

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
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PROTECTING THE JUDICIARY’S ) Administrative Order  
CYBERSECURITY INTERESTS ) No. 2023 - 66  
BY PROHIBITING TIKTOK )  
ON COURT DEVICES )  
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Due to a concern for cybersecurity risks, the Governor of the State of Arizona issued Executive Order 2023-10 requiring executive branch agencies to remove TikTok<sup>1</sup> from state-owned and state-leased information technology and personal devices used for state work. She also required the development of a plan to prohibit the download and installation of TikTok on all state-owned and state-leased information technology.

The judicial branch has taken numerous steps to address cybersecurity risks. For example, Section 1-503 of the Arizona Code of Judicial Administration (ACJA) requires the responsible use of electronic communication and internet resources. Judicial officers and employees are also required to complete computer security/network security training on an annual basis. ACJA, Section 1-302. While these steps certainly discourage the use of non-work-related social media applications, such as TikTok, a clear prohibition of its use through court-operated information technology will benefit the administration of the courts and coordinate the judicial branch’s cybersecurity efforts with those of the executive branch.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution

IT IS ORDERED prohibiting the use or installation of TikTok on any device owned, leased, or operated by an Arizona court. Any judicial officer or employee who has installed TikTok on a court device shall remove the application no later than May 4, 2023. Leadership of the appellate courts, the presiding judge of the superior court in each county, and the presiding judge of each limited jurisdiction court is responsible for notifying the judicial officers and personnel in their court of this requirement, including probation staff. The clerk of court is responsible for notifying the personnel in their office of this requirement.

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<sup>1</sup> “TikTok” is defined in Executive Order 2023-10 to collectively include “TikTok or any successor application or service of TikTok developed or provided by ByteDance Limited, a privately held company headquartered in Beijing, China, or any parent, subsidiary or entity under common control with ByteDance Limited.” This administrative order adopts the same definition.

IT IS FURTHER ORDERED that judicial officers and personnel may not use a personal device for any work-related purpose if TikTok is installed on the device.

IT IS FURTHER ORDERED that any Arizona court that allows guest user access must prohibit access to TikTok through its network by October 1, 2023, and include such prohibitions in the terms of use acknowledged by such guest user as a term of network access.

IT IS FURTHER ORDERED that an exception to this order may be sought by submission of a written request to the Chief Justice through the Administrative Director detailing (1) the need for the exception, including the intended use of TikTok, (2) measures that will be taken to mitigate cybersecurity risks posed by its use, and (3) the length of time the exception is needed.

IT IS FURTHER ORDERED that the Commission on Technology shall evaluate the cybersecurity risks posed by installation of non-work-related applications, such as TikTok, and report its recommendations on an annual basis to the Arizona Judicial Council at its June meeting.

Dated this 12th day of April, 2023.

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ROBERT BRUTINEL  
Chief Justice