

**39<sup>th</sup> Jud. Dis. R. Jud. Adm. 1910.1. Scope of Rules and Policy.** These local Rules of Judicial Administration governing audio and/or visual recordings, photography, and broadcasting shall be read and construed with Pennsylvania Rule of Judicial Administration 1910 and Pennsylvania Rule of Criminal Procedure 112 both pertaining to this subject matter. The 39<sup>th</sup> Judicial District seeks to avoid the intimidation of certain individuals (victims, juveniles/minors, witnesses, jurors, and staff), and to promote the safe access to justice. The 39<sup>th</sup> Judicial District also seeks to preserve and protect confidential information and decorum within our courts while avoiding the obstruction of court functions in Franklin County and Fulton County.

### **39<sup>th</sup> Jud. Dis. R. Jud. Adm. 1910.2. Prohibition of Video and Audio Recordings.**

(a) The taking of photographs, including video pictures and recording, the use of any audio and/or video broadcasting or recording equipment, and the use or operation of any device capable of capturing or transmitting sound or images, in any courtroom, hearing room, or its environs during the progress of or in connection with any action, whether or not court is actually in session, is prohibited.

(b) “Environs” Defined: “Environs” of a courtroom or hearing room shall include the entire floor on which is located any courtroom, hearing room, jury room, grand jury room, Sheriff’s office or station, Prothonotary or Clerk of Courts office, Adult Probation and Parole, Juvenile Probation and Parole, and Domestic Relations, or any lockup or prisoner holding area. “Environs” also includes the corridor or lobby on the main floor or street floor, any elevator area, and any area constituting an interior entrance area to the building of any courtroom, hearing room, or grand jury room.

(c) Recording Devices and Cellular Telephones, Areas Where Prohibited: Cameras, cellular telephones, portable electronic data devices, and any other device capable of capturing or transmitting images or sound are prohibited inside of the following areas in addition to the Franklin County and Fulton County Courthouses (hereafter “Courthouses”): the hearing annex building (31 North 2<sup>nd</sup> Street, Chambersburg, Pennsylvania), the lobby and offices of the Franklin County Adult and Juvenile Probation and Parole Departments, Domestic Relations Department (157 Lincoln Way East, Chambersburg, Pennsylvania), the lobby and offices of the Fulton County Probation Department (318 N. 1<sup>st</sup> Street, McConnellsburg, Pennsylvania), Fulton County Domestic Relations Department (116 W. Market Street, McConnellsburg, Pennsylvania), and inside any Magisterial District Court office.

(d) Exceptions.

(1) Employees: The prohibitions in subdivision (c) shall not apply to those individuals employed by the Court or County, a Magisterial District Court, Adult Probation and Parole, or Domestic Relations. These Employees must clearly display an identification badge issued by the County of Franklin or the County of Fulton, provided, however, such Employees’ devices shall be in “silent” or

“vibrate only” mode when the Employee enters a courtroom, hearing room, or grand jury room.

(2) Attorneys: The prohibitions enumerated in subdivision (c) above shall not apply to an attorney at law who enters the Courthouses or a Magisterial District Court on business related to the representation of a client, provided, however, that the attorney’s device shall be in “silent” mode when the attorney enters a courtroom, hearing room, or grand jury room, and shall be turned off or forfeited to the Sheriff at the discretion of any presiding judge.

(3) Emergency Responders: The prohibitions enumerated in subdivision (c) above shall not apply to emergency medical or other personnel responding to an emergency.

(4) Jurors: The prohibitions in subdivision (c) above shall not apply to jurors summoned by Court Administration during their period of service as a juror. The use of these devices shall be directed by the presiding judge.

(5) Evidence: The prohibitions in subdivision (c) above shall not apply to the use of such devices for the purpose of presenting evidence in any court proceeding, with specific, prior approval of the presiding judge.

(6) Law Enforcement: The prohibitions enumerated in subdivision (c) shall not apply to a member of law enforcement who provides proper identification and is on business related to a case before the Court. However, such devices of Law Enforcement shall have the power switched “off” when the member of law enforcement enters a courtroom, hearing room, or grand jury room.

(e) Special Proceedings: At the discretion of the presiding judge, the photographing, making of a video or audio recording, televising, and/or broadcasting of any special proceeding such as investiture, naturalization, or other ceremonial proceedings, in a courtroom or its environs may be permitted under such conditions as the presiding judge may direct.

(f) Stenographic Recordings: Except as permitted by law or rule of court, the recording by any means of any court proceeding by anyone other than the official court stenographer or courtroom technician in a court proceeding, for any purpose, is prohibited.

(g) Special Permission: Notwithstanding subdivision (e), the President Judge may, upon application or upon the discretion of the President Judge, make exception to the prohibitions contained in this Rule under such circumstances and subject to such conditions as the President Judge may prescribe.

(1) The application for special permission shall include the reason for the request, the type of electronic medium and/or device intended to be used, the locations at which the electronic medium and/or device is to be used, and the date(s) and time(s) for which the exception is being sought.

(2) If the exception is being sought in connection with a particular judicial proceeding, the caption and case number of the proceeding shall be included in the application.

(3) All applications for special permission shall be submitted to Court Administration at 14 N. Main Street, Chambersburg, PA 17201.

**39<sup>th</sup> Jud. Dis. R. Jud. Adm. 1910.3. Enforcement.**

(a) 39<sup>th</sup> Jud. Dis. R. Jud. Adm. 1910.2 may be enforced by the members of the Sheriff's Department, the presiding judge, any hearing officer, any court appointed personnel, or any court supervised personnel.

(b) Failure to abide by these Rules may be considered an act of contempt of court, and may result in such penalties, including removal from the Courthouses and/or court proceeding, as the presiding judge or hearing officer may decide.

(c) The individual(s) found in violation of these Rules may also be subject to 18 Pa. C.S.A. §5103.1 (Unlawful use of an audio or video device in court).