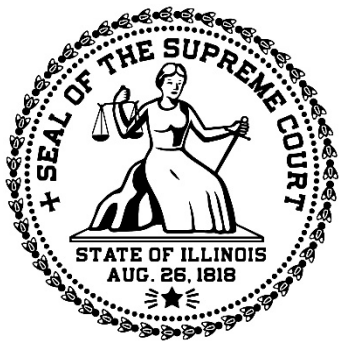


Illinois Supreme Court Policy on Portable Electronic Devices

Effective January 2022

Updated September 2026

(a) Preamble.

Portable Electronic Devices have become essential in society and are invaluable personal and business tools. People rely heavily on these devices for communication, organization, data storage, and ensuring personal security. Many trial courts throughout Illinois already have policies that address the needs of lawyers, jurors, and other court users and staff to carry and use Portable Electronic Devices in courthouses, recognizing that such devices may be critical for scheduling, communicating, and presenting evidence.

Yet, some courthouses in Illinois bar members of the public and self-represented litigants (SRLs) from carrying their devices. These prohibitions hinder equal access to justice and impose unfair burdens on individuals who already face tremendous barriers to accessing the courts. Having different policies or procedures for some court users and not others may violate the Illinois Supreme Court Policy on Assistance to Court Patrons by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers, which says that the court shall not "[d]eny a self-represented litigant access to the court or any services provided to other court patrons."

A Portable Electronic Device may be a court visitor's only available source of important and essential information for conducting courthouse business or presenting evidence relating to their case. For example, the device may store relevant records, emails, text messages, voice mails, still photos, and videos. Additionally, a Portable Electronic Devices may be the only way a court user can access court resources while in the courthouse. Accordingly, if Portable Electronic Devices are barred, SRLs may be prevented from accomplishing required procedural steps and effectively presenting evidence in their cases.

The implementation of certain court procedures, such as mandatory e-filing and remote appearances, has increased the need for SRLs to use Portable Electronic Devices in our courthouses, particularly where computers for public use are limited or nonexistent in the courthouses. Without access to their Portable Electronic Devices while in a courthouse, some SRLs may not be able to complete the e-filing process. For example, to create an e-filing account, a SRL must verify their e-filing account, but may only be able to access their email or verify a new email login via their Portable Electronic Device. Likewise, under new protocols SRLs who have been instructed to leave their devices at home, may now be prohibited from entering courthouses and told they must appear remotely on their personal devices. Without their devices on hand, SRLs may miss their court dates.

Without their Portable Electronic Devices, court users are without a way to communicate with their family, employers, or friends while in the courthouses and, therefore, are unable to seek assistance, coordinate rides, or inform their employers of being in court. As a result, they may lose time from work and fail to meet family responsibilities. This result can be especially problematic for low- and moderate-income individuals. Additionally, without Portable Electronic Devices, court users may be prevented from seeking assistance, particularly if they rely on their Portable Electronic Devices to assist with a disability or language translation.

Moreover, it is important for all court users to have notice and understand any restrictions on carrying or using Portable Electronic Devices in courthouses and in courtrooms. Without reasonable advance notice of prohibitions, court users who carry Portable Electronic Devices may be denied entry to a courthouse. And, when there is no available storage and court users did not travel to the courthouse using their own vehicles, they may be forced to leave their

Portable Electronic Devices in unsecured locations (e.g., hidden in bushes or behind trash cans), thereby risking the loss of their Portable Electronic Devices and the information which is stored there.

It is also recognized that inappropriate use of Portable Electronic Devices in courthouses can be a danger, cause distractions, and impact the orderly administration of justice. Legitimate security concerns exist from the possible misuse of Portable Electronic Devices, including the unauthorized creation of photographs; video and audio recordings which can be posted on social media or in other public forums; unauthorized communication with jurors or witnesses; and threats and intimidation directed toward parties, witnesses, jurors, or others. Additionally, the misuse of Portable Electronic Devices can cause either intentional or unintentional disruptions in the order and processes of the courts. The policy accepts the need to maintain security, safety, and order in Illinois courts while balancing the need for access.

In summary, SRLs and other court users have a significant need for their Portable Electronic Devices to navigate court procedures and forms, to present evidence in litigation, and to communicate while in the courthouses. In our current world where Portable Electronic Devices are so engrained and relied upon, it is simply indefensible to exclusively prohibit litigants who cannot afford an attorney from using such indispensable tools.

