

FILED

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

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U.S. BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE:

USE OF ELECTRONIC DEVICES IN  
THE UNITED STATES BANKRUPTCY  
COURT FOR THE DISTRICT OF  
SOUTH CAROLINA

ADMINISTRATIVE  
ORDER<sup>1</sup>

Effective October 1, 2007, the following policy will govern the possession and use of electronic devices in the United States Bankruptcy Court for the District of South Carolina.

**PROHIBITED ITEMS**

The following items may **not** be brought into the courthouse locations at this time: pagers, tape recorders, cameras, or other devices as set forth in SC LBR 5073-1, except as provided herein. If such items are brought to the courthouse, they must be left with security upon entering the courthouse locations and will be subject to screening. The Court and the Marshal's Office assume no responsibility for items left with security.

**RESTRICTED ITEMS**

**A. Laptop Computers**

A wireless network has been installed for use by attorneys or authorized litigants. The wireless network is to be used only for legitimate business purposes. A login and password are required for access and are provided to attorneys upon registration. Registrants will be notified by e-mail of changes to the password. Laptop computers are allowed in the courthouse locations under the following terms and conditions:

(1) Laptop computers may be brought into the courthouse locations by an attorney (or support staff accompanying the attorney). Litigants or witnesses may bring laptop computers into the courthouse only in connection with a hearing or trial and **only with the prior authorization of the presiding judge**. All laptops are subject to security screening.

(2) Laptop computers must be registered with the Court. Registration with the Court is accomplished by the execution of the agreement attached as Exhibit A.

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<sup>1</sup> This Order shall replace the Administrative Order on this subject entered on January 3, 2007.

(3) All laptop computers must be programmed or rendered to be inaudible upon entering a courtroom or areas adjacent to a courtroom or judicial chambers. Laptop computers emitting any audible sounds may be confiscated.

(4) Any authorized registrant bringing a laptop computer into the United States Bankruptcy Court shall use the laptop computer only for purposes of evidence presentation, research, e-mailing, and note taking. Under no circumstances may a laptop computer be used to conduct broadcasting, televising, recording, or photographing in any courthouse location. Violation of this policy will subject the offender to confiscation of the laptop computer and possible contempt sanctions.

(5) Use is permitted only to the extent that it does not interfere with judicial proceedings or the ability of the public to observe proceedings. A presiding judge may order the discontinuance of the use of such computers at any time.

**B. Cell Phones, Personal Digital Assistants (“PDAs”), and Wireless E-mail Devices**

(1) Cell phones, PDAs and wireless e-mail devices such as the Blackberry or Treo (collectively, “Approved Electronic Devices”) may be brought by an attorney **into the Columbia and Charleston courthouse locations only.**<sup>2</sup> Litigants or witnesses may bring Approved Electronic Devices into the courthouse locations **only with the prior authorization of the presiding judge.** All Approved Electronic Devices are subject to security screening.

(2) Approved Electronic Devices must be rendered inaudible upon entering the courthouse locations. Approved Electronic Devices emitting any audible sounds may be confiscated. Unless authorized by the presiding judge, no phone calls are to be made or received inside the courtroom or in the areas immediately adjacent to the courtroom.

(3) Any attorney who brings an Approved Electronic Devices into the United States Bankruptcy Court shall use such device only for communication and scheduling in connection with a matter pending before the Court and other legitimate business purposes. Under no circumstances may an Approved Electronic Device be used to conduct broadcasting, televising, recording, or photographing in any courthouse location. Violation of this policy will subject the offender to confiscation of the Approved Electronic Device and possible contempt sanctions.

(4) Use of Approved Electronic Devices is permitted only to the extent that it does not interfere with judicial proceedings or the ability of the public to observe proceedings. A presiding judge may order the discontinuance of the use or confiscation of such devices at any time.

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<sup>2</sup> The Bankruptcy Court shares the Spartanburg courthouse with the U.S. District Court, and the U.S. District Court policy is to not allow cell phones and personal digital assistants (“PDAs”) at this time.

**APPLICATION OF POLICY**

Unless otherwise specified herein, the policy regarding the use of electronic devices applies to all proceedings conducted in the courthouse locations of the United States Bankruptcy Court for the District of South Carolina, including meetings of creditors conducted in those locations pursuant to 11 U.S.C. § 341. In the context of § 341 meetings, the United States Trustee or presiding trustee may, in the event of disruption or interference with the meetings, require the muting or discontinuance of the use of a laptop computer or Approved Electronic Device.

AND IT IS SO ORDERED.

  
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JOHN E. WAITES  
Chief Judge, United States Bankruptcy Court

Columbia, South Carolina,  
September 11, 2007.

**COMPUTER USE AGREEMENT**

Attorney Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

District Court I.D.: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Laptop Computer:

    Make/Manufacture: \_\_\_\_\_

    Model No.: \_\_\_\_\_

I agree that if permission is granted to me to use the above-described laptop computer in the United States Bankruptcy Court, District of South Carolina, I will, upon entry into the courthouse location, mute or disable sound on any laptop computer and will not use, or allow the use of such laptop except in accordance with the order of the Court. I further agree to permit security screening of the laptop and agree to not allow anyone, other than support staff, to use or attempt to use the laptop. Any telephone, recording, photographing, or broadcast capability of the laptop will be deactivated before entering the courthouse locations. I understand that any violation of this agreement, whether intentional or innocent, may result in the loss of my privileges to bring the laptop into the courthouse locations and may result in the denial of any future permission to do so, may result in confiscation of the device and may subject me to sanctions. I acknowledge that I have read and understand the ADMINISTRATIVE ORDER RE: USE OF ELECTRONIC DEVICES IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF SOUTH CAROLINA (the "Administrative Order").

I agree to maintain and update virus protection software and update my operating system with any necessary patches. I further acknowledge that I am responsible for taking privacy and security precautions, and that the Court encourages the use of virtual private networks, encryption and personal firewalls.

I understand and agree that the United States Bankruptcy Court, the United States Deputy Marshals and the Court Security Officers may enforce this Agreement, the Administrative Order and any other applicable rules and orders of the Court governing use of the laptop and may confiscate the laptop if they believe there has been a violation of this Agreement, any rules and orders of the court, or breach of or threat to security.

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Date

Attorney Signature