

## **1.6 Public Security and Conduct in Courthouse and Courtroom.**

- (a) **General Conduct.** No person may loiter, sleep, or act in an abusive or disorderly manner.
- (b) **Entering and Leaving Building, Courtroom, or Corridor.** Persons must enter or leave the building, courtroom, or building corridor only through doorways designated by court security officers. Persons may be required to show court security officers a valid photo ID to enter the courthouse.
- (c) **Weapons and Destructive Devices.** No person, except federal, state, county, and city law enforcement officers and federal probation and pretrial services officers authorized to carry weapons in performing their duties, may possess or cause to be brought into a courthouse any weapon, destructive device, or related component. The marshal may prohibit or otherwise regulate firearm possession by other law enforcement officers and federal probation and pretrial services officers within a courthouse. Except for law enforcement officers and federal probation and pretrial services officers with specific, prior authorization from the marshal to possess or carry a weapon in the courthouse, all persons, including attorneys, are subject to (1) a search of their persons and possessions for any weapon, destructive device, or related component, and (2) a security officer's determination that persons do not possess any weapon, destructive device or related component, as a condition to enter the courthouse.
- (d) **Food and Tobacco.** No person may eat food or use tobacco in a courtroom.
- (e) **Cellular Telephones.**

  - (1) **No Audible Signals in Courtroom.** Cell phones must be turned off or silenced before entering a courtroom.
  - (2) **Use Prohibited.** No person may use a cell phone in a courtroom during a judicial proceeding without the presiding judge's permission.
- (f) **Cameras and Other Image/Video Devices.**

  - (1) **Use Prohibited.** No person may photograph, videorecord, televise, or cause to be photographed, videorecorded, or televised, any person or thing in a courtroom, jury room, building corridor on the floor on which a courtroom or jury room is located, or judge's chambers. The term "televise" includes Internet broadcasting.

(2) **Placement Prohibited.** No person may place or cause to be placed any photographic, video, television, or other electronic equipment at any location from which it is capable of photographing, video recording, or televising any person or thing in a courtroom, jury room, building corridor on the floor on which a courtroom or jury room is located, or judge's chambers. Court security officers may prohibit related equipment from being brought into the courthouse.

(3) **Camera Cell Phones.** Only federal employees with agency identification, attorneys with bar cards, and jurors with summonses may bring camera cell phones into a courthouse. Other visitors must leave their camera cell phones outside the courthouse or with the court security officers at the security screening station.

Cell phones allowed in a courthouse may not be used to photograph, record, televise, or otherwise send images or sounds of any person or thing in a courtroom, jury room, building corridor on the floor on which a courtroom or jury room is located, or judge's chambers.

(g) **Sound Recording and Broadcasting Devices.**

(1) **Use Prohibited.** No person may record or broadcast or cause to be recorded or broadcast any sounds of proceedings or take any recording or broadcasting equipment into a courtroom, a jury room, or a judge's chambers. The term "broadcast" includes Internet broadcasting.

(2) **Placement Prohibited.** No person may place or cause to be placed any sound recording or broadcasting device at any location from which the device could record or broadcast sounds of proceedings in a courtroom, jury room, or judge's chambers. Court security officers may prohibit equipment from being brought into the courthouse.

(3) **Exemptions.** This subparagraph (g) does not apply when:

- (i) the presiding judge authorizes electronic means to present evidence or perpetuate a record;
- (ii) the presiding judge authorizes courtroom audio to be transmitted to the judge's chambers; or
- (iii) the presiding judge of a ceremonial proceeding approves the use of specifically identified devices for the sound recording or

broadcasting of the proceeding.

- (h) **Exception for Digital Video Recording Pilot.** There is a limited exception to the ban on recording and publication of district court proceedings as set forth in this rule for district judges participating in a pilot program established by the Judicial Conference of the United States in September 2010 (JCUS-SEP 10, pp. 3-4) to evaluate the effect of cameras in district court courtrooms, of video recordings of proceedings therein, and of publication of such video recordings. Any recording and publication conducted pursuant to the pilot program must comply with the program guidelines issued by the Judicial Conference Committee on Court Administration and Case Management, pursuant to the pilot program (available at [www.uscourts.gov](http://www.uscourts.gov)).
- (i) **Laptops.** Laptops may be brought into a courthouse. Laptops allowed in a courthouse may not be used to photograph, record, televise, broadcast, or otherwise send images or sounds of any person or thing in a courtroom, jury room, building corridor on the floor on which a courtroom or jury room is located, or judge's chambers. Individuals using laptops may not disrupt judicial proceedings.
- (j) **Spectator and News Media Seating.** On days of judicial proceedings, a security officer may reserve for members of the news media and spectators designated areas in the courtrooms for seating, and all persons must abide by the designation. The term "news media" includes sketch artists. Sketch artists may attend judicial proceedings unless the presiding judge restricts their attendance. Seating not designated for the media is available to spectators on a first-come, first-served basis. When all regular spectator seats except those reserved for the news media are filled, only seated persons may remain as spectators. No seats are reserved for spectators or members of the media leaving the courtroom after having been admitted. Only court personnel, attorneys of record, and other persons specifically authorized by the court may be in the well of the courtroom. A pass system may be instituted by which some spectator seats in the courtroom may be equitably allocated to persons receiving passes from the court and the parties. If a pass system is instituted, those spectator seats not covered by passes from the court or the parties are available to spectators on a first-come, first-served basis.
- (k) **Enforcement.** The marshal and other United States security personnel authorized by law or deputized must enforce Nebraska General Rule 1.6(a)-(j) and take violators into custody and promptly bring a violator before a judge. The marshal and other United States security personnel may also seize equipment from violators.

- (l) **Exemption From or Interpretation of This Rule.** A person seeking an exemption from or interpretation of Nebraska General Rule 1.6(a)-(k) should present a request to the officer in charge of security, who may present it to a judge.
- (m) **Attorney Courtroom Decorum.**
  - (1) **Addressing the Court.** Attorneys must stand when addressing or being addressed by the court. When objecting, attorneys need not stand unless directed by the court. In courtrooms in which digital recording is used to make the record, attorneys must sit when addressing or being addressed by the court so that microphones on the counsel tables can record their voices.
  - (2) **Examination of Witnesses.** Unless necessary to approach a witness or an exhibit, attorneys must examine witnesses from the counsel table or lectern. When examining witnesses from a lectern, an attorney must stand close to the lectern and with the lectern between the attorney and the witness. When examining witnesses from the counsel table, attorneys must sit or stand immediately next to the counsel table.
  - (3) **Movement in the Courtroom.** Except to make an opening statement or closing argument, an attorney must not approach opposing counsel, the bench, a witness, the court reporter, courtroom deputy, the law clerk, or otherwise move from the counsel table or lectern without the court's permission. If an attorney must move often during a trial, upon request the court may grant continuing leave to make specified approaches.
  - (4) **Colloquy Between Attorneys.** Attorneys may not audibly or inaudibly communicate with each other without the court's permission.
  - (5) **Leaving the Courtroom.** Attorneys, including cocounsel, must have the court's permission to leave the courtroom. Cocounsel may have continuing permission to leave the courtroom at any time, although no attorney should leave during the testimony of a witness whom that attorney has examined.
  - (6) **Referring to and Addressing Witnesses and Parties.** Witnesses and parties must be referred to and addressed by their surnames, unless the court grants leave to do otherwise.