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**To: Hon. Thomas W. Sumners, Jr.
Assignment Judges
Hon. Mala Sundar
Trial Court Administrators
Clerks of Court**

Directive # 06-24
[Supersedes Directive #11-20]

Questions may be directed to
(609) 815-2900, x52353

From: Glenn A. Grant, Acting Administrative Director

**Subject: Supreme Court Guidelines on Media Access and Electronic Devices
in the New Jersey Courts (Revised 2024)**

Date: July 22, 2024

This directive promulgates the attached Supreme Court Guidelines on Media Access and Electronic Devices in the New Jersey Courts (Revised 2024) (“Guidelines”), as approved by the Supreme Court, to be effective immediately. This supersedes the version of the Guidelines promulgated by Directive #11-20 (effective April 27, 2020).

The revised Guidelines streamline statewide policy. In addition, they incorporate new provisions as to the applicability of the policy to virtual, as well as in-person, court events. The revisions also include a revised template order for state courts, a new template order for municipal courtrooms, and a new order/sign for posting at customer service areas (including in Municipal Courts and in Probation ancillary facilities).

Questions on the Supreme Court Guidelines on Media Access and Electronic Devices in the New Jersey Courts should be directed to the Office of Communications at 609-815-2900 x52353. Questions regarding law enforcement response to issues related to the Guidelines may be directed to the Court and Judicial Security Unit at 609-815-2900 x54501.

Attachment (Guidelines)

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**cc: Chief Justice Stuart Rabner
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**SUPREME COURT GUIDELINES ON
MEDIA ACCESS AND ELECTRONIC DEVICES
IN THE NEW JERSEY COURTS**

[Promulgated by Directive #06-24 (July 22, 2024)]



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A. INTRODUCTION

Electronic devices with the capacity to record, transmit, and broadcast images, audio, and video are ubiquitous in today's society. Regulation of electronic devices in and around courthouses implicates the intersection of individuals' constitutional rights to information and expression and the courts' constitutional duty to provide safety and security for court users. Therefore, the courts must approach this issue from a practical, operational perspective. Recognizing that the need to balance media and security interests may sometimes be in conflict, these guidelines provide operational protocols designed to strike a balance that imposes reasonable limits on the use of electronic devices so as to enable our courts to function safely and to administer justice fairly and transparently.

B. FRAMEWORK

The guidelines differentiate between court users who wish to record, transmit, and broadcast court proceedings in progress and those who do not. Members of the first category – whether within or outside the scope of traditional press outlets – are subject to specific media policies and must fill out a request form that must be approved by a senior judicial or administrative leader (e.g., the Assignment Judge or Trial Court Administrator). Other court users, who possess devices with recording capabilities but who do not seek to

record, are not required to seek and obtain such permission. However, all court users – including but not limited to attorneys and members of the general public – are still bound by policies governing possession and use of an electronic device. The guidelines apply to both state-level courts and the municipal courts.

The guidelines define the rights, responsibilities, and restrictions on access to and use of electronic devices by individuals in and around court facilities. Some content applies to all categories of court users, while other rights and/or responsibilities are assigned only to certain classes of persons (e.g., court staff are permitted to use Judiciary-issued electronic devices to communicate for work-related purposes; jurors in courtrooms and deliberation rooms must turn off or render inoperable electronic devices; emergency personnel may access, retain, and use electronic devices in all areas of the courthouse and surrounding facilities).

C. GOALS & RATIONALE

The goals of the Supreme Court Guidelines on Media and Electronic Devices in the New Jersey Courts are to create statewide consistency in the use of electronic devices, to provide security for the public, attorneys, jurors,

witnesses, litigants, judiciary employees, and judges, to provide for transparency, and to ensure the integrity of all court proceedings.

The pervasiveness of electronic devices requires courts to implement guidelines governing the use of electronic devices in and around a courthouse, so that their use does not disrupt proceedings or compromise security, fairness to litigants, and/or appropriate courtroom decorum.

D. APPLICABILITY/VIRTUAL PROCEEDINGS

Courts have substantial authority to regulate media access to court proceedings as well as access to and use of electronic devices for media/broadcast and other purposes. The guidelines govern in the absence of any exercise of such authority. They do not limit or modify the court's existing authority to impose greater restrictions in a particular matter or to permit an exception to a general limitation or regulation.

