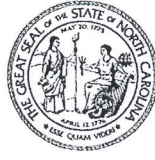


STATE OF NORTH CAROLINA

25<sup>th</sup> JUDICIAL DISTRICT



IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

IN THE MATTER CONCERNING THE USE OF CELL PHONES  
IN THE DISTRICT COURTS OF THE 25<sup>TH</sup> JUDICIAL DISTRICT  
BURKE, CALDWELL, and CATAWBA COUNTIES

THIS MATTER came on before the undersigned Chief District Court Judge concerning the possession and use of cell phones, other electronic devices and other personal communication devices in the District Courts of 25<sup>th</sup> Judicial District.

IT APPEARING TO THE COURT that the North Carolina Courts are returning to general operations pursuant to the order of the Chief Justice of the North Carolina Supreme Court issued on June 21, 2021;

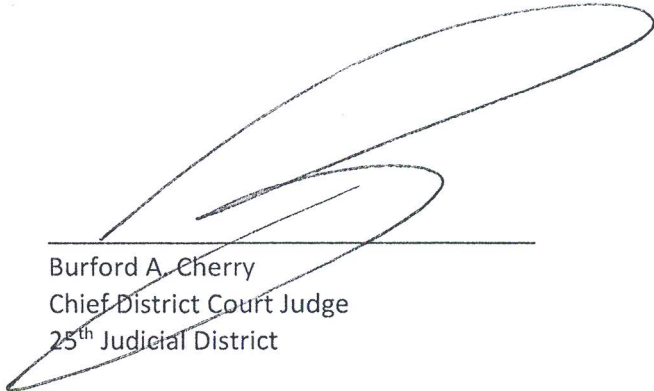
IT FURTHER APPEARING TO THE COURT that the need for more liberal use of cell phones in the District Courts is no longer necessary;

IT FURTHER APPEARING TO THE COURT that reinstating the previous Administrative Order for the District Courts regarding cell phones, electronic devices and other personal communication devices in the courtrooms is necessary to minimize any unauthorized photography and/or recording in the court setting and reduce any injury, interruptions and disruptions;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. The current May 2020 pandemic based Administrative Orders (Burke 20R190; Caldwell 20R297; Catawba 20R165) allowing the broad use of such devices in the District Courts of Burke, Caldwell and Catawba counties are no longer appropriate are hereby rescinded on June 27, 2021;
2. The prior filed Administrative Order regarding Cell Phones, Electronic Devices and other personal communication devices in the District Court Courtrooms filed in 2016 (Burke 16R142; Caldwell 16R1548; Catawba 16R91) shall once again be in effect on June 28, 2021 and is attached to this order for reference.

ENTERED, this the 23<sup>rd</sup> day of June 2021.



Burford A. Cherry  
Chief District Court Judge  
25<sup>th</sup> Judicial District

Burke 16 R 142  
Caldwell 16 R 1548  
Catawba 16 R 91

STATE OF NORTH CAROLINA  
25<sup>TH</sup> JUDICIAL DISTRICT



IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION

IN RE:

CELL PHONES, ELECTRONIC  
DEVICES AND OTHER  
PERSONAL COMMUNICATION  
DEVICES IN COURTROOMS

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ADMINISTRATIVE ORDER

NOW COMES the undersigned Chief District Court Judge of the 25<sup>th</sup> Judicial District, it being evident that an Administrative Order is necessary to restrict the use of cell phones, electronic devices and other personal communication devices that have the capability to photograph and/or to record in order to prevent the unauthorized taking of photographs of persons involved in proceedings in court, such as witnesses, jurors and attorneys, and unauthorized recording of proceedings and to address the use of the aforementioned electronic devices that frequently disrupt and impede courtroom proceedings despite posted written notification that cell phones must be turned off prior to entering the courtroom and instructions by the bailiffs to do so;

