

**STATE OF COLORADO, COUNTY OF EL PASO
CITY OF MANITOU SPRINGS MUNICIPAL COURT**
606 Manitou Avenue
Manitou Springs, CO 80829
(719) 685-2544

DECORUM ORDER

Pursuant to the Court's inherent power to provide for the orderly operation and conduct of the Municipal Court and to maintain the order and decorum indispensable to judicial proceedings, the Court hereby issues this Decorum Order, which is effective until further order of this Court.

The Court recognizes the fundamental right to a public trial. The media and members of the public, parties, and their legal representatives and agents shall, at all times, be subject to this Decorum Order to the extent it is not inconsistent with any other specific Court Order. This Order applies to all proceedings before this Court. The term "proceeding" means any appearance, arraignment, hearing, trial, or any other matter held in open Court that the public is entitled to attend.

This Decorum Order addresses the following:

1. Matters of Civility and Courtesy
2. Dangerous and Illegal Weapons
3. Electronic Devices
 - Use of Electronic Devices in the Courtroom
 - Use of Electronic Devices Outside the Courtroom
 - Media Coverage
4. Violations

All persons who enter the City Hall building or the Courtroom to cover or attend any Court proceeding must read and comply with this Order.

MATTERS OF CIVILITY AND COURTESY

Neither the Manitou City Hall building, nor the Municipal courtroom are large facilities, and reasonable accommodation and coordination are necessary. At all times, access to and movement within the building and courtroom must remain available for the conduct of the normal business of the City and the Court.

All members of the public, parties appearing before the Court, and members of the media must remain quiet during Court proceedings and may not comment on the proceedings or engage in any disruptive behavior whether inside or outside the courtroom. Inappropriate attempts by any person to disrupt the proceedings in this Court may result in exclusion from further proceedings and/or other legal sanctions, including Contempt of Court.

The following will be strictly enforced:

1. Do not move the furniture in the Courtroom. See the Court Clerk or Court Administrator if you need a reasonable accommodation.
2. Do not engage in lengthy or unnecessary side conversations in the Courtroom. Please leave the Courtroom if you need to talk with someone.
3. No food or drink is allowed in the Courtroom except water. This prohibition does not apply to jurors and Court staff or individuals who assist the Court in providing court services (e.g., interpreters).

If an individual demonstrates a legitimate medical need to bring in food or drinks other than water, then with the permission of the Judge or Court Administrator that individual will be permitted to bring in such items as long as such need persists.

DANGEROUS AND ILLEGAL WEAPONS PROHIBITED

The possession, brandishing, or use of dangerous or illegal weapons as defined below is strictly prohibited in the building and the courtroom. This prohibition applies to all persons including, but not limited to, those persons who have a valid concealed carry permit. Law enforcement and security personnel are exempt from this prohibition.

Prohibited weapons include but are not limited to the following:

- Firearms, handguns, firearm ammunition, BB guns, pellet guns, paintball guns, stun devices, or other dangerous or deadly devices of similar type.
- Any knife, dagger, dirk, switchblade knife, stiletto, ax, hatchet, or other dangerous or deadly devices of similar type.
- Bludgeon, blackjack, slingshot, sandbag, sand club, metal knuckles, billy club, baton, throwing star, nunchaku, or other dangerous or deadly devices of similar type.
- Bomb, bombshell, grenade, firework, bottle, or other containers containing an explosive, toxic, or noxious substance including, but not limited to, Mace or pepper spray.

ELECTRONIC DEVICES

I. Use of Electronic Devices in the Courtroom

All electronic devices (e.g., cell phones, laptop computers, cameras, tape recorders, tablets), except those used by a party or its representative to the extent necessary for the prosecution or defense of a case, shall be turned off. Any electronic transmission of information from the courtroom is prohibited without express consent of the Court. No person, except court personnel, may make a sound or photographic recording (still and/or video, including by laptop computer, tablet, cell phone or any other electronic device) of any proceeding or person, including, but not limited to, jurors, witnesses, or parties. Official transcripts of proceedings may be ordered through the Court Clerk. A party or its representative may use electronic devices so long as such use is not disruptive of court proceedings and the device is muted.

II. Use of Electronic Devices Outside the Courtroom

Electronic devices may be used outside the courtroom so long as such use is not disruptive of court proceedings or administrative functions. Cell phones must be set to vibrate and/or silent ring settings and may not be used to capture images, videos, or sound recordings. Use of any type of audio- or video- recording device, including, but not limited to, tablets or cell phones in the Clerk's office, in the waiting area, at the Clerk's window, or in the jury assembly room, is strictly prohibited without express consent of the Court.

III. Media Coverage

Members of the media desiring access to court proceedings with cameras or other recording devices shall be required to present a valid media credential or other valid photo identification and business card to the Court Clerk or Bailiff upon entry to the building. Persons seeking media access who do not provide valid identification and media credentials will not be allowed such access. With a valid media credential, cameras shall be permitted and may be used in the public areas immediately outside the courtroom. Cameras are not allowed in the courtroom without express consent of the Court. The Court shall consider all requests for expanded media coverage as provided in the Colorado Court Rules, Chapter 38, Rule 2, governing Media Coverage of Court Proceedings.

VIOLATIONS

Anyone found to be in violation of these rules may be subject to contempt proceedings for violation of this Court's Order. Sanctions may be remedial or punitive, including a fine and/or jail sentence. Upon probable cause to believe a violation of this Order is occurring or has occurred, the Court and law enforcement officers are authorized to immediately remove the violator from the courtroom and/or the building, and to confiscate devices used in the violation. Law enforcement officers shall have the discretion to temporarily secure any item confiscated for purposes of conducting an investigation.

The item confiscated may be searched with the consent of the owner of the item. In the alternative, if consent is refused or cannot be obtained, a law enforcement officer may conduct a warrantless search of the item without the owner's consent and without a search warrant only when an exception to the warrant rule applies or when otherwise authorized by law. Any application for a search warrant must be prepared and submitted to the Court as soon as practicable and without undue or unnecessary delay.

If the search of an electronic device reveals that it contains potential evidence that may be material to an allegation of contempt, a law enforcement officer may request that the Court issue a citation for contempt. If a citation for contempt issues or if the Court initiates direct contempt proceedings, the electronic device in question may be impounded by law enforcement pending resolution of the contempt proceedings. The Court shall determine what sanctions, if any, shall be imposed and the disposition of the device.

In all instances of suspected violations occurring outside of the courtroom, law enforcement officers have the discretion to investigate any possible violation of the Order or of law and take lawful action thereon.

The court may rescind or modify this Order at any time. Any person or organization who violates this Order will be subject to the discipline of the Court, including contempt and permanent exclusion from the courtroom.

This Order shall be posted at the entrances to City Hall and the Municipal Court.

SO ORDERED this 27th day of June 2023.

BY THE COURT:


DEBRA LYNN EILAND
Municipal Court Judge