic access requested:

_____ audio	_____
_____ video	_____
_____ still photography	_____

Additional information for consideration of request:

Requests must be submitted at least one day prior to the requested date of access. Submitting requests five days prior to the proceeding is appreciated to allow for response time. Please submit the completed form to Karen Salaz, District Administrator, 901 9th Avenue, Room 315.

By signing this form, I agree to comply with all relevant orders and all criteria set forth by the Court and the Administrative Authority of the 19th Judicial District.

Signature _____, Title _____
Date _____

Comments from Administrative Authority if Applicable:
