

**POLICY STATEMENT REGARDING THE USE OF
PORTABLE ELECTRONIC DEVICES AND
MEDIA REQUESTS WITHIN THE
APPELLATE DIVISION,
THIRD DEPARTMENT FACILITY**

As a convenience to counsel, members of the press and the public as a whole, the Appellate Division, Third Department generally permits the use of portable electronic devices – such as cellular telephones, laptop and tablet computers, personal digital assistants and similar devices – within the Court's facility.

However, no person may use any audio-visual recording equipment, including, but not limited to, portable electronic devices, for photographs or audio or video recording, transmission or broadcasting within the Court's facility without the prior express consent of the Presiding Justice, the Associate Justice then-presiding or the Clerk of the Court (*see* Rules of Chief Judge [22 NYCRR] § 29.2). Such request shall be made through the Unified Court System's [audio Visual Application, which can be found here](#):

Images and video recordings of the Court's Justices on the Court's website or otherwise may not be used to advance private interests or in furtherance of any commercial purpose (see Advisory Committee on Judicial Ethics Op. 20-158; see generally 22 NYCRR 100.2 [C]; 100.4 [D] [3]).

Moreover, under no circumstances may a portable electronic device be used to make or receive telephone calls within the Appellate Division, Third Department courtroom, and all other uses of portable electronic devices within the courtroom must be completely inaudible. Finally, any use of a portable electronic device within the Court's facility is subject to the authority of the Presiding Justice, the Associate Justice then-presiding, the Clerk of the Court and/or the Chief Court Officer to prohibit activity that may be disruptive or distracting to Court operations, or that may otherwise be contrary to the administration of justice.

Revised: February 15, 2023