

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

In The Matter of:

PORTABLE ELECTRONIC
DEVICES

General Order Number 11

General Order Regarding Possession
and Operation of Portable Electronic
Devices at Dayton Court Location

This Order, applicable to the Bankruptcy Court for the Southern District of Ohio at Dayton (the "Dayton Location"), supplements General Order Number 10, effective August 3, 2009, with respect to the possession and use of portable electronic devices, including wireless telephones and pagers, at the Dayton Location. This Order shall be effective concurrently with General Order Number 10.

General Order Number 10 provides that wireless telephones, pagers, and other portable electronic devices (collectively "PEDs") belonging to licensed attorneys are permitted in the various locations of the United States Bankruptcy Court for the Southern District of Ohio (the "Locations"), including the Dayton Location.

General Order Number 10 provides in relevant part:

Cellular phones and pagers or other portable electronic devices belonging to licensed attorneys are permitted in the Locations. United States Marshals Service Court Security Officers may, however, temporarily confiscate cellular phones and pagers if they are unsure or unable to determine from presented credentials whether persons are licensed attorneys. All such devices shall be set in a mode to emit no audible signals while in any of the courtrooms, and they may not be utilized as cameras or recording devices while in any of the Locations. It is the responsibility of members of the bar to ensure that cellular phones and pagers do not interfere with court proceedings and/or professional decorum. Any Judge may revoke this privilege and/or temporarily confiscate such devices in the event these restrictions are not followed in fact or spirit. Nothing herein prevents any Judge from

FILED

JUL 20 2009

Kenneth Jordan
Clerk of Court
U. S. Bankruptcy Court

imposing different or more restrictive rules governing cellular phones and pagers in a particular Location.

General Order Number 10, p. 3, Section C, ¶ 2. It has been the court's experience that noise emanating from PEDs and other unauthorized use of PEDs are disruptive to court proceedings and negatively impact the professional decorum of court proceedings. Based on the foregoing, this order sets forth restrictions, responsibilities, and limitations on the possession and use of PEDs by licensed attorneys inside the courtrooms at the Dayton Location in addition to those included in General Order Number 10 applicable to all Locations.

It is the responsibility of licensed attorneys who bring PEDs into the courtrooms at the Dayton Location to ensure that all such devices are completely **TURNED OFF (not set on vibrate mode)**, unless otherwise specifically authorized by the Court. In the event of a disturbance or interference with any court hearing, trial, conference, or other proceeding caused by the failure to adhere to these restrictions, responsibilities, and limitations or those of General Order No. 10, the court may impose sanctions upon the attorney who brought the PED into the courtroom pursuant to 11 U.S.C. § 105(a) for contempt of court, this order, or General Order No. 10. The sanctions may consist of: the confiscating of the PED, with the return of the PED to the attorney conditioned upon the attorney's payment of a fine to the Clerk of Court of up to \$100 and/or the loss of the privilege of being able to bring PEDs into the Dayton Location.

IT IS SO ORDERED

Dated: July 20, 2009

FOR THE COURT:



HONORABLE CHARLES M. CALDWELL
CHIEF JUDGE, UNITED STATES BANKRUPTCY
COURT FOR THE SOUTHERN DISTRICT OF OHIO



HONORABLE LAWRENCE S. WALTER
JUDGE, UNITED STATES BANKRUPTCY
COURT FOR THE SOUTHERN DISTRICT OF OHIO



HONORABLE GUY R. HUMPHREY
JUDGE, UNITED STATES BANKRUPTCY
COURT FOR THE SOUTHERN DISTRICT OF OHIO