The requirement to obtain approval to record a court proceeding applies to both in-person court proceedings and court proceedings conducted virtually. Likewise, restrictions on the use of electronic devices may be imposed on remote as well as in-person participants.

E. DEFINITION OF ELECTRONIC DEVICES

As used in these guidelines, the term “electronic devices” means any mechanical devices (e.g., conventional cameras, audio recorders, video cameras, etc.) and/or microprocessor-based devices (e.g., computers, tablets, cell phones, cameras, communication or recording devices, portable devices, etc.) that have the capability to transmit (wired or wireless), broadcast, record, and/or take photographs, or any other similar device, whether now in existence or later developed, that has the ability to store, relay, share, or transmit information.

F. POSSESSION AND USE OF ELECTRONIC DEVICES

Section 1: Inside the Courtroom

These guidelines establish that *electronic devices* as defined herein may be brought into courthouses subject to all appropriate security screening. Unless authorized by the Assignment Judge, all *electronic devices* shall be powered off or maintained in silent mode prior to entering any courtroom. Persons in possession of an electronic device are not permitted to use the device to conduct phone conversations or to transmit, broadcast, take photographs, or record in any court without permission from the court. In exceptional circumstances that involve security concerns, the court may further restrict access to and/or use of electronic devices with the approval of the

Assignment Judge. That may include requiring that cell phones and other devices are kept out of sight while court is in session, or that devices are powered off.

Permitted use of cell phones must be unobtrusive and must not distract from the court event. Accordingly, a court user in the audience or gallery area may use a cell phone to occasionally check email or text messages, or for similar purposes. However, a court user must not use a cell phone to conduct conversations, stream videos, or for other lengthy extended uses. Further, cell phones must not be used at counsel table without explicit permission from the court. Such permission shall be liberally granted when the request to use a cell phone relates to the court event (e.g., to check a date on the calendar, to access electronic evidence).

A court user who does not abide by these Guidelines may be asked to leave the courtroom.

- **Notification**

Orders and notices regarding prohibited and permissible use of electronic devices and the possible sanctions for noncompliance will be prominently displayed in the courthouse (including in jury assembly and

deliberation rooms) and on the Judiciary website – njcourts.gov. In addition, notice shall be prominently displayed in appropriate locations in Municipal Court courtrooms and Municipal Court customer service windows, as determined by the Assignment Judge or Presiding Judge of the Municipal Court.

- **Unauthorized Use**

A person who uses an electronic device in willful violation of these guidelines may be held in contempt of court, in violation of R. 1:10-1, and may be charged by law enforcement with Criminal Contempt under N.J.S.A. 2C:29-9, which, upon conviction, carries penalties of up to six months in jail and a fine not to exceed \$1,000. Further, any electronic device used in willful violation of this order may be confiscated.

The Order Restricting Use of Electronic Devices in the Courtroom and Within the State Court Facility (Exhibit B-1) shall be prominently displayed in appropriate locations in state court facilities as determined by the Chief Justice, Chief Judge of the Appellate Division, Assignment Judge, or Presiding Judge of the Tax Court. The Municipal Courts -- Order Restricting Use of Electronic Devices (Exhibit B-2) shall be prominently displayed in appropriate

locations in Municipal Court courtrooms. A shorter order prohibiting phones or electronic devices (Exhibit C) shall be prominently displayed at Municipal Court customer service windows, as well as at Probation Facilities and other non-courthouse locations, as determined by the or Assignment Judge or the Presiding Judge of the Municipal Court.

Section 2: Jurors

Jurors' use of *electronic devices* shall be governed by the Policy Regulating Jurors' Use of Electronic Devices During Jury Service (initially promulgated in 2010; reaffirmed as supplemented by the Judicial Council on June 21, 2018).

All jurors will be advised to turn off their electronic devices when in a courtroom or grand jury room, including rooms used for state grand jury.

