

VIRGINIA:

IN THE CIRCUIT COURT OF FAUQUIER COUNTY

**IN RE: ALL PERSONS AND ITEMS ENTERING THE
COURTHOUSE**

ORDER

BY THE AUTHORITY in Virginia Code § 8.01-4, as amended, this Court adopts the following rules and procedures to promote proper order and decorum and the efficient and safe use of the Courthouse facilities, as well as all offices, agencies, departments and all public areas of the Courthouse and court complex, it is therefore **ORDERED** as follows:

The “*Courthouse*,” as referenced herein, shall constitute the entirety of the structure situated adjacent to W. Lee Street, Culpeper Street and Ashby Street and typically addressed as 29 Ashby Street, Warrenton, Virginia 20186.

The “*court complex*” as referenced herein, shall constitute the Courthouse as well as the grounds immediately surrounding the Courthouse to include walkways, sidewalks, greens, patios and the parking lot located adjacent to the Courthouse on Ashby Street. The court complex shall extend from the Courthouse to the three public roadways (W. Lee Street, Culpeper Street and Ashby Street) and from the Courthouse to the Warren Green building.

Phones, pagers, smart watches, tablets, laptops and any similar device shall be referred to herein as “*electronic devices*. ”

1. **Prohibited Items and Substances**

No illegal substances, explosive devices or materials, defensive or offensive weapons, including but not limited to those items listed in the 1950 Code of Virginia § 18.2-283.1 and § 18.2-308, as amended, or any item deemed by court security to be potentially dangerous, shall be brought into the Courthouse. Any such item or substance is subject to seizure and forfeiture. Notwithstanding the above, court security officers and properly credentialed sworn law enforcement

officers may carry their officially issued weapons and associated equipment, if entering the Courthouse while in the performance of their duties. Law enforcement officers not in uniform must have their credentials and badge of authority displayed and readily visible while in the Courthouse. The Fauquier County Sheriff's Office shall ensure that proper notice and signage of prohibited items and substances is displayed at the entrances to the Courthouse.

2. **Search and Seizure/Forfeiture**

Upon entering the Courthouse, all persons except court security officers and on-duty and properly-credentialed sworn law enforcement officers, shall submit to an electronic search, physical "pat down," or both, of his or her person at the request of any court security officer. All persons shall also exhibit to such officers the contents of any parcel, handbag, shoulder bag, carrying case or container of whatever nature, and such items shall be subject to an electronic and/or physical search at the request of any court security officer. All objects not permitted in the Courthouse are subject to seizure and forfeiture. The Chief Judge of the Circuit Court in coordination with the Fauquier County Sheriff's Office may exempt specific staff entering the Courthouse outside of normal operating hours from the requirements of this paragraph. The Fauquier County Sheriff's Office shall maintain a list of exempted personnel and any restrictions on their hours of access.

3. **Courthouse Entrances**

There are four access points to the Courthouse which shall be designated and secured as follows:

- a. **Hotel Street**: Entering the Courthouse by the Hotel Street side of the building is not permitted. The Fauquier County Sheriff's Office shall ensure that this access point is secure, designated from the interior of the Courthouse as "Emergency Exit Only," and alarmed accordingly.
- b. **W. Lee Street**: Entering the Courthouse by the W. Lee Street side of the building is not permitted. The Fauquier County Sheriff's Office shall ensure

that this access point is secure, designated from the interior of the Courthouse as “Emergency Exit Only,” and alarmed accordingly.

- c. Ashby Street: The Courthouse entrance on Ashby Street is designated for general public access and shall also serve as access for properly-credentialed employees and staff working in the Courthouse and properly-credentialed law enforcement officers and probation officers. The Ashby Street entrance is a designated access for any qualified person pursuant to the Americans with Disabilities Act (ADA).
- d. Culpeper Street: The Courthouse entrance on Culpeper Street is designated for general public access while court is in session.

4. **Tobacco and Smoke Free Building**

Smoking, the use of tobacco or tobacco products, the use of e-cigarettes and the use of vaping products are prohibited in all areas of the Courthouse.

5. **Animals**

No animals, except bona fide service animals and canine dogs accompanied by their assigned law enforcement officer/handler, shall be permitted into the Courthouse.

6. **Photography, Cameras, Audio or Video Recordings**

Unless specifically authorized by a Judge, no photographs, audio recordings, video recordings or any electronic transmissions of voice or images shall be made in the courtrooms, witness rooms, jury rooms, or in any of the public areas of the Courthouse. Law enforcement officers in the performance of their duties may photograph, audio or video record in any area of the court complex, except for the courtroom. The playing of audio transmissions or the use of headphones, earbuds or other similar devices shall be prohibited in the public areas of the courthouse and in the courtrooms. Court reporters shall be permitted to bring audio recording equipment into the Courthouse and use these devices while serving as a court reporter for assigned cases.

7. **Electronic Devices**

Electronic devices that are capable of photography, video recording, audio recording or electronic transmission of voice or images may be brought into the Courthouse by the following individuals, with proper credentials, following an inspection and screening by a court security officer:

- a. Active members of the Virginia State Bar who display a valid bar card,
- b. Active members of a state bar appearing *pro hac vice*, displaying a valid bar card, and accompanied by an active member of the Virginia State Bar,
- c. Sworn law enforcement officers while on duty,
- d. Court reporters for pending cases,
- e. Language interpreters for pending cases,
- f. Fauquier County employees and employees of the Commonwealth of Virginia and whose office, place of employment, or assigned duties are within the Courthouse.

