

## IN THE SAN MANUEL TRIBAL COURT



### Administrative Order No. 09-004

#### RE: Courtroom Decorum

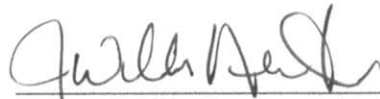
- A. The following conduct and dress code shall apply when court is in session:
1. Be punctual and in the courtroom ready to proceed at the appointed time. Failure to do so without advance notice to the court may result in dismissal.
  2. Stand (if physically able) as court is opened, recessed and adjourned and when addressing the court.
  3. Request permission of the court before approaching the bench.
  4. Any paper or exhibit to be submitted should be handed to the Bailiff to provide to the Court Clerk.
  5. No smoking, gum chewing, food or drinks, except water, is permitted in the courtroom.
  6. All cell phones and pagers must be turned off or silenced and remain out of sight; such devices may only be used outside the courtroom.
  7. No photography or other video or audio recording is permitted unless authorized by the court.
  8. No reading newspapers or magazines in the courtroom.
  9. No computers, except those used by court workers or counsel at counsel table for court business.
  10. No signs, banners or demonstrations are allowed in the courtroom.
  11. Persons standing in the hallway outside the courtroom must conduct themselves in a quiet and orderly manner.
  12. Children must be closely controlled by adults inside and outside the courtroom.
  13. All persons in the courtroom must, in their speech and actions, conduct themselves in a manner appropriate to the dignity and decorum of the courtroom setting. As minimum standards, the following rules apply:
    - a. Do not interrupt or argue with a judge.
    - b. Do not interrupt or talk over opposing counsel, except to state formal objections.
    - c. Address others in a polite and courteous manner.
    - d. Refer to the judges as "Your Honor" or "Judge" and to all other adults, including witnesses, by a title and surname (e.g., "Ms. Smith) or job title (e.g., "Counsel", "Bailiff", "Madame Clerk", etc.) rather than their first names.
    - e. Unless actively engaged in court proceedings, remain quiet and keep any speech which does occur as unobtrusive as possible.

- f. Refrain from any gestures, facial expressions, conduct or behavior, which manifest disrespect for the court, counsel, litigants, witnesses, court personnel or other persons.
    - g. Do not use profanity, except as needed to give or refer to evidence in a case.
    - h. No feet on tables, chairs or benches and no sitting on tables, railings, desks or arms of chairs.
  - 14. All persons in the courtroom must be attired in a manner appropriate to the dignity and decorum of the courtroom setting. As minimum standards, the following rules apply:
    - a. Men must wear shirts, trousers and shoes.
    - b. Woman must wear shoes, and either dresses, skirts and tops, or pants and tops.
    - c. Shorts, sunglasses, mini skirts or dresses, swim wear, halter-tops, tank tops, muscle shirts, flip-flops, oversized jackets, excessively ragged or dirty clothing, provocative or revealing clothing, clothing with obscene or offensive pictures or messages, clothing advertising gang affiliations or alcohol or drugs, shall not be worn.
    - d. No hats or other headwear are to be worn unless required by religious custom and practice.
    - e. Male attorneys and advocates must wear coats and ties. Female attorneys and advocates must wear professionally appropriate attire.
  - 15. Attorneys and advocates are responsible for advising their clients and witnesses of proper decorum and attire.
- B. The Court Clerk shall post the rules set forth in section A of this order outside the courtroom door in a manner that is readily visible to persons entering the courtroom.
- C. At the opening of each court day, as the judge(s) enter(s) the courtroom, the Bailiff will direct all present to stand and make an appropriate announcement to indicate court is in session, such as:
- a. For the Trial Court: "Please rise. The San Manuel Tribal Court's Trial Court is now in session, the Honorable \_\_\_\_\_, [Chief Judge/Judge Pro Tempore] presiding. [*Pause until Judge is seated.*] Be seated, please."
  - b. For the Appellate Court: "All rise for the honorable judges of the San Manuel Tribal Court's Appellate Court. The Court is now in session. [*Pause until Judges are seated.*] Please be seated."
- D. At the close of each court day, as the judge(s) rise(s) to leave the courtroom, the Bailiff will direct all present to stand and make an appropriate announcement to indicate that the court is in recess, such as: "The San Manuel Tribal Court's [Trial Court/Appellate Court] is now adjourned. Good day, ladies and gentlemen."
- E. The court's Bailiffs shall enforce all rules of conduct and decorum.
- F. Corrective action beyond a verbal instruction or reprimand is at the discretion of the court and may include, but is not limited to, ordering the person who violates the above standards ("violator") to leave the courtroom, having the Bailiff physically escort a

violator from the courtroom, calling a brief recess, trailing a matter involving the violator to the end of the calendar, continuing a matter involving the violator to another court day, sanctions, holding the violator in contempt of court or other disciplinary action.

- G. The requirements set forth above are minimal and not all-inclusive. Individual judges may announce and enforce additional prohibitions or requirements, or may excuse compliance with any one or more of the provisions of this order.

SO ORDERED this 10<sup>th</sup> day of November, 2009.



Joanne Willis Newton, Chief Judge