

HARRY JAY ALTMAN, II
CHIEF JUDGE
POST OFFICE BOX 1734
THOMASVILLE, GEORGIA 31799-1734
TELEPHONE: 229/228-6276
FACSIMILE: 229/225-4128

RICHARD M. COWART
JUDGE
POST OFFICE BOX 806
VALDOSTA, GEORGIA 31603-0806
TELEPHONE: 229/671-2680
FACSIMILE: 229/245-5308

JAMES E. (JIM) HARDY
JUDGE
POST OFFICE BOX 2037
THOMASVILLE, GEORGIA 31799-2037
TELEPHONE: 229/228-6370
FACSIMILE: 229/228-6369

JAMES G. TUNISON, JR.
JUDGE
POST OFFICE BOX 1349
VALDOSTA, GEORGIA 31603-1349
TELEPHONE: 229/333-5130
FACSIMILE: 229/245-5223



**State of Georgia
Superior Courts
Southern Judicial Circuit**

**BROOKS, COLQUITT, ECHOLS,
LOWNDES & THOMAS COUNTIES**

BRIAN A. McDANIEL
JUDGE
POST OFFICE BOX 2227
MOULTRIE, GEORGIA 31776-2227
TELEPHONE: 229/616-7445
FACSIMILE: 229/616-7447

H. ARTHUR McLANE
SENIOR JUDGE
POST OFFICE BOX 505
VALDOSTA, GEORGIA 31603-0505
TELEPHONE: 229/333-5130
FACSIMILE: 229/245-5223

FRANK D. HORKAN
SENIOR JUDGE
POST OFFICE BOX 2227
MOULTRIE, GEORGIA 31776-2227
TELEPHONE: 229/616-7445
FACSIMILE: 229/616-7447

TIM C. HENDRICK
COURT ADMINISTRATOR
POST OFFICE BOX 2227
MOULTRIE, GEORGIA 31776-2227
TELEPHONE: 229/616-7474
FACSIMILE: 229/616-7447

CELL PHONE POLICY

TO: Court Personnel, Law Enforcement and Attorneys
FROM: Hon. Harry Jay Altman, II, Chief Judge
RE: Cell Phones
Date: July 1, 2010

Most wireless communication devices that have the capability of recording and transmitting sound, pictures, and video have required this Court to establish new policies regarding possession of cell phones in the courtroom. No restrictions have ever been established on having cell phones in the courtrooms of the Southern Judicial Circuit. However, courtroom deputies are now being required to remove individuals' cell phones for disturbing the Court's proceedings. Cell phone use has become a distraction to jurors, witnesses, attorneys and the Judge.

During jury trials it is imperative that jurors only consider evidence produced during the trial under the Court's supervision. Further, jurors are not to discuss a case with anyone during a trial, or research any aspect of a case. Cell phones can directly research via the internet and can communicate with individuals outside the courtroom without the knowledge of anyone; therefore, cell phone use shall be prohibited by jurors while attending trial or during jury deliberations.

Accordingly, cell phones will no longer be allowed in the courtroom while Court is in session EXCEPT following the attached new cell phone policy. Failure to comply with these policies may result in a fine, incarceration, or both for Contempt of Court. Said policy shall become effective July 1, 2010 and I am authorized to state that all acting Superior Court Judges of the Southern Judicial Circuit concur.

Cellular Phone Policy

I. All cellular telephones, camera phones, or other wireless communication devices including but not limited to Blackberries, Sidekicks, Pagers, Personal Data Assistants, (PDAs), and iPods, hereinafter referred to as device(s), are not permitted in any of the courtrooms of the Superior Court in the Southern Judicial Circuit, except exempt persons. Exempt persons are those persons specifically enumerated in Section II below or otherwise permitted by Court Order of the Judge before whom the particular case or proceeding is pending. Any device(s) found on a person in the courtroom contrary to this policy may be subject to seizure and forfeiture of said device(s).

II. The following persons shall be exempt from the prohibition against carrying device(s) into the courtrooms of the Southern Judicial Circuit.

- (a) Judicial Officials
- (b) Court Employees assigned to work in the Southern Judicial Circuit
- (c) Law Enforcement Officers assigned for security purposes for scheduled court sessions and/or Law Enforcement Officers under subpoena
- (d) Attorneys are exempted from the prohibition of bringing device(s) into the courtroom but are subject to Section III below, as are all "exempted" persons

III. No device shall ever be heard in Court. Except with permission of the Court all cell phones will be silenced, and will be made certain any transmissions do not interfere with Court proceedings. If a device(s) "is used" in any courtroom, or interferes with courtroom proceedings, the presiding Judge may confiscate the device, impose sanctions for Contempt and Order removal of that person(s) from the courthouse and exemption privileges will be revoked.

No device will be used for photos or recordings without the express permission of the presiding Judge.

This policy is not intended to prohibit attorney(s) (or parties) from doing on-line research where access is available either through the Court or otherwise.

IV. The Sheriff's Department of each County in the Circuit will have primary responsibility to confiscate any device from any person who attempts to enter the courtroom with a device. Any person who refuses to remove the device or cooperate with the Sheriff Department may be excluded from the courtroom and be held in Contempt.

NOTHING IN THIS POLICY LIMITS THE COURT'S AUTHORITY TO IMPOSE OTHER REASONABLE LIMITATIONS ON USE OF DEVICES WHERE NECESSARY TO MAINTAIN CONDITIONS CONDUCTIVE TO THE ORDERLY CONDUCT OF COURT PROCEEDINGS