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May 25, 2023

Delaware Judiciary to allow visitors to bring cellphones and other personal electronics into all court facilities June 1 as part of pilot program

On June 1, 2023, the public will be allowed to bring cell phones and other personal electronic devices into all state courthouses in an extension of a branch-wide pilot program that started in February 2022.

There will still be restrictions on use of the devices in court facilities, and in particular in courtrooms, but this represents a significant shift in court policy that has long barred most from bringing cell phones into court. Family Court Chief Judge Michael K. Newell, who has overseen the pilot initiative and advocated for the change, said the pilot program that allowed personal electronic devices in a handful of court facilities, including the Sussex County Courthouse, was a success and did not cause any significant safety or operational concerns.

Delaware Supreme Court Chief Justice Collins J. Seitz agreed and signed an order earlier this year instructing the committee overseeing the pilot program to expand it to the entire court system on June 1, 2023. “We are taking this step to increase access to the justice system, recognizing that personal electronic devices – particularly cell phones – have become an integral part of daily life,” said Chief Justice Seitz. “We know people want to keep in touch with family members, children and perhaps work. And we know, in some instances at the courthouse, they may need access to their personal calendar or other vital personal information they keep on their phone.”

According to the order, the public will be allowed to use their devices in the halls, lobbies and other public areas of the courthouses so long as such use does not disrupt or disturb court business or proceedings.

With limited exceptions, visitors will not be allowed to take photos or record audio or video in the courthouse. One exception is that visitors will be allowed to use their devices to photograph or scan public court documents in clerks’ offices, so long as the device does not damage or mark the document in any way or interrupt the operations of the clerks’ office.

Use of personal devices in courtrooms will be tightly controlled. All visitors will be required to turn off or silence their devices when in the courtroom. Further, if a judicial officer feels the presence of personal devices is a threat to safety or security or otherwise interferes with the administration of justice, he or she may require all individuals in the courtroom to place their devices in a secure, locking pouch until they leave the courtroom. Court security will oversee the use of the secure pouches and will have the ability to lock and unlock them as needed.

The court order specifies that expansion of the program remains a pilot effort and the committee charged with monitoring and evaluating the progress will issue a final report in March 2024, which will determine if the changes should become permanent.

The new cell phone policy under the pilot program can be found on the [court website](#).