

The Court may adjust the policy or deviate from its application as unique conditions warrant, at the discretion of the Presiding Judge and/or Court Administrator. This policy is a general guideline only. This policy is not a binding contract and may not be treated as such. Employees covered by a collective bargaining agreement should also refer to the appropriate agreement.

**The Municipal Court of Seattle  
Court Administration  
Administrative Policy**



<i>Chapter Title:</i> <b>Court Administration</b>	<i>Section #:</i> <b>MCS-10-1.08</b>
<i>Section Title:</i> <b>Possession and Use of Electronic Portable Devices in the Courthouse and Courtrooms</b>	<i>Effective Date:</i> <b>June 7, 2019</b> <i>Supersedes:</i> <b>November 15, 2010</b>

**PURPOSE:** To balance the use of electronic portable devices with the competing needs of the press, attorneys, judges, jurors, witnesses, and members of the public entering the courthouse and its courtrooms. These policy guidelines do not supersede or replace Washington State Court Rule GR 16: *Cameras in the Courtroom*.

**POLICY:** All visitors to the courthouse will be allowed to enter with electronic devices, including, but not limited to cellular phones, smart phones, smart watches, tablets, electronic reading devices and laptop computers, unless barred from doing so by the Presiding Judge or another judge in this courthouse.

**REFERENCES:**

[Washington State Court Rule GR 16: Cameras in the Courtroom](#)

**GUIDELINES AND PROCEDURES:**

**I. Use of Electronic Devices**

**A. Inside Courtrooms.** Each judge will develop and implement their policy on electronic devices and will post such policy on the door to their courtroom. If any judge does not develop their own policy, or if such policy is not posted on the door to their courtroom, the default policy of the court will be as follows:

All electronic devices including but not limited to cellular phones, smart phones, smart watches, tablets electronic reading devices and laptop

computers, must be turned off at all times inside the courtroom unless permission is obtained from the judge presiding over that courtroom's proceedings.

**B. Outside of the Courtrooms.** Electronic devices including, but not limited to cellular phones, smart phones, smart watches, tablets, electronic reading devices and laptop computers, may be used in portions of the courthouse outside of the courtroom so long as they do not serve to disrupt court proceedings or unreasonably interfere with others' use of the facility.

**II. Photography & Recording Prohibited**

At no time at any location within the courthouse may any person use an electronic device (or any other device, including analog devices) to take a photograph, video recording, audio recording or any other type of recording.

**III. Unauthorized Possession or Use of an Electronic Device**

Unauthorized possession or use of an electronic device in the courthouse may subject the offender to suspension or limitation of these privileges or for punishment for contempt of court.


**IV. Suspension or Modification of This Rule During Heightened Security**

The privileges conferred by this order shall be subject to suspension or modification without notice in the event that the Court, SMC Marshal's office, Seattle Police Department or other law enforcement agency declares a need for a heightened level of security at the courthouse.

**V. Enforcement:** Violation of this policy may result in

1. revocation of the person's permission to remain in the courthouse;
2. issuance of notice of exclusion;
3. arrest or citation;
4. punishment for contempt of court.

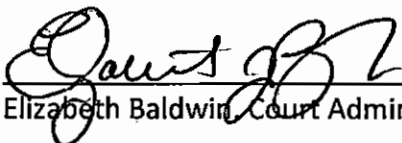
Approved by:



Judge Edward McKenna, Presiding Judge

6/17/19

Date



Elizabeth Baldwin, Court Administrator

6/24/19

Date

## **APPENDIX**

[Washington State Court Rule GR 16: Cameras in the Courtroom](https://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=gr&rul)

[https://www.courts.wa.gov/court\\_rules/?fa=court\\_rules.display&group=ga&set=gr&rul](https://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=gr&rul)  
[eid=gagr16](https://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=gr&rul)

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## General Rules

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GR 16  
COURTROOM PHOTOGRAPHY AND RECORDING BY THE NEWS MEDIA

(a) Video and audio recording and still photography by the news media are allowed in the courtroom during and between sessions, provided

- (1) that permission shall have first been expressly granted by the judge; and
- (2) that media personnel not, by their appearance or conduct, distract participants in the proceedings or otherwise adversely affect the dignity and fairness of the proceedings.

(b) The judge shall exercise reasonable discretion in prescribing conditions and limitations with which media personnel shall comply.

(c) If the judge finds that sufficient reasons exist to warrant limitations on courtroom photography or recording, the judge shall make particularized findings on the record at the time of announcing the limitations. This may be done either orally or in a written order. In determining what, if any, limitations should be imposed, the judge shall be guided by the following principles:

(1) Open access is presumed; limitations on access must be supported by reasons found by the judge to be sufficiently compelling to outweigh that presumption;

(2) Prior to imposing any limitations on courtroom photography or recording, the judge shall, upon request, hear from any party and from any other person or entity deemed appropriate by the judge; and

(3) Any reasons found sufficient to support limitations on courtroom photography or recording shall relate to the specific circumstances of the case before the court rather than reflecting merely generalized views.

Comment

Before 1991 when GR 16 on "Cameras in the Courtroom" was first adopted, the subject had only been addressed in the Code of Judicial Conduct's Canon 3(A)(7). The intent of the 1991 change was to make clear both that cameras were fully accepted in Washington courtrooms and also that broad discretion was vested in the court to decide what, if any, limitations should be imposed. In subsequent experience, both judges and the media have perceived a need for greater guidance as to how that judicial discretion should be exercised in a particular case. This 2003 amendment to GR 16 is intended to fill that practical need.

While not providing much guidance for the court's exercise of discretion, the Canon did contain some "illustrative guidelines" on how media personnel should conduct themselves while covering the courts. Although these guidelines were no longer a part of the rule once GR 16 was adopted, they continued to be published in the accompanying Comment. Some portions of those guidelines have now become outdated and others are superseded by language in the new GR 16. Because there continues to be potential value in some of the remaining guidelines, they will be here set out in redacted form:

Publisher's Note

The text of the Illustrative Broadcast Guidelines and Illustrative Print Media Guidelines referred to in the Comment is set forth below:

ILLUSTRATIVE BROADCAST GUIDELINES

1. Officers of Court. Broadcast newsmen should advise the bailiff prior to the start of a court session that they desire to electronically record and/or broadcast live from within the courtroom. The bailiff may have prior instructions from the judge as to where the broadcast reporter and/or camera operator may position themselves. In the absence of any directions from the judge or bailiff, the position should be behind the front row of spectator seats by the least used aisleway or other unobtrusive but viable location.

2. Pooling. Unless the judge directs otherwise, no more than one television camera should be taking pictures in the courtroom at any one time. It should be the responsibility of each broadcast news representative present at the opening of each session of court to achieve an understanding with all other broadcast representatives as to how they will pool their photographic coverage. This understanding should be reached outside the courtroom and without imposing on the judge or court personnel.

3. Broadcast Equipment. All running wires used should be securely taped to the floor. All broadcast equipment should be handled as inconspicuously and quietly as reasonably possible. Sufficient film and/or tape capacities should be provided to obviate film and/or tape changes except during court recess. No additional lights should be used without the specific approval of the presiding judge.

4. Decorum. Camera operators should not move tripod-mounted cameras except during court recess. All broadcast equipment should be in place and ready to function no less than 15 minutes before the beginning of each session of court.

An accompanying set of "Illustrative Print Media Guidelines" contained substantially the same provisions from print media personnel. The only additional matters addressed were that still photographers should use cameras operating quietly and without a flash and they should not "assume body positions inappropriate for spectators."

[Adopted effective December 27, 1991; amended effective January 4, 2005.]