

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY

**FILED**  
**December 24, 2014**

GENERAL ORDER 14-11

IN RE: POSSESSION AND USE OF ELECTRONIC DEVICES BY BAR

\* \* \* \* \*

General Order 10-17 of the United States District Court for the Eastern District of Kentucky prohibits the public from possessing “wireless communication devices in a U.S. Courthouse located within the Eastern District of Kentucky except as permitted by the presiding judge.” Effective January 5, 2015, members of the Bar of the Court, properly identified, may possess and use electronic devices<sup>1</sup> in the public areas and courtrooms of any Courthouse in the District, subject to the following restrictions:<sup>2</sup>

(1) Before granting entry to a Bar member possessing an electronic device, Court Security Officers and/or the United States Marshals Service may visually examine the device. The examination, which shall not extend to any review of content, may include any physical inspection (to include x-ray or other screening) deemed necessary and appropriate by the Marshals Service or its designee;

(2) At all times during in-court proceedings, any electronic device must operate in a silent mode;

---

<sup>1</sup> “Electronic device” embraces any and all equipment (regardless of how it is powered or operated) that can be used for (1) wireless communication; (2) receiving, creating, capturing, storing, retrieving, sending, or broadcasting any signals or any text, sound, or images; or (3) accessing the internet or any other network or off-site system or equipment for communication or for storing or retrieving information.

<sup>2</sup> The United States Bankruptcy Court for the Eastern District of Kentucky may promulgate separate policies and procedures governing the use of electronic devices in its Courtrooms and other space(s) in District Court facilities in which bankruptcy trustees conduct creditor meetings or confirmation hearings or in which the Bankruptcy Court conducts other proceedings.

(3) If at any time, an electronic device causes interference with any courtroom equipment (such as the court's microphones), the user must immediately disable the device or eliminate the interference problem;

(4) Absent leave from the presiding judge, Bar members may not use any electronic device to send data messages, including but not limited to text messages, e-mails, SMS messages, or voice communications from any courtroom during a judicial proceeding;

(5) Absent leave from the presiding judge, Bar members may not use any electronic device in a Courthouse to capture or record – either audibly or visually – the Courthouse, courtroom environs, judges, court personnel, participants, jurors or courtroom proceedings;

(6) Except as provided in ¶ (5), this order is subject to modification by any presiding District, Bankruptcy, or Magistrate Judge as may be warranted on a case-by-case basis. The Court will not allow any distracting or disruptive device use.

(7) This General Order extends only to members of the Court's Bar. A Bar member granted electronic device privileges by this Order may not thereby allow any client, witness, litigant, criminal defendant, or other third-party to access, use, or possess an electronic device within any Courthouse. Further, the permission granted by this Order does not extend to any non-public area of the Courthouse. Absent advance, situation-specific approval from the Marshal, no Bar member may take an electronic device into or use such device in the USMS cell-block or holding area.

Violation of this Order may, in the discretion of the Court, result in citation for contempt, device confiscation and other sanctions, including but not limited to

prohibiting any violator from possessing electronic devices pursuant to this Order in the future.

Nothing in this Order shall be construed as creating any exception to Federal Rule of Criminal Procedure 53 or Judicial Conference policy as to civil proceedings, which prohibits taking photographs in the courtroom during judicial proceedings or broadcasting judicial proceedings from the courtroom, or LR 83.9(b), to the extent it prohibits operating video or audio recording, broadcasting or transmitting devices or equipment, as such, in any courtroom.

The Court expects Bar members to act under this Order with the high degree of professionalism, diligence, and honor befitting officers of the Court.

On proper motion of a Bar member, and as to a particular case, the Court will extend the permission in this Order to any attorney for the United States (acting per 28 U.S.C. § 515) or attorney admitted under LCrR 57.2 or LR 83.2. The Court will hold any such attorney to the standards of this Order.

Except as stated, General Order 10-17 remains in full force and effect.

Dated December 24, 2014.



*Karen K. Caldwell*

KAREN K. CALDWELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY