

**IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT  
EFFINGHAM COUNTY, ILLINOIS**

**ADMINISTRATIVE ORDER 2022-1**

**POLICY ON PORTABLE ELECTRONIC DEVICES**

WHEREAS, the Illinois Supreme Court has adopted a Policy on Portable Electronic Devices effective January 2022 (the “Supreme Court Policy”);

WHEREAS, the Supreme Court Policy requires every courthouse in Illinois to issue and publish a court order, standing order or local rule allowing Portable Electronic Devices, subject to screening and subject to certain restrictions set forth in the Policy; and

WHEREAS, the Supreme Court Policy defines a Portable Electronic Device as “mobile devices capable of electronically storing, accessing, or transmitting information”, and this definition includes “personal computers, tablet computers, mobile telephones (including cell phones and any form of telephone with cameras and audio and video recording and transmission capabilities), electronic calendars, e-book readers, smartwatches, or similar devices”; and

WHEREAS, the Supreme Court Policy provides that if “a Chief Judge of the Circuit determines that Portable Electronic Devices interfere with the administration of justice or cause a threat to safety or security, they may prohibit Portable Electronic Devices from being carried into specific courtrooms \*\*\* or an entire courthouse if the courthouse provides storage for the devices at no cost to the court visitor at the security entrance”; and

WHEREAS, the Chief Judge of the Fourth Judicial Circuit has determined that Portable Electronic Devices interfere with the administration of justice or cause a threat to safety or security at the Effingham County Government Center; and

WHEREAS, the Effingham County Government Center has for some time past provided storage lockers for Portable Electronic Devices and other items at no cost to court visitors, and the Effingham County Government Center will continue to do so as required; and

WHEREAS, this Administrative Order is implemented after consultation with the Effingham County Sheriff; and

WHEREAS, the Supreme Court Policy requires that each courthouse post signs with information about their Portable Electronic Device policies prominently in the courthouses, including at the entrances, in the clerk’s offices, and outside each courtroom, as well as being publicized on the court’s and clerk’s websites and in other publicly available places.

THEREFORE, IT IS ORDERED that, effectively immediately, the following procedures are in effect for the Effingham County Government Center:

1. Purpose and Scope:

The purpose of this Administrative Order is to provide guidance for Portable Electronic Devices in the Effingham County Government Center. This Administrative Order seeks to respect the interests and needs of the people who enter the Effingham County Government Center, while recognizing and serving the need to maintain order and safety.

2. Definitions:

a) "Portable Electronic Devices" shall, for purposes of this Administrative Order, mean any device that is included within the definition of Portable Electronic Devices as set forth in the Supreme Court Policy.

b) "Court Visitor" shall, for purposes of this Administrative Order, mean any individual present at the Effingham County Government Center, other than county employees, court personnel and licensed attorneys.

3. Portable Electronic Device Policy:

The use of Portable Electronic Devices by Court Visitors is prohibited in the Effingham County Government Center, unless permitted pursuant to one of the following exceptions:

a) As permitted pursuant to court order under the Supreme Court's Extended Media Coverage policy; or

b) As authorized by the judge presiding in the courtroom in question, by the Resident Circuit Judge for Effingham County or by the Chief Judge of the Fourth Judicial Circuit; or

c) For ceremonial events such as marriages, investitures, or graduations from drug court, subject to appropriate screening by court security; or

d) As otherwise authorized by Illinois Supreme Court Rule 44 or by any Fourth Circuit Administrative Order that may be entered and/or modified from time to time.

4. Storage for Portable Electronic Devices:

The Effingham County Government Center will provide a limited number of locked storage units for the storage of Portable Electronic Devices, at no cost to Court Visitors and at the security entrance, for Court Visitors who desire to store

their Portable Electronic Devices in a secure location until they depart from the Effingham County Government Center.

#### 5. Permitted Uses of Portable Electronic Devices:

The use of Portable Electronic Devices in the Effingham County Government Center by county employees, court personnel and licensed attorneys, and by Court Visitors when permitted pursuant to an exception, shall be subject to the following rules:

- a) Portable Electronic Devices shall always be turned off or on “silent” model.
- b) Portable Electronic Devices may be used in common areas including conference rooms and hallways, so long as it i) does not disrupt others; ii) does not interfere with operations of courthouse business; iii) does not threaten the safety and security of others; and iv) is not used to harass any litigant, witness, juror or other person.
- c) Portable Electronic Devices shall not be used anywhere in the Effingham County Government Center to photograph or record (audio, video or both) any individual or court proceeding unless i) specifically permitted by a presiding judge; ii) authorized by Illinois Supreme Court Rule 44 or by any Fourth Circuit Administrative Order that may be entered and/or modified from time to time; or iii) outside of the courtroom for case preparation only and then only with the permission of each individual being photographed or recorded.
- d) Portable Electronic Devices, when permitted to be in the courtroom, may only be used to check calendars, present case-related information, take notes, or for some other specific purpose previously authorized with the presiding judge.
- e) Licensed attorneys shall advise their clients, witnesses, and support staff as to the provisions of this Administrative Order.
- f) No individual shall use a Portable Electronic Device to communicate, or attempt to communicate, with a potential juror or to harass, intimidate, or communicate about given testimony with any witness at any time.

#### 6. Violations of this Administrative Order:

Anyone violating this Policy may be removed from the courthouse, found in contempt of court, or subject to other penalties or sanctions authorized under the law. A Portable Electronic Device may be confiscated and held until the individual possessing it leaves the courthouse or until further order of the Court. Courthouse personnel shall not be held responsible or liable for any damage to or loss of a confiscated item.

7. Posting of Policy:

Signs with information on this Administrative Order shall be posted at the main entrance to the Effingham County Government Center, and in the office of the Effingham County Circuit Clerk, outside of each courtroom located in the Effingham County Government Center and on the website of the Effingham County Circuit Clerk and the Fourth Judicial Circuit.

8. Effective Date:

This Order is effective immediately.

IT IS SO ORDERED.

Entered: 04/27/2022



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Martin W. Siemer  
Acting Effingham County Resident Circuit Judge