

CPA

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA

IN RE:)
)
POSSESSION AND USE OF)
CELL PHONES AND OTHER)
ELECTRONIC DEVICES IN)
COURT FACILITIES)

No. AD-

1312

CRISTINA A. LOVE
CLINTON COUNTY PA
PROTHONOTARY & CLERK

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FILED

ADMINISTRATIVE ORDER OF COURT

AND NOW, this 21st day of November, 2022, this Court desiring to adopt the following policy with regard to the possession and use of cell phones and other electronic devices in Court facilities (hereafter referred to as "Electronic Device Policy") of the Courts of Clinton County, Pennsylvania, for safety, security, and confidentiality purposes, IT IS HEREBY ORDERED:

1. The term "electronic device" refers to any device (both currently available and future technology) that is capable of wireless communication and/or the capture, transmittal, storage, and/or retrieval of digitized data, images, and/or sound. "Electronic device" includes but is not limited to cell phones, cameras, tablets, notebook/laptop computers, palm pilots, pocket PCs, blackberries, and pagers.

2. The term "court facility" refers to the Clinton County Courthouse at 230 East Water Street, Lock Haven, PA 17745; the second and third floor of the Garden Building, 232 East Main Street, Lock Haven, PA 17745; Magisterial District Court 25-3-01, 301 Frederick Street, Suite 100, Lock Haven, PA 17745; Magisterial District Court 25-3-02, 385 Beech Creek Avenue, Mill Hall, PA 17751; and Magisterial District Court 25-3-03, 112 Ninth Street, Renovo, PA 17764.

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PRESIDENT JUDGE
—
COURT OF COMMON PLEAS
25TH JUDICIAL DISTRICT
OF PENNSYLVANIA
COURTHOUSE
LOCK HAVEN, PA 17745

Electronic devices are banned from every court facility. Any person in possession of an electronic device is prohibited from entering a court facility, except as herein stated.

3. The Sheriff of Clinton County and/or Court Security shall utilize storage facilities at the entrance of the Courthouse and Garden Building for storage of electronic devices of individuals that request such service. The Sheriff of Clinton County and/or Court Security shall not be liable for damage or harm alleged to be caused to said electronic device due to the storage and/or handling of the electronic device. No storage areas shall be provided at any Magisterial District Offices.

4. The Sheriff of Clinton County, Deputy Sheriffs and/or anyone tasked with Court security shall refuse entry to any Court facility to any individual in possession of an electronic device unless one of the exceptions stated below in this Order applies.

5. The following six (6) categories of individuals possessing an electronic device will be permitted entry to a court facility:

A. State Court and all Clinton County employees with proper identification badges – Employees shall produce their identification badge upon request, and if an employee cannot or refuses to do so, the employee will be treated as a member of the general public – screened and prohibited from bringing any electronic device into the building.

B. Law enforcement officers conducting business in any Court Facility – Law enforcement in uniform displaying a badge of authority will be permitted entry with an electronic device. Law enforcement in plain clothes must present a badge of authority or yellow Clinton County Identification card in order to be permitted entry with an electronic device.

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- C. Attorneys who present photo identification and sufficient documentation that the individual is an attorney will be permitted entry with an electronic device without further screening by Court security.
- D. Individuals regularly conducting court-related business in any Court facility who present an approved pass and photo identification will be permitted entry with an electronic device but will be subject to full screening by Court security. Prior to being issued a pass, an individual will be required to identify the purpose of the request and any organization with which that individual is affiliated.
- E. All citizens summoned for jury duty.
- F. A Judge, Magisterial District Judge or the Office of District Court Administrator may grant other exceptions in their sole discretion.
- G. A Magisterial District Judge may grant other exceptions in their sole discretion in any district court in which they preside.

6. Anyone who abuses the privilege of entering a Court facility with an electronic device is subject to suspension of this privilege and full screening by the Sheriff, Deputy Sheriff and/or Court Security.

