

Courtroom Trial Procedures and Decorum Policy

U.S. Magistrate Judge
Lajuana M. Counts

Courtroom Decorum

Counsel and parties are to adhere to the following decorum:

- Visible reactions to testimony, counsel's presentations or the Court's rulings are inappropriate.
- Conversations at counsel table between co-counsel and clients should be quiet and should not distract court proceedings.
- Attorneys and pro se parties shall stand when addressing or being addressed by the Court.
- Address all remarks, other than examination of the witness to the Court, not to opposing counsel.
- Treat all adverse witnesses and parties with fairness and civility. Avoid abusive language, disparaging or offensive personal remarks, or hostility toward opposing counsel, litigants or witnesses.
- Attorneys and pro se parties shall make all suggestions and comments regarding the comfort or convenience of the jury to the Court out of the jury's hearing.

Assist Court Reporter

If you will be using technical, medical, or unusual terms in your case, please provide a glossary of those terms to the Courtroom Deputy before hearings and at the pretrial conference.

Trial Schedule

The Court typically holds trial from 9:00 a.m. to 5:00 p.m., Monday through Friday. The Court will take a morning and afternoon break in addition to the lunch hour. When possible, substantive issues are taken up before 9:00 a.m., during breaks, or after 5:00 p.m.

Questioning of Witnesses

- Attorneys or pro se parties should address all adult witnesses as "Mr.," "Ms.," or "Dr." rather than by their first name, no matter how familiar the attorney is to the witness.
- Direct examination, cross-examination, re-direct, and re-cross are permitted. No further questioning is permitted except by leave of Court.
- Except in unusual circumstances, a witness should be allowed to complete an answer. If the question calls for a "yes" or "no" answer, the witness will be allowed an opportunity to explain that answer.
- Attorneys or pro se parties shall request permission prior to approaching a witness.
- When making an objection, an attorney or pro se party should say only "objection," plus the legal reason for the objection, e.g., leading, hearsay. If the objecting

attorney or pro se party desires to give reasons for the objection or if an opposing attorney or pro se party desires to oppose the objection, the attorneys or pro se parties should approach the bench.

- Witnesses will remain in the witness chair unless leave of Court is granted for a witness to reference an exhibit. Witnesses will not be allowed to testify standing in front of the jury without leave of Court to do so.

Exhibits

- Each party shall mark their exhibits with an exhibit sticker indicating whether the exhibit is being offered by the plaintiff or the defendant, along with the exhibit number. The designation of each exhibit shall match the numeric designation for that exhibit on the exhibit list furnished to the courtroom deputy prior to trial.
- The Court will typically address evidentiary objections at the pretrial conference and seek to pre-admit as many exhibits as is reasonable under the circumstances.
- During jury deliberation, the Court will provide the jury exhibits upon their request. Only exhibits admitted during trial will go to the jury. Documents that are pre-admitted, but not actually used at trial, will not be submitted to the jury.

Equipment

The Courtroom is equipped with various equipment, such as a computer integrated document camera, computerized projector, and screen. Counsel are invited to utilize the courtroom equipment as needed. Counsel who wish to test the equipment prior to trial should contact the courtroom deputy to make arrangements. Parties may provide their own equipment, but arrangements should be made with the courtroom deputy well in advance of the day of trial.

Closing Arguments

- The length of closing arguments will be established towards the end of trial, usually during the instruction conference.
- Instructions will be read to the jury before closing arguments. The jury will be given copies of the instructions for use during deliberations. Only one verdict form, however, will be given; no copies of the verdict form will be provided to the jury.

Jury Deliberation

- After the jury retires, each side shall assemble their exhibits and keep them available in the courtroom. Attorneys and their clients should remain in close proximity to the courthouse and advise the courtroom deputy where they will be located while the jury is deliberating.
- After the jury is dismissed, counsel must take possession of their own exhibits from the courtroom deputy and sign the receipt at the bottom of the exhibit list.
- After the jury is dismissed, counsel may not directly or indirectly contact jurors unless permitted to do so by the Court.