Only electronic devices owned by the individual authorized under this Order, or such electronic devices assigned to them by their employer, may be brought into the Courthouse. An authorized individual may not bring someone else's electronic device into the Courthouse.

Electronic devices that are not capable of photography, video recording, audio recording or electronic transmission of voice or images may be brought into the Courthouse following an inspection and screening by a court security officer. Prior to entering a Courtroom, all electronic devices shall be powered off or silenced, and not used for any purpose except as provided in Paragraph 8 or specifically authorized by a presiding judge. A failure to comply may result in seizure and temporary forfeiture of such electronic device.

8. **Electronic Devices in the Courtroom**

Permitted Uses: Sworn court reporters designated for pending cases may record the proceedings in order to create an accurate record. Once a specific case is called for a hearing, the attorneys appearing in that case, and their staff, shall be

allowed to use their electronic devices solely for access to legal research and case files, their professional calendars, and any other software necessary to facilitate the hearing or the presentation of evidence.

Prohibited Uses: Unless permitted above, or unless specifically authorized by a presiding judge, no electronic device may be used while in the courtroom as a telephone, for entertainment, for reading, for texting, for email, for social media or any other form of communication, photography, audio recording or video recording. A violation may result in the electronic device being temporarily confiscated by a courtroom security officer.

9. **Courtroom Decorum**

Proper attire (determined in the discretion of the presiding judge) shall be worn in the courtroom. Hats and sunglasses shall be removed prior to entering the courtroom. “Hats” do not include headwear worn for medical, religious or cultural purposes. After entering the courtroom, all persons should remain seated while court is in session. Silence is required while court is in session. The reading of newspapers, magazines or other printed material by individuals in the public seating area of the courtroom is prohibited. Any behavior that tends to distract the litigants or the Court may be cause for dismissal from the courtroom. No food, beverages or the chewing of gum shall be permitted in the courtroom. Attorneys and parties to a case may have water in plastic bottles, or other containers deemed acceptable by court security, at counsel table during a hearing. No food or beverages should otherwise be consumed in the courtroom unless expressly authorized by a presiding judge.

10. **Failure to Comply**

Failure to comply with the provisions of this Order may result in the loss of privileges, seizure and forfeiture of electronic devices and/or contempt.

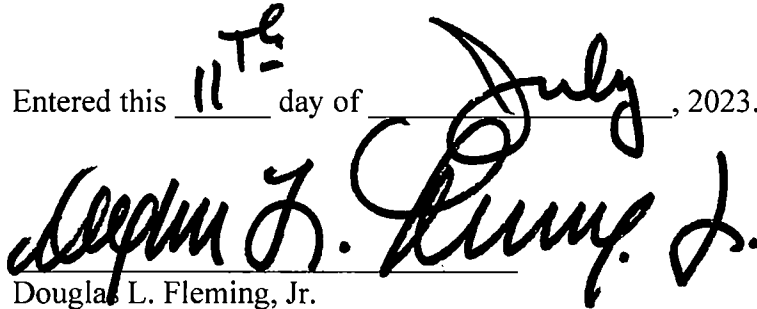
11. **Copies to be Posted**

Copies of this Order shall be posted at the entrances of the Courthouse, outside the entrances to the Courtrooms, and in the Circuit Court Clerk’s Office.

12. **Prior Orders**

This Order supersedes any prior Orders of this Court with respect to such matters. Should this Order conflict with any Local Rules previously adopted by this Court, this Order shall control.

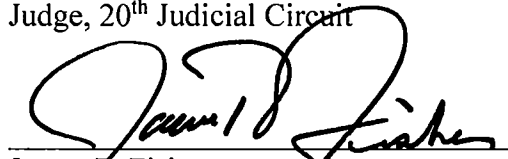
Entered this 11th day of July, 2023.



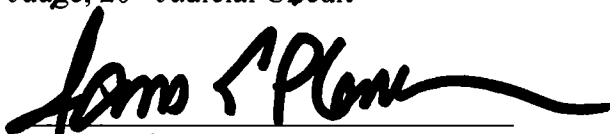
Douglas L. Fleming, Jr.
Chief Judge, 20th Judicial Circuit



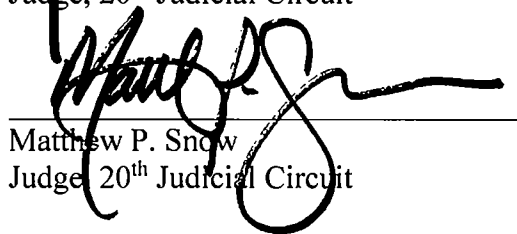
Stephen E. Sincavage
Judge, 20th Judicial Circuit



James P. Fisher
Judge, 20th Judicial Circuit



James E. Plowman, Jr.
Judge, 20th Judicial Circuit



Matthew P. Snow
Judge, 20th Judicial Circuit