Jurors who are seated on a trial or a grand jury will be instructed to turn off all electronic devices that have the capabilities described above, and that those devices cannot be used in a deliberation room or grand jury room, including rooms used for state grand jury. Use of such devices will be restricted to court recesses when a juror is outside the deliberation room or courtroom, unless ordered otherwise by the judge.

At no time during a juror's service in trial court is the juror permitted to provide an account of juror service to others, including any participants in the trial, through any electronic means, such as social media websites.

This policy does not prevent a judge from ordering additional measures regarding the use or possession of such devices by jurors during a trial should the judge determine that such action is necessary. Such additional measures may include requiring jurors to temporarily surrender such devices. Among other options, judges may require that jurors store devices in a visible multipart holder; secure devices in a locked storage unit; or temporarily turn over devices to court personnel to maintain securely in an internet-blocking container.

Section 3: Common Areas of a State Court Facility

While in common areas of a state courthouse, all persons are permitted to possess and use electronic devices for any purpose other than to transmit, broadcast, or record sound, video, and/or photographs of court proceedings and court business. Such permitted use is subject to further reasonable restrictions by the court, law enforcement, and/or facility owners so that their use does not disrupt proceedings or compromise security, fairness to litigants, efficiency and/or appropriate courtroom decorum.

Section 4: Court Facility Grounds

Except as otherwise provided in these guidelines, the use of electronic devices on the grounds outside the court facility shall be permitted. Nothing in these guidelines is intended to in any way limit the authority of law enforcement to provide security for the public, attorneys, jurors, witnesses, litigants, judiciary employees, and judges.

G. REQUEST FOR PERMISSION TO PHOTOGRAPH, ELECTRONICALLY RECORD, BROADCAST, AND/OR TRANSMIT A PROCEEDING

Section 1: Permission Required

A person desiring to transmit, broadcast, or record sound, video, and/or photographs of a court proceeding (“requestor”) shall request permission from the court in writing by completing the Request for Permission to Photograph, Electronically Record or Broadcast a Court Proceeding form (CN 11862), which contains an acknowledgement to comply with these Guidelines attached as Exhibit A, which shall be accessible on the Judiciary website, njcourts.gov. This requirement to request permission applies both to state court proceedings and municipal court proceedings, with the Exhibit A form usable for both.

The request shall be presented to the court within a reasonable time prior to the commencement of the proceeding to permit the court adequate time to

consider the request. In the event that time constraints render a prior written request impracticable, the court may entertain an oral request.

The requirement to obtain approval to record a court proceeding applies to both in-person court proceedings and court proceedings conducted virtually.

Section 2: Consent of Parties Not Required

Permission to transmit, broadcast, or record sound, video, and/or photographs of court proceedings using an electronic device shall not be conditioned upon obtaining consent of any party, any party's attorney, or any witness or participant in a proceeding.

Section 3: Decision of the Court

The court shall decide whether to grant permission as soon as practicable, giving due consideration to the number of requests, the timeliness thereof, and the requestor's stated need for access to the proceeding. The court shall specify whether permission is granted solely for a specific proceeding or for all court proceedings open to the public in a given matter until it is concluded. The court retains the discretion to modify or rescind such permission in the event that circumstances relating to the proceeding warrant such measures.

Section 4: Exception for Adoptions and Special Events

An agreement for the use of electronic devices to transmit, broadcast, or record sound, video, and/or photographs of court proceedings, as set forth in this section, shall not be required for of adoptive parents and other family members present at final hearings in uncontested adoption cases, provided that the judge presiding over that hearing grants those individuals permission to photograph, electronically record, broadcast and/or transmit the hearing. In addition, an agreement for the use of electronic devices to transmit, broadcast, or record sound, video, and/or photographs shall not be required for special events hosted in and around courthouses, including Law Day celebrations, provided that the electronic device used in either scenario is a small scale multiuse handheld device. All larger devices that are not multiuse will still require written permission in accordance with the procedures set forth in these Guidelines. Advance notice should be given to court security in the courtroom and at the courthouse screening areas/magnetometers regarding all adoptions and special events.