The policy sets forth a guide for courts to follow in establishing local policies for permitting the use of Portable Electronic Devices by all court users. By authorizing and encouraging the adoption of local rules and orders allowing all court users to possess and use Portable Electronic Devices for legitimate purposes in courthouses, the policy seeks to achieve equitable access to justice across our state. Further, the adoption and publication of local rules and orders in accord with the policy will increase judicial efficiency by establishing known processes and procedures and permit all litigants to effectively pursue their cases and visitors to access the courts. Additionally, the policy provides that restrictions on the use of Portable Electronic Devices in a courthouse for security and safety reasons may be included in a local rule or order relating to Portable Electronic Devices if the courthouse provides storage for the devices at no cost to the court visitor at the security entrance.

(b) Purpose and Scope.

The purpose of this policy is to provide guidance for allowing Portable Electronic Devices, essential tools of our society, in all state courthouses. As discussed, many courts already have policies that address the needs of lawyers, jurors, and other court users and staff to carry and use Portable Electronic Devices on courthouse grounds, recognizing that such devices may be critical for them. This policy authorizes the extension of this same privilege to all court visitors, including SRLs. The policy seeks to respect the interests and needs of the people who enter the courthouses and courtrooms of Illinois, while recognizing and serving the need to maintain order and safety.

(c) Definitions.

(1) "Portable Electronic Devices" are mobile devices capable of electronically storing, accessing, or transmitting information and is defined to include personal computers, tablet computers, mobile telephones (including cell phones and any form of telephone

with cameras and audio and video recording and transmission capabilities), electronic calendars, e-book readers, smartwatches, smart eyewear, or similar devices.

(2) "Court visitor" means any individual present at a state courthouse in Illinois.

(d) Portable Electronic Device Policy.

Every courthouse in Illinois shall issue and publish a court order, standing order, or local rule allowing Portable Electronic Devices, subject to screening, including through courthouse screening devices. Every courthouse's policy shall include the following rules detailed in paragraphs (d)(1) and (d)(2) subject to the restrictions of paragraphs (d)(3)-(6):

(1) Use in Common Areas: All court visitors may use Portable Electronic Devices in the common areas of the courthouse, such as lobbies and hallways. Further restrictions, including restricting mobile telephone conversations to designated areas, may be imposed as needed to maintain safety, security, proper behavior, order, and the administration of justice. All Portable Electronic Devices must be placed in "silent" mode at all times within the courthouse.

(2) Use 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 may be prohibited by the judge presiding in the courtroom. All Portable Electronic Devices must remain in "silent" mode at all times in courtrooms.

(3) Prohibited Uses in Common Areas and Courtrooms: The taking of photographs, audio and video recordings are generally prohibited without prior approval of a judge or as governed by Illinois Supreme Court Rule 44. 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.

(4) Other Electronic Devices: Cameras, video cameras, video recording equipment and recording devices not classified as Portable Electronic Devices are not allowed in the courthouse, unless permitted by the Chief Judge of the Circuit, 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.

(5) 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 or policy may be removed from the courthouse, found in contempt of court, or subject to penalties as provided by law. Any Portable Electronic Device used in violation of an order 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.

(6) Restrictions on Portable Electronic Devices: If a Chief Judge of the Circuit determines that Portable Electronic Devices interfere with the administration of justice or cause a

threat to safety or security, they may prohibit Portable Electronic Devices from being carried into specific courtrooms (for example, courtrooms hearing certain criminal cases) or an entire courthouse if the courthouse provides storage for the devices at no cost to the court visitor at the security entrance.

i. Locked storage locker units are recommended as the means for storing Portable Electronic Devices. Other secure forms of on-site storage may be provided and can be as simple as numbered plastic storage containers or envelopes.

ii. Storage of Portable Electronic Devices may be limited to persons who represent to security personnel that they have no other means of storage available to them, such as a parked vehicle on or near the courthouse premises.

(e) Posting Notice of Portable Electronic Device Policies.

Courts shall post signs with information about their Portable Electronic Device policies prominently in the courthouses, including at the entrances, in the clerk's offices, and outside each courtroom. If a particular courtroom, for example a criminal courtroom, has possession and use policies that are different from the main courthouse, such information shall be posted outside of the particular courtroom. Signs shall be consistent with the Illinois Supreme Court Policy on Plain Language and the Illinois Supreme Court Language Access Policy. This information shall also be publicized on the court's and clerk's websites and in other publicly available places.