UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA

IN RE: PROTOCOL WITHIN THE UNITED STATES FEDERAL BUILDINGS AND U.S. COURTHOUSES	)))	STANDING ORDER

This order applies to the United States courthouses at Aberdeen, Pierre, Rapid City, and Sioux Falls, and any court function located in a facility other than a United States courthouse, until further order of this court.

IT IS HEREBY ORDERED that the following rules shall apply in any United States courthouse or other court facility (on site or off site) in the District of South Dakota:

1. GENERAL CONDUCT. No person shall loiter, sleep, or conduct himself or herself in an abusive or disorderly manner. Any person entering the courthouse under the influence of intoxicating liquor or drugs shall be detained until the U.S. Marshals Service is notified for proper disposition.

2. ELECTRONIC SEARCH. Any person entering a court facility shall be deemed to have consented to an electronic search of the person by a security officer and to a search of any bag or container in the possession of the person. In the discretion of the presiding judge, identifiable residents of the courthouse, officers of the court, and individuals having proof of a medical condition that precludes electronic search, *e.g.*, certain pacemakers, may be excluded from electronic search upon entry. However, a security officer may require the search of a building resident if the officer believes that the building resident possesses a weapon, destructive device, or component. Any person refusing to submit to search shall be denied entry into the court facility.

3. MAIL. All mail and packages received at a United States courthouse shall be electronically searched for the presence of weapons, destructive devices, or components.

4. RECORDING AND CELLULAR DEVICES. Except by permission of the presiding judge, no person shall photograph, videotape, televise, broadcast, or record or cause to be photographed, videotaped, televised, broadcast, or recorded any courtroom proceeding, including proceedings of the grand jury. No person shall take any photographic, videotape, television, or sound

recording equipment into (1) any courtroom except upon the express permission of the presiding judge, or (2) any jury room, or (3) any corridor on the floor on which a courtroom or jury room is located. This paragraph does not apply to (1) the official court reporter who may use a voice-recording device in connection with his or her official duties, or (2) the use of electronic means for the presentation of evidence or the perpetuation of the record as authorized by the presiding judge.

Cellular phones and portable devices that contain cellular phones will be permitted in all courthouses in the United States District Court for South Dakota. Cellular devices must be turned off or in silent mode when taken into courtrooms. Individuals who take such devices into courtrooms may be asked by court security personnel to demonstrate that the device is either turned off or in silent mode. Use of any camera feature inside the courthouse is prohibited unless specifically authorized.

News media personnel who possess recording devices shall be allowed entry into a court facility, provided the news media personnel are escorted through the building by a representative of the tenant agency being visited. If no tenant representative is available, entry with the recording devices shall be denied. In courthouses where jury and grand jury facilities are located contiguous to public access corridors, news media personnel will not be allowed to possess recording devices on the floors housing the jury and grand jury facilities during jury deliberations or grand jury sessions.

Photographic, videotape, television, and sound recording devices will be permitted in courtrooms and in adjacent corridors to naturalization ceremonies, investitures, attorney admissions, and other ceremonial functions unless specifically prohibited by the presiding judge.

5. SEATING OF SPECTATORS AND NEWS MEDIA. On days of judicial proceedings, the officer in charge of security may reserve for members of the news media and spectators designated areas for seating in the courtrooms, and all persons shall abide by such designation. Spectator seats not designated for the news media shall be available to spectators on a first-come, first-served basis. Only court personnel, attorneys of record, litigants, security personnel, and other persons specifically authorized by the presiding judge shall be permitted in the well of the courtroom.

6. JURORS. No person, except court personnel, shall talk or attempt to talk to members of the jury panel during their term of service.

7. PHOTOGRAPHING GRAND AND PETIT JURORS AND GRAND JURY WITNESSES. In order to protect the integrity and independence of grand and petit jurors, no person shall photograph or attempt to photograph any grand juror, petit juror, or grand jury witness without the express approval of such individual juror or witness or the express approval of the presiding judge. No one shall photograph or otherwise record the motor vehicle or motor vehicle license of any such juror. Leaflets or other juror information pamphlets shall not be given to a juror or placed in any place where the juror might reasonably be expected to obtain the printed matter. Such action may constitute an unlawful attempt to influence, intimidate, or impede a juror or witness, in violation of 18 U.S.C. § 1503 and 18 U.S.C. § 1510.

8. FOOD, DRINK, AND TOBACCO. No person shall consume any beverage other than water, eat any food, or use any tobacco or tobacco product in a courtroom at any time.

9. ENFORCEMENT. The United States Marshal and his deputies and court security officers are to enforce this order and in appropriate cases take any violator into custody and promptly bring the alleged violator before the presiding judge or magistrate judge. In instances where the violator was not taken into custody, the alleged violator shall be brought promptly before the presiding judge or magistrate judge.

10. CHANGE OR INTERPRETATION OF THIS ORDER. Any person seeking a change in or interpretation of this order shall present his or her request to the United States Marshal or his designee, who may present it, if necessary, to the presiding judge.

Dated January 6, 2014.

BY THE COURT:

JEFFREY L. VIKEN
CHIEF JUDGE