Section 5: Exclusions

Transmission, broadcasting, recording and/or photographing is prohibited at any proceeding closed by court order, statute, or Rule of Court. Attached hereto as Appendix II is a reference to New Jersey Rules of Court

and New Jersey statutes that relate to the sealing of court proceedings and records. The appendix is merely a guide and is not intended to be an exhaustive list of all potentially relevant Rules of Court and statutes.

Section 6: Restrictions

The following restrictions apply to any requestor granted permission to transmit, broadcast, or record sound, video, and/or photographs of court proceedings:

- Transmission, broadcasting, recording and/or photographing victims of crime under 18 years of age at the time of trial and of witnesses under 14 years of age at the time of trial shall be allowed only at the discretion of the court.
- Transmission, broadcasting, recording and/or photographing is prohibited at juvenile proceedings. Transmission, broadcasting, recording and/or photographing of defendants 17 years of age who are charged with motor vehicle violations that are heard in municipal court is permissible.
- Transmission, broadcasting, recording and/or photographing conferences between an attorney and client or between co-counsel of a client that occur in a courtroom or anywhere in a court facility is prohibited.

- Transmission, broadcasting, and/or recording of side-bar conferences between the court and counsel is prohibited.
- Transmission, broadcasting, recording and/or photographing of a jury, any individual juror or any other person that would permit the identification of any juror is prohibited.
- Transmission, broadcasting, recording and/or photographing of a proceeding in which one is a party, litigant, or witness is prohibited without explicit court approval.

Section 7: Judicial Discretion

a. Fair Proceeding. The court retains discretion to impose such restrictions on the use of electronic devices as may be necessary to implement the goals of these guidelines. There may need to be adjustments to the approved use of electronic devices based on the format of court proceedings, i.e., whether the court event is conducted in person, virtually, or in a hybrid format. Transmission, broadcasting, recording and/or photographing may be excluded in any proceeding where the court determines that such use would cause a substantial increase in the threat of, or the potential for, harm to a litigant, juror, witness, or any other participant in the case or would otherwise unduly interfere with the integrity of the proceeding. In determining whether

such substantial increase in the threat of, or the potential for, harm exists, a court may appropriately consider the potential for intimidation of witnesses, victims and others when exercising its discretion in deciding whether to grant, limit, or deny permission to transmit, broadcast, or record sound, video, and/or photographs of a court proceeding.

b. Order to Exclude or Vary Coverage Previously Permitted. The court, may, upon reasonable notice with an opportunity for the requestor and any other affected person(s) to be heard, terminate, limit, or otherwise modify the conditions of transmission, broadcasting, recording and/or photographing in any court proceeding or trial.

Section 8: Pretrial Conference

The court may, at its discretion, require a requestor to attend a pretrial conference prior to the court making a decision on a request to transmit, broadcast, or record sound, video, and/or photographs of court proceedings. The purpose of such pretrial conference shall be limited to decisions regarding transmission, broadcasting, recording and/or photographing and not to substantive matters beyond the scope of these guidelines. Any such required pretrial conference shall include the court, the attorneys for the litigants,

requestor(s) and/or their attorneys, and any other persons identified as necessary by the court.

At such pretrial conference, the court shall distribute and review with all present the provisions of these guidelines. Any objections to transmission, broadcasting, recording and/or photographing the particular matter shall be considered at this conference. The court shall consult with the requestors and/or their attorneys before imposing any special limitations or restrictions on transmission, broadcasting, recording and/or photographing in the particular matter.

No formal pretrial order is required. However, the court, subsequent to the pretrial conference, shall reduce to writing or make a record of the decisions reached at the pretrial conference, including, but not limited to, any and all limitations or restrictions imposed.

Section 9: Notice

These guidelines shall be made available on the Judiciary website, njcourts.gov. In state court facilities, notice to the public and court users shall be displayed at all court facility entrances and at the entrance to each courtroom. In facilities where Municipal Courts are located, notice shall be

displayed as directed by the Assignment Judge or Municipal Court Presiding Judge.

Section 10: Appellate Review

Any requestor aggrieved by any decision concerning transmission, broadcasting, recording and/or photographing may move for leave to appeal the decision to the Superior Court where the decision was by the Municipal Court, to the Appellate Division where the decision was by the Superior Court or Tax Court, or to the Supreme Court where the decision was by the Appellate Division. Such motions shall be made within three (3) business days after any such decision.

