

995 West Huron Ave  
Vassar MI 48768  
August 31, 2019

Honorable Members of the Court:

The purpose of this letter is to provide input regarding the proposed Amendment of Michigan Court Rule 8.115. My interest in this matter arises from an April 2013 order by Kim Glaspie, Chief Judge of Tuscola County, which prohibited the presence of cell phones and other electronic devices in the Tuscola County Courthouse building (which also housed non-judicial functions in the offices of the Tuscola County Clerk).

I generally support the proposed rule changes. However, I do have some specific additions to the proposed amendments of Rule 8.115, to wit:

(C) (3) (c): Violations of this subsection: Violations of this subsection as punishable by appropriate sanctions up to and including civil contempt of court as determined in the discretion of the court.

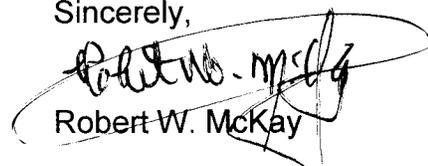
(C) (7): Violations of this rule: If these rules are violated, the presiding judge may confiscate the device for the remainder of the day, or otherwise order that the phone or electronic device be turned off and put away. After a serious intentional violation, or multiple violations, the presiding judge may impose any other appropriate sanction including civil contempt of court and/or the removal of the offending person from the courtroom during a time when he or she is not actively involved in the case being heard.

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Should the proposed amendments, inclusive of my input above, be accepted as MCR 115, I consider it extremely important that the Court make an exerted attempt to make the new rule known to the general public. Concomitant with that, I would suggest that the Court communicate to all judges that any current signage stating that cell phones cannot be carried into a given room of the court, or in adjacent hallways, be removed as expeditiously as possible.

Furthermore, in jurisdictions where extralegal cell phone bans are now in place (*i.e.* Tuscola County), that there be an extra effort to inform the general public, judges, and security personnel of the fact that cell phones and electronic devices are no longer prohibited *per se* in the Tuscola County Courthouse.

Sincerely,

  
Robert W. McKay