UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

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US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO FLORIDA

IN RE:

Case No.: 6:11-MC-83-Orl-22

POLICY GOVERNING LIMITED PERSONAL
USE OF SUPPLIED BROADBAND
WIRELESS INTERNET CONNECTION
FOR REGISTERED COURTROOM USERS,

ORDER
CONDITIONS APPLICABLE TO USING INTERNET

In order to provide access to supplied broadband wireless internet within the courtrooms of the United States Courthouses in this District, registered attorneys and other users who have obtained permission to access the connection are **subject** to the terms and conditions set forth herein. While the Court recognizes the bar's expressed desire to be able to utilize the internet in court for case-specific and other related purposes, the Court has an obligation to ensure that, to the extent the connection implicates government property and resources, they are used appropriately and for purposes not adverse to the public interest. The Clerk of Court is responsible for authorizing attorneys to use the internet connection by verifying that all attorneys and other users who use this service have obtained Court permission. At all times, use of internet access shall be controlled by and subject to directions of the presiding judge.

All users are governed by the following terms of use:

1. The use of the provided broadband internet connection shall be available, upon prior court approval, to a) bar members, including those attorneys admitted specially; b) paralegals or other assistants or employees of bar members, upon the agreement of the bar member to be responsible for

their use of the internet connection; and, c) any other approved user. Any and all users agree to be bound by the limitations set forth in this Order.

2. Internet access in the courtrooms should be used for business reasons only, ideally business related to the court case. This includes e-mail, electronic case filing (CM/ECF) and PACER access. It is the responsibility of the registered user to ensure that he or she is not giving the false impression that they are acting in an official capacity on behalf of the Federal courts when they are using the supplied broadband connection.

3. Authorized bar members and other users under this Policy are expected to conduct themselves professionally and to refrain from using the internet connection for activities that are **strongly discouraged or prohibited**. Such improper activities include:

- Any personal use that could cause congestion, delay, or disruption of service to any government system or equipment. For example, greeting cards, video, sound or other large file attachments can degrade the performance of the entire network. "Push" technology on the Internet and other continuous data streams would also degrade the performance of the entire network and be an inappropriate use (including music or video files or logging onto radio or other broadcast services).

- Using the internet connection to access social media sites, such as Facebook, Twitter, and LinkedIn, unless it is related to a legitimate business use.

- Using peer-to-peer file sharing (Napster, Grokster, Morpheous, and certain interactive internet games), or chat rooms.

- Using the internet connection as a staging ground or platform to gain unauthorized access to other systems.

- The creation, copying, transmission, or retransmission of chain letters or other unauthorized mass mailings regardless of the subject matter.

- Using the internet connection for activities that are illegal, inappropriate, or offensive to fellow bar members or the public. Such activities include, but are not limited to: hate speech or material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation.

• The creation, download, viewing, storage, copying, or transmission of sexually explicit or sexually oriented materials.

• The creation, download, viewing, storage, copying, transmission of materials related to illegal gambling, illegal weapons, terrorist activities, and any other illegal activities otherwise prohibited, etc.

• Use for commercial purposes not related to the case (e.g., sales or administration of business transactions, sale of goods or services).

• Engaging in any outside fund-raising activity, endorsing any product or service, participating in any lobbying activity, or engaging in any prohibited partisan political activity.

• Use for posting information to external newsgroups, bulletin boards or other public forums. This includes any use that could create the perception that the communication is "endorsed" by the Federal Courts.

• The unauthorized acquisition, use, reproduction, transmission, or distribution of any controlled information including computer software and data, that includes privacy information, copyrighted, trade marked or material with other intellectual property rights (beyond fair use), proprietary data, or export controlled software or data.

Unauthorized or improper use of the internet connection may result in the imposition of sanctions, which may include the loss of use or limitations on use of the connection, criminal penalties, and/or being held financially liable for the cost of improper use. Bar members are expected to supervise any employees authorized on their motion to use the internet connection.

4. Users are expected to use their private laptop or notebook computer (or other approved access device) in the courtroom; the Court will not provide such equipment. Moreover, due to liability issues, the Court's IT staff will not be able to assist in specific problems with the user's equipment. The Court provides no guarantee of the availability of or quality of the internet connection provided and use of the internet connection constitutes an acknowledgment by the user that the Court is not liable for any damages to personal equipment or any other damage that may result directly or indirectly from the use of the provided broadband connection.

5. Internet browsing and e-mail transmissions are subject to inspection by a variety of persons and mechanisms, authorized and otherwise. Registered users using the broadband internet connection have neither a right nor an expectation of absolute privacy while accessing the Internet and using e-mail in the courtroom. Electronic communications and Internet activity **may be monitored** at any time for any purpose, including compliance with acceptable use policies. If such monitoring reveals possible evidence of criminal activity, court personnel may provide the evidence of such monitoring to law enforcement pers onnel. **All persons accessing the system expressly consent to this monitoring.**

6. Bar members and other approved users have no inherent right to use the internet connection. Under all circumstances limited personal use is a privilege not a right. This privilege to use the internet connection for non-government purposes may be revoked or limited at any time by the District Court, Middle District of Florida.

DONE and **ORDERED** in Orlando, Florida on July 28, 2011.

Anne C. Conway

Chief Judge Anne C. Conway