

**POLICY ON PORTABLE ELECTRONIC DEVICES**  
**FAYETTE COUNTY, ILLINOIS**

WHEREAS, the Illinois Supreme Court has adopted a Policy on Portable Electronic Devices (PEDs);

WHEREAS, said Policy defines PEDs to include personal computers, tablet computers, mobile phones, electronic calendars, e-book readers, smartwatches, and similar devices;

WHEREAS, the Illinois Supreme Court recognized that many courthouses have current policies banning PEDs except for lawyers, jurors, and other employees who need them and that this privilege should be extended to others including self-represented litigants and court visitors;

WHEREAS, the Policy respects the interest and needs of people who enter the courtroom while recognizing and serving the needs to maintain order and safety; and

WHEREAS, the Policy requires each courthouse to adopt a local Order consistent with the Illinois Supreme Court Order and that said local Order be posted in the courthouse, including at its entrance, at the Circuit Clerk's Office, and at each courtroom entrance.

THEREFORE, IT IS ORDERED THAT:

1. Any person may bring PEDs into the Fayette County Courthouse. They must always be turned off or on "silent" mode.
2. PEDs may be used in common areas including conference rooms and hallways as long as it a) does not disrupt others, b) does not interfere with operations of courthouse business, c) does not threaten the safety and security of others, and d) is not used to harass any other person or litigant within the courthouse. Headphones must be used to listen to music. Even in conference rooms or hallways, PEDs may not be used to photograph or record litigants and/or witnesses without their permission and then only in case preparation.
3. No person may use a PED in a courtroom. The ONLY exception, is that the Presiding Judge may allow lawyers, parties, self-represented persons, witnesses, and the press use of a PED to check calendars, present case-related information, take notes, or for some other specific and previously authorized with the Presiding Judge purpose.
4. Attorneys shall advise their clients, witnesses, and support staff about this Order.

5. No person shall take photographs or audio or video recordings except as 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.
6. No person shall use a PED 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.
7. No camera, video camera, video recording equipment or other recording devices (does not include PEDs as defined above) are allowed in the courthouse except as permitted by the Presiding Judge for ceremonial events such as marriages, investitures, graduations from drug court or as 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.
  - A. This Paragraph 7 does not apply to Fayette County Board meetings, Fayette County Board committee meetings, or any other public body meetings authorized to be held in a courtroom. All county board, committee, or other public body meetings must be authorized by the Resident Circuit Judge to be held in courtrooms of the Fayette County Courthouse. The Resident Circuit Judge reserves the right to revoke permission of use under this Paragraph 7 and/or revoke the privilege to hold county board, committee, or other public body meetings in a courtroom at any time regardless of whether court is in session or in recess, with or without notice.
8. If the Chief Judge of the Fourth Judicial Circuit, Resident Circuit Judge, or Presiding Judge determines that PEDs interfere with the administration of justice or cause a threat to safety or security, said Judge may prohibit PEDs in a courtroom, common area, courthouse, or a combination of any of those.
9. Anyone violating this Policy may be removed from the courthouse, found in contempt of court, or subject to other penalties or sanction under the law. A PED may be confiscated and held until the possessor 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.
10. This Order is effective April 26, 2022.

Entered: \_\_\_\_\_

5-3-2022

M. Don Sheafor, Jr.

M. Don Sheafor, Jr.  
Fayette County Resident Circuit Judge