

IN THE SIXTEENTH JUDICIAL CIRCUIT
GENERAL ORDER 22-07
effective June 22, 2022

Theresa E. Barreiro
Clerk of the Circuit Court
Kane County, IL
JUN 22 2022
FILED 22
ENTERED _____

IN THE MATTER OF CREATING)
LOCAL COURT RULE 1.16)
RE: PORTABLE ELECTRONIC DEVICES,)
CELL PHONE, MOBILE PHONE, SMART PHONES AND)
OTHER ELECTRONIC DEVICES)
SUPERSEDING GENERAL ORDER 13-27)

Whereas, the Illinois Supreme Court policy on Portable Electronic Devices became effective January 2022, and encourages and supports equal access to the courts by self-represented litigants and the public, the Sixteenth Judicial Circuit (Kane County) adopts and supports this Supreme Court policy through the adoption of Local Court Rule, Article 1, sec. 1.16, Portable Electronic Devices, Cell Phones, Mobile Phones, Smartphones, and Other Electronic Devices.

Therefore, it is hereby ordered that by a majority vote of the Circuit Judges of the Sixteenth Judicial Circuit, the attached Article 1, sec. 1.16, Portable Electronic Devices, Cell Phones, Mobile Phones, Smartphones, and Other Electronic Devices is adopted in and for the Sixteenth Judicial Circuit, effective immediately upon passage, and supersedes General Order 13-27.

Entered this 22nd day of June 2022, and effective June 22, 2022.


Clint Hull, Chief Judge

A true copy of the original of this document is on file in my office
Attest: June 22nd 20 22
Theresa E. Barreiro
Circuit Court Clerk, Kane County, Illinois
By: Theresa E. Barreiro/22
Deputy Clerk

Kane County Local Rule

ARTICLE 1. GENERAL POWERS

1.16 PORTABLE ELECTRONIC DEVICES, CELL PHONES, MOBILE PHONES, SMARTPHONES, AND OTHER ELECTRONIC DEVICES

In compliance with the [Illinois Supreme Court policy on Portable Electronic Devices](#) effective January 2022, and to encourage and support equal access to the courts by self-represented litigants and the public, the Sixteenth Judicial Circuit (Kane County) adopts and supports this Supreme Court policy through this local court rule.

(a) PURPOSE AND SCOPE:

- (1) The purpose of this local court rule is to provide information to the public regarding the permitted and prohibited uses of portable electronic devices in the Sixteenth Judicial Circuit courthouses. Any authorized use of a portable electronic device under this local rule is subject to the authority of the judge presiding over a matter to terminate activity that is disruptive or distracting to a court proceeding, or that is otherwise contrary to the administration of justice.
- (2) Cameras, video cameras, video recording equipment and recording devices not classified as portable electronic devices are not allowed in the courthouses, unless permitted by the Chief Judge, and on such conditions as ordered, for ceremonial events such as marriages, investitures, and graduations in problem-solving courts or as outlined in the [Policy for Extended Media Coverage in the Circuit Courts of Illinois](#) and [Illinois Supreme Court Rule 44](#) and [Local Court Rules 1.11 and 1.12](#).

(b) DEFINITIONS:

- (1) “Portable Electronic Devices” are mobile devices capable of electronically storing, accessing, or transmitting information and are defined to include personal computers, tablet computers, mobile telephones (including cell phones, smartphones and any form of telephone with camera, audio and video recording and transmission capabilities), electronic calendars, e-book readers, smartwatches, or similar devices.
- (2) “Court visitor” means any individual present at a Kane County courthouse.
- (3) “Courthouse” includes all areas within the exterior walls of a court building, or if the court does not occupy the entire building, that portion of the building used for the administration and operation of the court. A “courthouse” also includes areas outside of a court building where a judge conducts an event concerning a court case.
- (4) “Courtroom” includes the portion of a courthouse in which the actual proceedings take place.

(c) USES OF PORTABLE ELECTRONIC DEVICES IN COMMON AREAS OF COURTHOUSES:

All court visitors may use portable electronic devices in the common areas of the courthouse, such as lobbies, and hallways. No telephone conversation may be used on speakerphone. Court visitors must speak at an appropriate volume, and no music or other sounds may be played in the courthouses so as to minimize disruption of others. All portable electronic devices must be placed in “silent” mode at all times within the courthouses.

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(d) USES OF PORTABLE ELECTRONIC DEVICES IN COURTROOMS:

Case participants including lawyers, parties (including self-represented litigants), and witnesses may use a portable electronic device inside a courtroom to check calendars or present case-related information. All other uses of portable electronic devices inside courtrooms are prohibited, unless authorized by the judge presiding in the courtroom. All portable electronic devices must remain in “silent” mode at all times in courtrooms.

(e) USES OF PORTABLE ELECTRONIC DEVICES BY COURT SECURITY:

Court Security and Sheriff’s Deputies may use portable electronic devices or a communication system as required in the course of their official duties in the courtroom at all times, including while court is in session.

(f) USES OF PORTABLE ELECTRONIC DEVICES BY DISABLED PERSONS:

Disabled persons, as defined by the Americans with Disabilities Act, whose disabilities necessitate the use of any of the above-named devices to communicate, are exempt from the requirements of this order as to the specific communication device required.

(g) PROHIBITED USES OF PORTABLE ELECTRONIC DEVICES IN COMMON AREAS AND COURTROOMS:

The taking of photographs, audio, and video recordings are prohibited without prior approval of a judge or as governed by [Illinois Supreme Court Rule 44](#), and [Local Court Rules 1.11 and 1.12](#). No court visitor may use a portable electronic device to communicate or attempt to communicate with any potential juror or juror at any time. No court visitor may use a portable electronic device to harass, intimidate, or communicate about given testimony with any witness at any time.

(h) CONFISCATION OF EQUIPMENT AND EJECTION:

Court visitors using a portable electronic device, or possessing other electronic devices, in violation of this or any other court order, rule, or policy may be removed from the courthouse, found in contempt of court, and/or subject to penalties as provided by law. Any portable electronic device used in violation of an order, rule, or policy may be confiscated and held until the possessor leaves the courthouse. Court personnel shall not be responsible or liable for any damage to or loss of a confiscated portable electronic device.

(i) AUTHORITY OF ELECTED OFFICIALS AND DEPARTMENT HEADS:

Nothing in this order effects the ability of any department head or elected official to authorize the use of the above-referenced devices strictly within the confines of their own offices in any court facility.