7. Exceptions are also granted for the following proceedings:

- A. wedding ceremonies;
- B. Oath of Office proceedings;
- C. memorial proceedings;
- D. adoption proceedings; and
- E. other ceremonial proceedings.

8. Litigants

A. Litigants Represented by Counsel

In proceeding where counsel represents the litigant

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or witness for litigant may possess an electronic device in a court facility if the electronic device is being utilized as evidence, to produce or demonstrate evidence, or some other relevant reason. A litigant or witness desiring to utilize an electronic device for such a reason shall have the attorney desiring to utilize that said electronic device for an evidentiary purpose certify to the appropriate security official that said electronic device will be utilized for an evidentiary purpose in a proceeding. The device shall remain in the custody of the attorney utilizing the electronic device for an evidentiary purpose while in the Court facility.

B. Litigants Unrepresented by Counsel

If the litigant is unrepresented, permission to admit said individual to a court facility with an electronic device must be granted by:

- (1) The Sheriff or his designee
- (2) The District Court Administrator;
- (3) The Presiding Judge;
- (4) The Presiding Magisterial District Judge;
- (5) The Presiding Hearing Officer;
- (6) The Director of Domestic Relations; or
- (7) The Chief Probation Officer

9. An application for an electronic device pass for an individual regularly conducting court-related business is available in the Office of the District Court Administrator on the 2nd Floor of the Clinton County Courthouse and on the website of the Office of the District Court Administrator at

<https://www.clintoncountypa.com/government/court-services/county-courts/court-forms/-folder-19>

Applications and passes are for a specified individual and are not to be shared with other members of the person's firm, agency, organization, family, or anyone else.

10. Individuals permitted entry to the Court facility with an electronic device may use the electronic devices while in common areas of the facility, such as the lobbies and waiting areas; however, all electronic devices must be powered off upon entry to a courtroom, hearing room, or judicial chambers. Only with the express permission of the Presiding Judge, Presiding Magisterial District Judge, or Presiding Hearing Officer may an electronic device be powered on in a courtroom, hearing room, or judicial chambers. Failure to comply with this Court Order may result in the violator's immediate removal from the courtroom, hearing room, or judicial chambers; the confiscation of the electronic device; the deletion of any offending data or material on said device; and/or a possible contempt finding.

11. No audio recording, video recording, or photograph, may be taken in any Court facility at any time unless permission is granted by a Judge of the Court of Common Pleas, the District Court Administrator, or the Presiding Magisterial District Judge. Failure to comply with this Court Order may result in the violator's immediate removal from the Court facility and may constitute contempt of court and result in confiscation of the electronic device, the deletion of any offending data or material on said device, and/or a possible contempt finding.

12. Any violation of this policy may also result in criminal prosecution.

13. Any device confiscated pursuant to this Order and not being utilized by law enforcement in any criminal investigation may be claimed by the owner in the

Office of Sheriff of Clinton County. If said device is not being held by law enforcement for a criminal investigation and the electronic device is not claimed by its lawful owners within seven (7) business days of such confiscation the electronic device shall be deemed forfeited to the County of Clinton and may be destroyed by the Office of Sheriff.

14. The Sheriff of Clinton County, Deputy Sheriffs, and all Court personnel are authorized and directed to enforce this Order, including taking immediate possession of any electronic device that is being utilized in violation of this Order.

15. The County of Clinton shall cause to be erected at the entrance of various Court facilities signs notifying all individuals of the prohibition of electronic devices in Court facilities.

16. The Clerk of Courts, Prothonotary, Clerk of Orphans' Court, and Magisterial District Court Clerks shall place upon all Court scheduling Orders or notices that electronic devices are not permitted in Court facilities.

BY THE COURT:



P.J.

cc: President Judge Craig P. Miller
Judge Michael F. Salisbury
Magisterial District Judge John W. Maggs
Magisterial District Judge Frank P. Mills
Magisterial District Judge Keith G. Kibler
Members of the Clinton County Bar Association
Clinton County Sheriff
Court Administrator

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