

<p><b>SECOND JUDICIAL DISTRICT: COUNTY OF DENVER, COLORADO</b></p> <p><b>DENVER COUNTY COURT</b></p> <p><b>DENVER PROBATE COURT</b></p> <p><b>DENVER JUVENILE COURT</b></p>	<p style="text-align: center;"><b>JO # 19-2</b></p> <p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p> <hr/> <p style="text-align: center;"><b>August 9, 2019</b></p>
<p style="text-align: center;"><b>JOINT ORDER REGARDING THE USE OF ELECTRONIC DEVICES IN COURT FACILITIES</b></p>	

In accordance with the inherent authority of the Second Judicial District, the Denver County Court, the Denver Probate Court, and the Denver Juvenile Court (collectively, “the Courts”) to manage their facilities and the proceedings before them, the Chief Judge of the Second Judicial District and the Presiding Judges of the Denver County Court, Probate Court, and Juvenile Court jointly enter the following Order governing the use of electronic devices inside all court-related facilities located within the City and County of Denver, including, but not limited to: the Lindsey-Flanigan Courthouse, the City and County Building, the Van Cise-Simonet Detention Center, the Wellington Webb Building, and the Minoru Yasui Plaza (hereinafter “Court Facilities”).<sup>1</sup>

The Courts have the responsibility and authority to ensure the efficient performance of judicial functions, to protect the dignity, independence, and integrity of the Courts, and to make the lawful actions of the Courts effective. Specifically, the Courts must ensure the safe and orderly use of the Court Facilities. Those having business with the Courts must be able to conduct their business freely, in a safe and orderly fashion and unhindered by threats, confrontation, interference, or harassment. The Courts also must provide a secure environment for all who enter the grounds of the Court Facilities. The Courts further must minimize activities that unreasonably disrupt or interfere with the orderly and peaceful conduct of court business. It is imperative that the Courts provide for the fair and orderly conduct of hearings and trials and maintain proper judicial decorum by ensuring a neutral forum free of actual or perceived partiality, bias, prejudice, or favoritism. Accordingly, the Courts find that it is reasonable, necessary, and appropriate to impose certain restrictions on the use of electronic devices in Court Facilities.

This Order applies to all areas of the Lindsey-Flanigan Courthouse, the City and County

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<sup>1</sup> This Order is issued consistent with the process in the Second Judicial District and the City and the County of Denver’s 2017 Memorandum of Understanding.

Building, the Van Cise-Simonet Detention Center, the Wellington Webb Building, and the Minoru Yasui Plaza and all court-related facilities in which court-related business is conducted:

- Court Facilities include, but are not limited to, security screening areas, lobbies, elevators, judges' chambers, clerk's offices, court offices, and the hallways adjacent to these areas.
- In the Wellington Webb building, this Order shall only apply to the Denver County Court Parking Magistrate's Office located on the first floor of that building, including the stairs and the walkway immediately adjacent to the Parking Magistrate's Office.
- This Order does not apply to the portions of the City and County Building that are occupied and controlled exclusively by either the executive or the legislative branch of Denver City and County Government, namely: the Offices of the Mayor of Denver; City Council chamber; Council committee meeting rooms; and the Parr Widener Community Room so long as the use of electronic devices in those areas does not interfere with or disrupt the business of the Courts.

This Order does not limit the authority of judicial officers to issue necessary and reasonable orders governing the use of electronic devices inside their courtrooms or in matters pending before them. Such orders may be general or standing, case or matter specific, or individual specific. A judicial officer may further restrict or expand the use and possession of electronic devices in the Court Facilities, including, but not limited to, permitting the use of electronic devices at ceremonial events such as investitures, ceremonies, adoptions, and weddings.

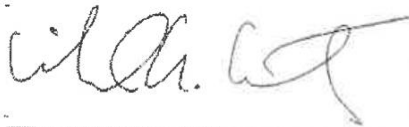
#### **USE OF ELECTRONIC DEVICES:**


- a) **Courtrooms:** All electronic devices shall be muted. They may be used inside the courtrooms subject to the following restrictions:
  - If the use of an electronic device is not disruptive, and as long as the presiding judicial officer has not prohibited or restricted its use, an electronic device may be used for written communications and to access the internet. This includes activities such as taking notes, preparing work product, scheduling future proceedings, internet searching and browsing, communicating in writing by text, email, or other electronic means, and engaging in other similar functions.
  - Except for security personnel and Court personnel, no person shall use an electronic or other device to take photographs, make audio or video recordings, make telephone calls, or transmit live audio or video streaming of any proceeding or person.
  - Colorado Supreme Court Rules, Chapter 38, Court Rule 3, Media Coverage of Court Proceedings shall be followed for all requests for expanded media coverage inside courtrooms.
- b) **All other areas of the Court Facilities:** Electronic devices may be used so long as the use is not disruptive of court-related business. However, except for authorized law enforcement officers and security personnel, no person shall use an electronic or other device to take photographs, make audio or video recordings, or transmit live audio or video streaming in any part of the Court Facilities, unless specifically permitted by a judicial officer or security personnel.


- c) **Media Exception in Designated Areas:** Members of the media may use electronic or other devices to photograph, make audio or video recordings, or broadcast only in those areas clearly marked with signs for media use. Judicial officers may expand the areas designated for media coverage in matters pending before them as may be necessary.
- d) **Certain Recording and Photography Devices Prohibited:** Except for authorized law enforcement officers, the following electronic devices are strictly prohibited in the Court Facilities: “GoPro” cameras, body-worn cameras, and electronic or other devices used to surreptitiously photograph or record. Surreptitious devices are those intended to operate covertly and include, but are not limited to, spy cameras, hidden surveillance cameras, and any other recording or photography devices attached to or concealed in clothing or other objects. This prohibition does not include cell phones, tablet computers, laptops, or smart watches, although these and similar items remain subject to the prohibition on photography, audio or video recording, or transmitting live audio or video streaming described above.

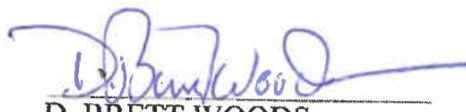
This Order shall be enforced by the Denver Sheriff’s Department, Denver Police Department, and any other Court Facilities security staff or law enforcement officer as necessary and appropriate. This specifically includes enforcement of § 18-9-111 and § 18-9-117, C.R.S., and enforcement of orders in furtherance of the Courts’ contempt authority under C.R.C.P. 107. All persons shall comply with the lawful requests, directions, and orders of law enforcement officers and security personnel in the performance of their duties. Failure to do so will constitute a violation of this Order. This Order shall not operate to preclude law enforcement officers or security personnel from taking additional appropriate measures to ensure the orderly and peaceful conduct of court-related business in the Court Facilities.

Entered this 9<sup>th</sup> day of August 2019.

  
 MICHAEL A. MARTINEZ  
 Chief Judge, Second Judicial District

  
 THERESA A. SPAIN  
 Presiding Judge, Denver County Court

  
 ELIZABETH D. LEITH  
 Presiding Judge, Denver Probate Court

  
 D. BRETT WOODS  
 Presiding Judge, Denver Juvenile Court