

SEP 0 7 2010

TWENTY-THIRD JUDICIAL CIRCUIT
OF VIRGINIA

WILLIAM D. BROADHURST, CHIEF JUDGE
ROANOKE CITY COURTHOUSE
315 CHURCH AVENUE, S.W.
P.O. BOX 211
ROANOKE, VIRGINIA 24002-0211
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COMMONWEALTH OF VIRGINIA

CIRCUIT COURT FOR THE COUNTY OF ROANOKE
CIRCUIT COURT FOR THE CITY OF ROANOKE
CIRCUIT COURT FOR THE CITY OF SALEM

September 2, 2010

Francis H. Casola, Esq.
President Roanoke Bar Association
P.O. Box 14125
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Compton M. Biddle, Esq.
Salem/Roanoke Bar Association
P.O. Box 2064
Salem, VA 24153

Re: *Prohibition of Electronic Devices in Courthouses*

Dear Counsel:

Enclosed please find a copy of what has been referred to as the latest "cell phone order." Feel free to provide copies to those who may be interested. Please note that we are suspending enforcement until November 1, 2010.

With best regards,


William D. Broadhurst
Chief Judge

Enclosure

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF ROANOKE
IN THE CIRCUIT COURT OF THE CITY OF ROANOKE
IN THE CIRCUIT COURT OF THE CITY OF SALEM

IN RE: PROHIBITION OF ELECTRONIC DEVICES IN COURTHOUSES

STANDING ORDER

The Court has determined that the provisions set below are necessary to promote proper order and decorum and the efficient and safe use of courthouse facilities and clerks' offices.

Subject to the authorized exceptions set forth below, **no one is permitted to possess or use an electronic device within the Roanoke City Courthouse, the Salem City Courthouse, or the Roanoke County Courthouse including the Juvenile Court building.**

The term "electronic device" includes any device, instrument, machine or contrivance that is capable of being used:

1. for voice communication of any sort; or
2. as an audio or video recording device, or as a camera of any sort, or to capture, transmit, or broadcast sound waves or visual images; or
3. for text messaging, instant messaging, or text communication or broadcast of any sort, or for e-mail, or for any sort of Internet, broadband, or network access; or
4. as a digital or analog audio or video music or sound player.
5. Hearing aids are not "electronic devices" within the meaning of this order.

AUTHORIZED EXCEPTIONS:

- 1) State and local officials or employees whose offices are in any of the courthouses of the Twenty-third Judicial Circuit, subject to work rules or policies.
- 2) Judges, Justices of the Supreme Court of Virginia, judicial assistants, and judicial law clerks.
- 3) Members of the Virginia State Bar and attorneys admitted *pro hac vice*.
- 4) Law enforcement personnel present for court business.


- 5) Members of media present (a) for a court proceeding for which an appropriate media coverage order has been entered, or (b) for a ceremonial proceeding; or (c) to take photographs or make audio video recordings or broadcasts in courthouse areas in which such activities are allowed under prior standing orders;
- 6) Court reporters in the performance of their official duties. Court reporters using wireless equipment are restricted to using point-to-point wireless configurations;
- 7) Notwithstanding the generality of the foregoing exceptions, no one is permitted to use an electronic device within a courtroom unless that person has received permission to do so from the presiding judge. No person who is present in the courthouse for jury service is permitted to possess or use an electronic device.
- 8) Judges of the Twenty-Third Judicial Circuit may permit additional exceptions to the Order for good cause shown, including ceremonial proceedings such as investitures, adoptions, weddings, or Drug Court graduations.

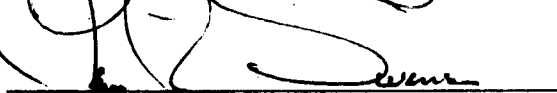
The judge of any affected court may summarily punish for contempt anyone who possesses or uses an electronic device in violation of this order. The Judges of the Circuit Court, with concurrence of the Judges of the General District and Juvenile and Domestic Relations District Courts, and of the Sheriffs, have entered this order pursuant to Virginia Code §8.01-4. Copies of this order shall be spread in the civil order books of each of the Courts of the Twenty-third Judicial Circuit; copies of this order, and appropriate signs, shall be posted in and around each affected courthouse; and copies of this order shall be transmitted to the Sheriffs and Chiefs of Police of each jurisdiction in this circuit, to the presidents of the Roanoke Bar Association and Salem-Roanoke County Bar Associations, to local news media, the Virginia Press Association, the Virginia Association of Broadcasters, and the Executive Secretary of the Supreme Court of Virginia.


ENTER: This 27th day of August 2010.



 William D. Broadhurst, Chief Judge


 Jonathan M. Apgar, Judge


 Clifford R. Weckstein, Judge


 James R. Swanson, Judge


 Robert P. Doherty, Jr., Judge


 Charles N. Dorsey, Judge