



COURT OF APPEAL OF ALBERTA

Policy on the Use of Electronic Devices in Courtrooms
Effective October 28, 2013

Purpose

- 1 This policy sets out the permitted and prohibited uses of electronic devices in courtrooms of the Court of Appeal of Alberta (the Court).

Definitions

- 2 In this policy:
 - (a) “accredited media member” means a media member on the Court of Queen’s Bench of Alberta’s Media Undertakings List, and
 - (b) “electronic device” means any device capable of transmitting and/or recording data or audio, including smartphones, cellular phones, still and video cameras, voice recorders, computers, laptops, tablets, notebooks, personal digital assistants and other similar devices.

Prohibited Use of Electronic Devices by the Public

- 3 Members of the public are not permitted to use electronic devices in the courtroom. Electronic devices possessed by members of the public must be turned off and kept out of sight.

Permitted and Prohibited Uses of Electronic Devices by Lawyers and the Media

- 4 Subject to sections 5 to 9, lawyers and accredited media members are permitted to use electronic devices in the courtroom.
- 5 Electronic devices may be used by accredited media members to audio record court proceedings for the sole purpose of verifying their notes. Audio recordings obtained under this policy must not be transcribed, copied, shared, sold or transmitted in any fashion.
- 6 Lawyers must not use electronic devices to audio record court proceedings.

- 7 Electronic devices must be in silent mode and used in a discreet manner.
- 8 Electronic devices must not:
 - (a) interfere with courtroom decorum or the proper administration of justice,
 - (b) interfere with court recording equipment or other courtroom technology,
 - (c) be used for voice communication, or
 - (d) be used to video record or take photographs.
- 9 On request by court security or staff, lawyers and accredited media members using electronic devices must produce identification verifying their status.

Judicial Discretion

- 10 Nothing in this policy affects the authority of a judge or the Court to determine what use, if any, can be made of electronic devices in the courtroom.

Publication Bans, Sealing Orders, Restricted Court Access Orders and Other Restrictions

- 11 Anyone using an electronic device to transmit information from the courtroom is responsible for identifying and complying with publication bans, sealing orders, restricted court access orders and other restrictions on publication and/or court access imposed by statute or court order.

Enforcement

- 12 Anyone using an electronic device in a manner inconsistent with this policy or in violation of an order of a judge or the Court may be:
 - (a) required to turn the device off,
 - (b) required to forfeit the device while in the courtroom,
 - (c) required to leave the courtroom and/or
 - (d) declared in, and punished for, civil contempt of court.

Questions about this policy can be directed to Laurel Watson, Legal Counsel at (403) 297-6692 or laurel.watson@albertacourts.ca