



U.S. Department of Justice

Executive Office for Immigration Review

Office of the Chief Immigration Judge

Chief Immigration Judge

5107 Leesburg Pike, Suite 2500
Falls Church, Virginia 22041

February 3, 2004

MEMORANDUM

TO: All Immigration Judges
All Court Administrators
All Judicial Law Clerks
All Immigration Court Staff

FROM: The Office of the Chief Immigration Judge

SUBJECT: Operating Policies and Procedures Memorandum 04-01:
Electronic Devices in the Courtroom

I. Introduction

This Operating Policy and Procedures Memorandum (OPPM) provides guidance on the Immigration Court's policy regarding the presence of electronic devices in the courtroom.

II. Recording Devices

The only recording equipment permitted to record proceedings will be the equipment used by the Immigration Judge. No other photographic, video, electronic, or similar recording device will be permitted to record any part of the proceeding. 8 C.F.R. § 1003.28.

III. Possession of Electronic Devices During Hearings

Subject to paragraph IV, all persons, including parties and members of the press, are permitted to keep in their possession laptop computers, wireless telephones, electronic calendars, and other electronic devices commonly used to conduct business activities, including electronic devices which have collateral recording capability, provided they are turned off or made silent.

IV. Use of Electronic Devices During Hearings

In any proceeding before an Immigration Judge, parties and members of the press may use, in silent mode, laptop computers, wireless telephones, electronic calendars, and other electronic devices commonly used to conduct business activities, provided such use does not disrupt the proceedings. By way of illustration, the making or receiving of a call on a wireless telephone in a

courtroom while proceedings are being conducted is considered disruptive. *No device may be used to circumvent paragraph II, prohibiting the recording of any part of the proceeding.*

V. Courtrooms Administered Under Agreement Between EOIR and Other Authorities

In any Immigration Courtroom or detention facility administered under agreement between EOIR and other federal, state, and local authorities, the local rules or regulations regarding the possession and use of recording equipment or other electronic devices in that facility shall apply.

A handwritten signature in black ink, reading "Michael J. Creppy". The signature is written in a cursive style and is positioned above a horizontal line.

Michael J. Creppy
Chief Immigration Judge