

**ISABELLA COUNTY TRIAL COURT CELL PHONE AND OTHER
ELECTRONIC OR COMMUNICATION DEVICE POLICY**

2016-4

May 24, 2016

Purpose:

To enhance and maintain the security of the courthouse, preserve the integrity of the court record and the trial process, and ensure appropriate courtroom decorum.

Policy:

1. In accordance with MCR 8.115(C), cell phones, recording devices, cameras, and electronic or communication devices of any kind shall not be permitted inside the Isabella County Courthouse. This applies to all individuals entering the Isabella County Courthouse, with the exception of those individuals listed in subsection 2.

2. Exceptions to this policy:

a. Attorneys appearing in connection with any judicial proceeding or presenting evidence of bar membership;

b. Approved mediators;

c. Isabella County Trial Court employees;

d. Law enforcement and corrections officers appearing at the court on official business, but not personal business;

e. Members of the media with permission from the court, pursuant to the Michigan Supreme Court Administrative Order 1989-1;

f. Individuals representing themselves in a court proceeding who require a cell phone or electronic device in order to present evidence, in which case the cell phone or electronic device must be marked as an exhibit and turned over to the courtroom clerk; and

g. Cameras will be allowed for use by those attending weddings or adoptions taking place at the courthouse. Only cameras, not cell phone cameras, will be permitted, and photos may only be taken inside the hearing room or courtroom or outside of the courthouse, as long as pedestrian and vehicular traffic and access to the courthouse are not impeded.

3. Individuals who are not exempt from this policy and are unaware of this policy may leave a cell phone or other electronic device with a court officer at the main entrance to be lockered until they leave the courthouse that day. In order to locker a device, individuals must completely fill out the form provided by the court officer. A charge of \$1.00 a day, or fraction of a day, will be

made after one day. If the device is not reclaimed within seven days, it shall be deemed abandoned.

a. An individual may locker a cell phone or other electronic device one time only, except in the following situations:

i. Any time an inmate is released from jail and is required to report immediately to the court upon his or her release, and that individual had a cell phone or other electronic device in his or her possession which was inventoried into the jail property room.

ii. An individual who has Alzheimer's disease, a closed head injury, or other similar medical issue.

iii. Situations similar to the exceptions listed under subsection 3(a).

4. Failure to comply with this policy may result in a fine, incarceration, or both, for contempt of court. Pursuant to MCL 600.1715, punishment for contempt may be a fine of not more than \$7,500.00 or imprisonment not to exceed 93 days, or both, in the discretion of the court. Additionally, failure to comply will result in confiscation of the cell phone or other electronic or communication device as follows:

a. When a phone or electronic or communication device is seized, a description of the device and the name of its owner will be recorded to enable return of the device if deemed appropriate.

b. Whether the phone or electronic or communication device is returned will be determined by the Chief Judge. In case of unavailability of the Chief Judge, the determination will be made by the Chief Judge Pro Tem or presiding judge.

This policy supersedes ICTC policy 2016-2, and is effective immediately.

May 24, 2016
Date


Honorable Paul H. Chamberlain
Chief Judge