

Judge Leads by Example on Cell Phone Use in Courtroom

by Donald Scarinci

Whether its catchy tune distracts the jury or mortifies the lawyer to whom it belongs, a ringing cell phone can quickly distract people in a court proceeding. As cell phones, text messages and e-mail with notification ring tones become more common in society so have the regulations about their use, especially in the courtroom.

In addition to the potential for distraction, judges have raised concerns about people in the courtroom using their cellphones to photograph witnesses, judges, and jurors. In high profile cases, judges have also caught people live streaming closed courtroom proceedings to media outlets.

In response, some courts have implemented [courthouse cell phone policies](#) that require people to check their cell phones at the door. However, the large majority simply request that people refrain from using the devices while court is in session.

Unfortunately, remembering to turn off or silence your cell phone is easier said than done. In a widely publicized case, a Michigan judge recently turned an embarrassing situation into a teachable moment. As detailed by [MLive.com](#), Chief Ionia District Judge Raymond Voet's cell phone rang during a prosecutor's closing argument in a domestic violence trial. He quickly realized he was the culprit, but had trouble turning the new cell phone off. "I got very embarrassed and I'm sure my face turned red," Voet told the newspaper. "I thought it would never happen to me."

The judge has a strict no cell phone policy in his courtroom, with violators subject to confiscation of the device and a \$25 fine. Showing that judges are not above the law, Voet held himself in contempt of court and walked downstairs to pay the \$25 fine after the hearing adjourned.

"Judges are humans. They're not above the rules. I broke the rule and I have to live by it," Voet said.

As this post highlights, there is a careful balance between staying connected and preserving the sanctity of court proceedings. For those unwilling to relinquish their cell phones, it's a good idea to check that "off" button one more time.

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