

The Supreme Court of South Carolina

Re: Juror use of Personal Communication Devices

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ORDER

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The use of personal communication devices has continued to increase dramatically. Accordingly, I find it necessary to supplement my order of August 25, 2000, related to the use of pagers, cell phones, and other personal communication devices in courtrooms, to include the following direction to the court.

The court shall instruct jurors selected to serve on a jury that until their jury service is concluded, they shall not:

- (a) discuss the case with others, including other jurors, except as otherwise authorized by the court;
- (b) read or listen to any news reports about the case;
- (c) use a computer, cellular phone, or other electronic device with communication capabilities while in attendance at trial or during deliberation. These devices may be used during lunch breaks, but may not be used to obtain or disclose information prohibited in subsection (d) below;
- (d) use a computer, cellular phone, or other electronic device with communication capabilities, or any other method, to obtain or disclose information about the case when they are not in court. Information about the case includes, but is not limited to the following:
  - (i) information about a party, witness, attorney, or court officer;
  - (ii) news accounts of the case;
  - (iii) information collected through juror research on any topics raised or testimony offered by any witness;
  - (iv) information collected through juror research on any other topic the juror might think would be helpful in deciding the case.

Notice of the contents of this Order shall be given to jurors.

IT IS SO ORDERED.

s/Jean Hoefler Toal  
Chief Justice

Columbia, South Carolina  
July 20, 2009