BEING THAT unauthorized photography and recording in the court setting is in violation of Rule 15, General Rules of Practice for the Superior and District Courts, issued by the North Carolina Supreme Court pursuant NC General Statute § 7A-34;

IT FURTHER BEING THAT certain such devices or similar devices in appearance have the capability to injure or incapacitate; and that it is in the interest of justice, safety and order, that further action be taken to reduce the risk that such devices have become a distraction and interference and may be used in a manner as to endanger others and disrupt court proceedings due to the large number of instances where cell phones and electronic devices make noises or are activated during courtroom proceedings and prevent courtroom bailiffs from completing their assigned duties;

IT IS THEREFORE ORDERED that cell phones and other personal communication devices are prohibited in the 25<sup>th</sup> Judicial District Courts (Burke, Caldwell and Catawba counties) in North Carolina. The following are exceptions from the prohibition:

1. An individual who displays a current identification card issued by the Sheriff's Office of the said county authorizing entry to the courthouse without passing through entrance security.
2. An employee of the Clerk of Court, District Attorney, District Court Judges' Office, Magistrates' Office and the Superior Court Judges' Office from either county in the 25<sup>th</sup> Judicial District in a courthouse within the 25<sup>th</sup> Judicial District as part of his or her duties.
3. An attorney who displays appropriate identification as a licensed attorney.



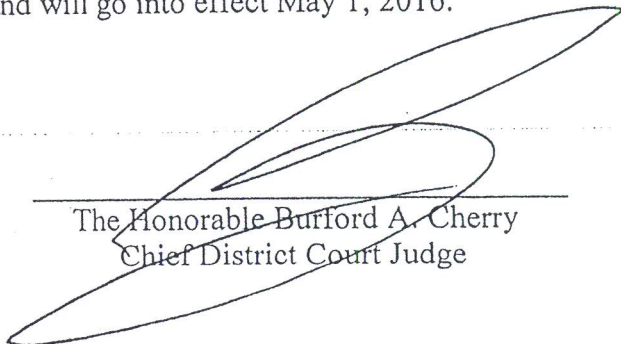
4. An individual (such as pro se litigant having evidence stored on such a device or a person having a specific need for such a device) who displays written permission bring such device into the courthouse authorized by the Chief District Court Judge of the 25<sup>th</sup> Judicial District and issued by the Chief Bailiff. (*The authorization form is the last page of this document.*)
5. A Federal, State or local (NC) law enforcement or probation and parole officer who displays his or her credentials as such.
6. An individual who displays a current jury summons and who is entering in response to said summons.
7. A judge, commissioner, deputy commissioner or other official of a governmental agency entering the courthouse for the purpose of conducting court or an official hearing, and who display his or her credentials as such;

IT IS FURTHER ORDERED that all law enforcement personnel, including bailiffs, are hereby empowered to deny admittance to anyone violating this order. Anyone who appears in court and willfully violates this order may be punished as for contempt;

FURTHERMORE, any person who is authorized to have a cell phone or other personal electronic communication device in the District Court courtrooms in the 25<sup>th</sup> Judicial District shall exercise the utmost caution and discretion in viewing or utilizing any such device while court is in session. Any person abusing this privilege may be ordered and directed by the presiding judge to cease using any such device and temporarily surrender said device to the Sheriff until the session of court is finished. Any egregious violation of this policy may be punished as for contempt.

Nothing herein is to be construed to limit the authority of a judge to control the courtroom where he or she is assigned. Any excepted individual listed herein shall obtain permission from the presiding judge to use such devices in the courtroom. As soon as practicable, the District Court Trial Court Coordinator shall issue a public announcement of this Order, and cause notice of the Administrative Order to be posted in prominent places in and about the Courthouses throughout the 25<sup>th</sup> Judicial District.

ENTERED, this the 20<sup>th</sup> day of April 2016 and will go into effect May 1, 2016.



The Honorable Burford A. Cherry  
Chief District Court Judge