



# *ELECTRONIC DEVICES/CELL PHONES IN THE COURTROOM*

## TITLE 231. RULES OF CIVIL PROCEDURE

### ***Rule 220.1. Preliminary Instructions to Prospective and Selected Jurors.***

(a) For purposes of this rule, "prospective jurors" means those persons who have been chosen to be part of the panel from which the trial jurors and alternate jurors will be selected. "Selected jurors" means those members of the panel who have been selected to serve as trial jurors or alternate jurors. "Jury service" means service as (1) members of the jury array, (2) prospective jurors, and (3) selected jurors.

(b) Persons reporting for jury service, upon their arrival for this service, shall be instructed in their duties.

(c) At a minimum, the persons reporting for jury service shall be instructed that until their service as prospective or selected jurors is concluded, they shall not:

- (1) discuss any case in which they have been chosen as prospective jurors or selected jurors with others, including other jurors, except as otherwise authorized by the court;
- (2) read or listen to any news reports about any such case;
- (3) use a computer, cellular telephone, or other electronic device with communication capabilities while in attendance at trial or during deliberation. These devices may be used during breaks or recesses but may not be used to obtain or disclose information prohibited in subdivision (c)(4);
- (4) use a computer, cellular telephone, or other electronic device with communication capabilities, or any other method, to obtain or disclose information about any case in which they have been chosen as prospective or selected jurors. Information about the case includes, but is not limited to, the following:

- (i) information about a party, witness, attorney, judge, or court officer;
- (ii) news reports of the case;
- (iii) information collected through juror research using such devices about the facts of the case;
- (iv) information collected through juror research using such devices on any topics raised or testimony offered by any witness;
- (v) information collected through juror research using such devices on any other topic the juror might think would be helpful in deciding the case.

(d) These instructions shall be repeated:

- (1) to the prospective jurors at the beginning of voir dire;
- (2) to the selected jurors at the commencement of the trial;
- (3) to the selected jurors prior to deliberations; and
- (4) to the selected jurors during trial as the trial judge deems appropriate.

(e) Jurors shall be instructed that it is their obligation immediately to inform the court of any violation of this rule.



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***Rule 220.2. Sanctions for Violation of Rule 220.1.***

Any individual who violates the provisions of Rule 220.1 regarding the use of electronic devices by jurors or who violates any limitation imposed by local rule or by the trial judge regarding the prohibited use of electronic devices during court proceedings:

(a) may be found in contempt of court and sanctioned in accordance with 42 Pa.C.S. § 4132 et seq., and

(b) may be subject to sanctions deemed appropriate by the trial judge, including, but not limited to, the confiscation of the electronic device that is used in violation of this rule.