APPENDIX I

A. General Requirements and Responsibilities

(1) Electronic Devices. Transmission, broadcasting, recording and/or photographing equipment and related wiring shall be unobtrusive and shall be located in places designated in advance of any proceeding by the court so as not to cause disruption.

(2) Electronic Device Recordings Inadmissible. No electronic device recordings shall be admissible as evidence or used to challenge the accuracy of the official court record. Notwithstanding inadmissibility as the official court record, electronic device recordings may be used as evidence in separate proceedings in the discretion of the court. An individual who has been granted permission by the court to record trial proceedings may seek to show portions of that video or other recording during closing arguments, subject to the judge's determination.

(3) Pooling Capability Requirements. Any person who obtains permission from the court to photograph, electronically record, broadcast and/or transmit proceedings shall provide pooling capabilities, if requested, so that others may share in the coverage. Pooling requires, at a minimum, that the pooling supplier have available capabilities to pool by providing multiple electronic

connections for other media representatives desiring participation by the use of their own recording equipment or by direct line hook-up. Any individual who has obtained court permission to cover proceedings shall pool his/her video/audio signals or photographs at the request of others without requiring the others to obtain further court approval.

(4) Pooling Arrangements. Participating users of electronic devices and participating still photographers are to make their own pooling arrangements, including the establishment of necessary procedures, the provision of appropriate pooling equipment as described in these guidelines, and selection of a pool representative without calling upon the court to mediate any dispute as to the appropriate media representative, costs or equipment authorized for a particular proceeding.

B. Equipment, Sound and Light Criteria

(5) Sound or Light Distractions. No electronic device that produces distracting sound or light either from the equipment itself or from its operation shall be used to cover judicial proceedings. The court may, at its discretion, require proof that equipment meets these guidelines before approving the equipment

for use at a particular proceeding. Further, the court may order operation of any equipment to cease if that equipment does not meet these guidelines.

(6) Temporary Artificial Light. Absent prior approval from the court, no temporary artificial lighting device of any kind shall be employed in connection with any electronic video television camera, electronic device or still photographic cameras.

(7) Adding Light Sources. With the approval of the court and the concurrence of the owner of the building in which a court facility is situated, modifications and additions may be made to light sources existing in the facility, provided that any such modifications or additions are installed and maintained at the user's expense.

C. Placement of Equipment

(8) Placing/Removing Equipment. Other than electronic devices capable of being hand-held, photographic equipment and electronic equipment, including still cameras, microphones, and audio/video recording equipment shall be placed in or removed from the courtroom facility only prior to commencement or after adjournment of proceedings each day, or during a recess in the proceedings.

(9) Courtroom Placement. Other than hand-held electronic devices, all other electronic video camera equipment, broadcast audio equipment and all other electronic devices shall be positioned only in areas designated by the court. Microphones are prohibited at, on, or in the immediate vicinity of counsel tables and the judge's bench absent prior written approval of the court, to avoid capturing attorney client communications and sidebar conversations respectively. Video recording equipment that is not a component part of the video camera shall be located in an area remote from the courtroom. The areas designated shall provide reasonable access for coverage.

(10) Placement in Other Areas. When the need arises, the court may provide additional rooms or areas where others may view the proceedings. Other individuals may, at their own expense and with their own equipment, make the necessary pooling arrangements to bring an electronic signal into such additional rooms or areas for viewing and for video/audio recording of the proceedings. All camera and audio equipment not designated by the court to be in the courtroom shall be positioned only in such rooms or areas.

(11) Fixed Locations for Persons and Equipment. All persons using electronic devices shall assume fixed positions within the designated location in the courtroom and, once positioned, shall not move about the courtroom in any

way in order to photograph or record court proceedings. Noncompliance with this provision may be cause for the court to order the person to leave the courtroom and/or remove equipment from the courtroom.

