

**STATE OF MAINE**  
**SUPREME JUDICIAL COURT**  
ADMINISTRATIVE ORDER JB-20-01

POSSESSION AND USE OF ELECTRONIC DEVICES  
BY JURORS AND PROSPECTIVE JURORS

Effective: January 30, 2020

“Electronic device” means any wireless communication device capable of providing internet access, recording sound or images, or transmitting sound or images. This includes, but is not limited to, cellular phones, smart phones, laptop computers, tablets, and smart watches.

Use of electronic devices during jury service can affect the fairness and integrity of court proceedings by causing disruptions and compromising confidentiality. In order to protect the confidentiality and fairness of jury trials and the grand jury process, the Supreme Judicial Court adopts this Order to regulate the possession and use of electronic devices by jurors and by prospective jurors. Prospective trial jurors may use electronic devices in assembly or waiting areas when jury selection processes or courtroom proceedings are not occurring. Grand jurors may use electronic devices only during breaks and only outside of the grand jury hearing room.

The following rules apply when jury selection proceedings, grand jury proceedings, or jury trials are taking place.

- 1. Grand Jury.** No person serving on the grand jury may possess or use any electronic device while in a grand jury room. In order to ensure that this rule is followed, all persons serving on a grand jury must temporarily surrender their electronic devices when entering the grand jury room.
- 2. Trial Jury.**
  - A. *Jury Selection.* During trial jury selection, any electronic device in any prospective juror’s possession must be turned off.
  - B. *Trial Jury Service.* No juror may possess or use any electronic device during trial, including during any site view, or while in a

jury deliberation room. In order to ensure that this rule is followed, all trial jurors must temporarily surrender their electronic devices while serving in courtrooms and while deliberating.

- 3. Exceptions for Health or Safety.** If necessary for health or safety reasons, a judge may grant an exception to this Order as an accommodation to any person serving on a grand jury, to a trial juror, or to a prospective juror.
- 4. Storage.** All surrendered electronic devices will be stored in a manner that provides assurance that they will be secure and that they will not be activated or viewed by anyone, including those responsible for the storage.
- 5. Judicial Authority.** This Order does not restrict judicial authority to manage the trial or grand jury process. If a judge determines that additional or alternative measures are necessary in order to protect the confidentiality and fairness of jury trials or the grand jury process, the judge may order such measures.
- 6. Notification.** Prospective jurors and jurors will be notified of this Order as part of the juror notification process and at juror orientation. The Order will also be posted in jury assembly rooms, deliberation rooms, and grand jury rooms.

For the Court,

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Leigh I. Saufley  
Chief Justice

Promulgation Date: January 30, 2020