

GUIDELINES FOR COURTROOM DECORUM IN DIVISION 11

The purpose of the court in providing this information is to state, for the guidance of those heretofore unfamiliar with the practices of this division, certain basic principles concerning courtroom behavior and decorum so everyone will be able to act accordingly. When the word counsel or attorney is used herein, it applies to parties representing themselves.

Other judges in this circuit may in any case, or generally, have their own rules of decorum and enforce additional prohibitions or requirements or may excuse compliance with any one or more of the provisions of this guideline, but this court requires the following minimum standards be followed by all attorneys appearing in this division. When appearing in this division, unless excused by the court, all counsel (including all persons at the counsel table) shall:

1. Stand as court is opened, recessed, or adjourned.
2. Stand when the jury enters or retires from the courtroom.
3. Stand when addressing, or being addressed by the court.
4. Address all remarks, other than examination of the witness to the court, not to opposing counsel.
5. Avoid disparaging personal remarks or acrimony toward opposing counsel and remain wholly detached from any ill feeling between the litigants or witnesses.
6. Have one attorney for each party examine or cross examine each witness. The attorney stating the objections, if any, during direct examination, shall be the attorney recognized for cross examination and vice versa.
7. Request permission before approaching the bench.

8. Make offers of, or requests for, a stipulation at the bench, not within the hearing of the jury unless made by previous arrangement between counsel and the court.

9. Treat all adverse witnesses and parties with fairness and consideration. No abusive language or offensive personal references will be tolerated.

10. Make suggestions looking to the comfort or convenience of jurors to the court out of the jury's hearing. Before and during trial, a lawyer should attempt to avoid communicating with jurors, even as to matters foreign to the cause.

11. Use no visual aid or exhibit during an opening statement unless opposing counsel has been shown the visual aid or exhibit and has agreed that the item may be used during the opening statement.

12. Approach the witness for a legitimate purpose without requesting permission to do so. Counsel may use the podium but are not required to do so. Counsel may question a witness from any reasonable place in the courtroom except from a place that would intrude into the jury's space. No paper or object shall be placed on the railing in front of the jury box.

13. Allow a witness to complete an answer. If the question calls for a "yes" or "no" answer, you may anticipate that the witness will be allowed an opportunity to explain that answer.

14. When making an objection, say only "objection" plus the legal reason for the objection, e.g., leading, hearsay, etc. If objecting counsel desires to give reasons for the objection or if an opposing counsel desires to oppose the objection, counsel shall request leave to approach the bench. Objections to evidence should be made only by counsel handling the witness. Objections during opening statements or closing arguments should be made only by counsel making opening statements or closing arguments.