APPENDIX II

Relevant Court Rules and Statutes

- R. 1:2-1 Proceedings in open court
- R. 1:2-2 Verbatim record of proceedings
- R. 1:2-3 The verbatim record shall include references to all exhibits
R. 1:38- 1 et seq. (Public access to court records and administrative records)

Closures Pursuant to Court Rule:

- R. 1:20A-5 Fee arbitration matters
- R. 3:6-7 Secrecy of grand jury proceedings
- R. 3:6-9(c) Hearing on request of public official after grand jury censure
- R. 3:13-3(f) Protective orders
- R. 4:10-2(c) Claims of privilege or protection of trial preparation materials
- R. 4:74-7(c) Adult civil commitment hearings
- R. 5:3-2 Family actions involving/affecting the welfare of a juvenile
- R. 5:12-4(b) Hearings and trials held by Division of Child Protection and Permanency
- R. 5:19-2 Confidentiality of juvenile delinquency hearings

Closures Pursuant to Statute:

N.J.S.A. 9:3-47(c), N.J.S.A. 9:3-48(b)(c)

Hearing on complaint for adoption of child is held in camera

N.J.S.A. 2C:14-7(a)

Court shall conduct in camera hearing to determine admissibility of sexual offense victim's previous sexual conduct

N.J.S.A. 9:17-42 Any proceeding held under the Uniform Parentage Act shall be held in closed court and all papers, records and information pertaining there to is confidential

N.J.S.A. 2A:84A-21.4


Upon the finding of a waiver of privilege, the court shall order the production of materials for in camera inspection and determination as to admissibility

N.J.S.A. 2A:61B-1d(1)

Court shall conduct hearing in camera to determine admissibility of evidence of victim's previous sexual conduct in action for sexual abuse.

But see T.S.R. v. J.C., 288 N.J. Super. 48 (App. Div. 1996) (construing that statute as authorizing the court to permit full disclosure and open trial on the victim's motion over the defendant's objection).

EXHIBIT A

 <small>New Jersey Courts www.njcourts.com Independence • Integrity Fairness • Quality Service</small>	New Jersey Judiciary Request for Permission to Photograph, Electronically Record or Broadcast a Court Proceeding [Completed forms must be submitted to the Assignment Judge, Trial Court Administrator, or Designee for approval.]		
Date of Request	Name of Requestor	Telephone Number	
Affiliation		Email Address	
Permission is requested for:			
Name of Case/Event	Judge/Courtroom Number	Date	Time
I request permission to use recording equipment for the following activities (check all that apply):			
<input type="checkbox"/> Video Recording	<input type="checkbox"/> Still Photography	<input type="checkbox"/> Live Streaming/Live Broadcast	<input type="checkbox"/> Audio Recording
Specific equipment to be used:			
By signing this agreement below, I certify that: (1) I have read the attached Supreme Court Guidelines on Media Access and Electronic Devices in the Courts and agree to comply accordingly. I am aware that if I fail to abide by the provisions of these guidelines, I may be subject to discipline by the court and/or charged with contempt of court and brought before a judge for alleged violation of <u>R. 1:10-1</u> , and may be charged by law enforcement with Criminal Contempt under <u>N.J.S.A. 2C:29-9</u> , which, upon conviction, carries penalties of up to six months in jail and a fine not to exceed \$1,000.			

(2) Further, any electronic device used in willful violation of this order may be subject to seizure and forfeiture pursuant to *N.J.S.A. 2C:64-1*.

(3) If requested, I agree to provide pooling capabilities as required by the Supreme Court Guidelines on Electronic Devices in the Courtroom.

Requestor Signature

Date

Official Use Only

Request Denied

Request Approved

Judge/Trial Court Administrator/Operations Manager
(or designee)

Date

Special Notations:

Revised 07/2024, CN 11862

EXHIBIT B-1

Order Restricting Use of Electronic Devices in the Courtroom and Within the State Court Facility

It is hereby ORDERED that:

Unless authorized in writing by the Assignment Judge, all persons are prohibited from using electronic devices to transmit/livestream, broadcast, or record sound, video, and/or photographs while in the courtroom and within any state court facility; and

