

Interim Guide for the Use of Electronic Devices by Media Representatives¹ in the Superior Court

Pursuant to the Supreme Court’s Operating Procedures § VII (1)(b) the Superior Court hereby establishes the following interim guidelines for use of electronic devices by Media Representatives (“Superior Court Media Guidelines” or “Guidelines”). The Superior Court Media Guidelines apply to the use of all electronic devices, including but not limited to cell phones, personal digital assistants (PDAs), personal computers (laptops, tablets), wearable electronic devices (Google Glass, Apple Watch) and all similar devices capable of transmitting, receiving, recording or storing messages, images, sounds, data or other information by electronic means, by Media Representatives. The use of all electronic devices is strictly controlled within court facilities. Prohibited uses include all photographic and videography, including sound recordings, broadcast sound, and broadcast still or moving images.

Use of electronic devices in the Superior Court is presumptively prohibited. The Supreme Court’s Operating Procedures reference possible restricted use of electronic devices in certain limited proceedings – civil, non-jury, non-confidential proceedings, but only with permission of the presiding Judicial Officer. The Media Representative may seek prior written permission from the presiding Judicial Officer to bring a laptop or tablet² into a courtroom on which to take notes during the proceeding by submitting a Request Form (Ex. A) within two business days of the proceeding only if the proceeding is a civil, non-jury, non-confidential proceeding. If prior permission is received, a laptop or tablet may be used for note-taking only so long as the device is muted, makes no audible sound, does not record sound or picture and is not disruptive of the court proceeding. Any media representative who is granted permission to use a laptop or tablet shall sit in the rear of the courtroom and must be as inconspicuous as possible. Any electronic transmission of information from the courtroom is prohibited. Official transcripts of proceedings may be ordered through the Court Reporters’ Office. After a Superior Court Judicial Officer approves a Media Representative’s request to bring in a laptop or tablet into a courtroom for note taking purposes, that permission may be revoked or further restricted at any time.

Members of the media desiring to access the courthouse with electronic devices shall first obtain a valid media credential issued by the Chief of Community Relations, Administrative Office of the Court. Valid media credentials shall be visible at all times while in the courthouse. Media Representatives will not be permitted to bring in electronic devices without their assigned media credentials. Media representatives shall not bring in electronic devices for use by another Media Representative or any other person. With valid media credentials a Media Representative may bring electronic devices into the courthouse for use in the media room. All electronic devices must remain muted or silenced so that no audible sound is heard and any recording function is disabled at all times outside of the Media Room.

¹ “Media Representative” shall have the meaning as set forth in the Operating Procedures for the Delaware Judicial Branch, which requires such person to “have bona fide credentials or identification issued by a bona fide media organization whose news reports are made available to the general public on a regular basis.”

² Electronic devices permissible in courtrooms are limited to laptops and tablets (including iPads) because they are the most useful note taking devices.

No electronic devices are permitted in any courtroom without prior written permission from the presiding judicial officer. A request to use electronic devices is restricted to civil, non-jury, non-confidential proceedings.

Anyone found to be in violation of the provisions of these Guidelines is subject to having the electronic device confiscated, having that person's media credentials revoked and may be subject to contempt proceedings.

The effective date of these Interim Guidelines is November 25, 2015.

DATED: November 24, 2015

/s/ Jan R. Jurden
President Judge

EXHIBIT A
DELAWARE SUPERIOR COURT
REQUEST FOR LAPTOP OR TABLET USE
IN CIVIL NON-JURY, NON-CONFIDENTIAL PROCEEDING

Name (including affiliated media organization): _____

Contact Information (address, email, phone no.): _____

Date of Request: _____ Date of Requested Access: _____

If specific case related: Date of Proceeding: _____ Time of Proceeding: _____

Case No.: _____ Case Name: _____

The type of Expanded Media Use requested: _____ Type of Electronic Device requested: _____

_____ note taking purposes only _____ laptop _____ tablet _____

Additional information for consideration of request: _____

Requests must be submitted at least two business days prior to the requested date of access. Submitting requests five days prior to the proceeding is appreciated to allow for ample response time. Please submit completed form to _____.

By signing below, I acknowledge that I have read the Superior Court's Guidelines for Use of Electronic Devices by Media Representatives. I agree to use the electronic devices in compliance with the Guidelines and for the purpose indicated on this request. If permitted to use a laptop or tablet for note-taking purposes only while in the courtroom I will not connect to the internet, record audio, still or video photography, broadcast or webcast. I acknowledge that the President Judge, Resident Judge, or a presiding Judicial Officer may retract this authorization at any time for good cause. I understand that this authorization expires on the last day of the requested proceeding and I must submit a new request for future access.

DATED: _____

Signature

Print name