

FOR IMMEDIATE RELEASE
February 7, 2022

**Delaware Judicial Branch launches pilot project to allow public
to bring cell phones in some courthouses**

Pilot program will begin with downstate Family Court
facilities and two Justice of the Peace Courts

Starting today, as part of a pilot program, members of the public will be allowed to bring their cell phones into some Family Court and Justice of the Peace Court facilities. Since 2005, members of the public have been barred from bringing cell phones and similar personal electronic devices into Delaware Court buildings unless they have received special permission from the court.

This change in policy follows a year-long study by a Judicial Branch committee – headed by Chief Justice Collins J. Seitz, Jr. and Family Court Chief Judge Michael K. Newell – that was created to review the Branch’s cell phone policy, recognizing that the devices have become an essential tool of daily life for many. The committee also recognized that allowing the personal electronic devices, like cell phones and tablet computers, into state courthouses would enhance access to justice for those that depend on them for work and family matters and for self-represented litigants.

“The courts must strike a delicate balance between the needs of security and decorum, and access to justice,” said Chief Judge Newell. “And with the increased reliance on cell phones in our everyday lives, the time seemed right to revisit our longstanding cell phone policy. We are optimistic that this new pilot program to allow the public to bring in cell phones – with appropriate limits – will prove beneficial to both the public and the courts by making a trip to the courthouse less burdensome while maintaining a level of safety. I am pleased Family Court is a part of this effort.”

The courthouses where cell phones will be permitted under this pilot program include the Family Court buildings in Kent and Sussex counties as well as the Justice of the Peace Court 3 and 17 in Georgetown and Justice of the Peace Court 11 in New Castle. If the program goes well, it may be expanded to other court facilities.

Under the program, members of the public will not be allowed to take photos or record audio or video in the courthouses and any phone brought into a courtroom must be turned off or silenced. This new policy, however, will allow members of the public to photograph or scan non-confidential court documents or files in the clerks’ offices.

If a judicial officer believes there is a cause for concern or a need to maintain security or decorum, the judicial officer may direct that a phone or personal electronic device be temporarily secured in a tear-proof locking pouch. The pouch will prevent use of the device until the proceeding has concluded, at which time a court employee will release the lock on the pouch

allowing an individual to regain use of their device. Failure to follow the court rules, or abide by instructions from court officials, may result in the device being confiscated for the duration of a courthouse visit.

This project is only a pilot and the rules may be adjusted as it is implemented. The lessons learned from this pilot project will help the committee formulate recommendations for possible expansion to other state court facilities. The committee was formed by the Chief Justice in December 2020 and included representatives from each of Delaware's state trial courts, the Department of Justice, Office of Defense Services, the Delaware State Bar Association, Delaware Community Legal Aid Society and the Delaware Capitol Police.

The full [committee report](#) is available on the Administrative Office of the Courts' Publications and Reports webpage <https://courts.delaware.gov/forms/download.aspx?id=133868>.