1. Unless authorized in writing by the Assignment Judge, all electronic devices must either be powered off or maintained in silent mode prior to entering any courtroom; and
2. Use of cell phones to conduct phone calls, stream videos, or for other activities that disrupt or interfere with court proceedings is prohibited. However, attorneys, parties, and members of the public may use a cell phone in a courtroom to retrieve or to store information (including notetaking), and to send and receive text and email messages or information, subject to the authority of a judge to terminate activity that is disruptive to a court proceeding, or that otherwise interferes with or is contrary to the administration of justice; and
3. In exceptional circumstances that involve security concerns, the court may further restrict access to and/or use of electronic devices with the approval of the Assignment Judge. That may include requiring that cell phones and other devices are kept out of sight while court is in session, or that devices are powered off; and
4. A person who uses an electronic device while in the courtroom or within any state court facility to transmit/livestream, broadcast, or record sound, video, and/or photographs without court approval and in willful violation of this policy may result in removal from the premises and sanctions, including but not limited to Criminal Contempt under N.J.S.A. 2C:29-9, which, upon conviction, carries penalties of up to six months in jail and a fine not to exceed \$1,000. Further, any electronic

device used in willful violation of this order may be confiscated; and

5. This Order will be posted at or near the entrance of all state court facilities, courtrooms, and other appropriate areas.

Assignment Judge

Dated: xxxxxxxxxx

EXHIBIT B-2

Municipal Courts – Order Restricting Use of Electronic Devices

It is hereby ORDERED that:

1. Unless authorized in writing by the Assignment Judge, all electronic devices shall be powered off or maintained in silent mode prior to entering any Municipal Court courtroom; and
2. Use of cell phones to conduct phone calls, stream videos, or for other activities that disrupt or interfere with court proceedings is prohibited. However, attorneys, parties, and members of the public may use a cell phone in a courtroom to retrieve or to store information (including notetaking), and to send and receive text and email messages or information, subject to the authority of a judge to terminate activity that is disruptive to a court proceeding, or that otherwise interferes with or is contrary to the administration of justice; and
3. In exceptional circumstances that involve security concerns, the court may further restrict access to and/or use of electronic devices with the approval of the Assignment Judge. That may include requiring that cell phones and other devices are kept out of sight while court is in session, or that devices are powered off; and
4. A person who uses an electronic device while in the Municipal Court courtroom without court approval and in willful violation of this policy may be held in contempt of court, in violation of R. 1:10-1, and may be charged by law enforcement with Criminal Contempt under N.J.S.A. 2C:29-9, which, upon conviction, carries penalties of up to six months in jail and a fine not to exceed \$1,000. Further, any electronic device used in willful violation of this order may be confiscated; and
5. While court business is being conducted at the Municipal Court customer service window, and for the orderly and secure completion of such business, photographing, video and audio recording, and livestreaming of interior court office space is prohibited and the

Municipal Court Administrator shall establish a starting location of the customer service waiting line at a distance of around six (6) feet (to the extent practicable) from the window through appropriate floor markings, line stanchions, and/or signage. All electronic devices shall be powered off or maintained in silent mode prior to entering the service area while court business is being conducted at the window. Nothing in this order shall preclude a Municipal Court official at the Municipal Court customer service window from directing in a particular circumstance that a person refrain from using an electronic device outside of the approximately 6-foot service area while court business is being conducted where the official determines that the use of the device by such person is interfering with the orderly completion of Municipal Court business. Any person who uses an electronic device in violation of this paragraph, and in willful violation of this policy, may be removed from the premises and be subject to sanctions, including but not limited to Criminal Contempt under N.J.S.A. 2C:29-9, which, upon conviction, carries penalties of up to six months in jail and a fine not to exceed \$1,000. Further, any electronic device used in willful violation of this order may be confiscated pending the completion of the Municipal Court business at the window.

Assignment Judge

Dated: xxxxxxxxx

EXHIBIT C

Order – No Phones or Electronic Devices in this Area

For the efficient and effective administration of court operations, all phones and other electronic devices must be on silent mode or turned off at this customer service area. It is prohibited to use phones or electronic devices within this immediate area to photograph, audio or video record, broadcast, or livestream court office space or court operations. A violation of this Order could result in your removal from the premises and subject you to possible sanctions, including but not limited to criminal contempt under N.J.S.A. 2C:29-9. Thank you for your cooperation.

Please contact [NAME] with any questions.

Assignment Judge