

Rule 5072-1

COURTROOM DECORUM

(a) ***Purpose of Rule.*** The purpose of this rule is to state, for the guidance of those unfamiliar with the traditions of this Court, certain basic principles concerning courtroom behavior and decorum. The requirements stated in this rule are minimal, not all-inclusive, and are intended to emphasize and supplement, not supplant or limit, the ethical obligations of counsel under the Rules of Professional Conduct or the time-honored customs of experienced trial counsel. Individual judges of the Court may, in any case, or generally, announce and enforce additional prohibitions or requirements, or may excuse compliance with any one or more of the provisions of this rule.

(b) ***Courtroom Conduct and Decorum.*** When appearing in this Court, unless excused by the presiding judge, all counsel (including, where the context applies, all persons at counsel table) shall abide by the following:

- (1) Stand as court is opened, recessed, or adjourned.
- (2) Stand when addressing or being addressed by the Court.
- (3) Stand at the lectern while examining any witness, except that counsel may approach the Clerk's desk or the witness for purposes of handling or tendering exhibits.
- (4) Stand at the lectern while making opening statements or closing arguments.
- (5) Address all remarks to the Court, not to opposing counsel.
- (6) Avoid disparaging personal remarks or acrimony toward opposing counsel and remain wholly detached from any ill feeling between the litigants or witnesses.
- (7) Refer to all persons, including witnesses, other counsel, and the parties by their surnames and not by their first or given names.
- (8) Only one attorney for each party shall examine or cross-examine each witness. The attorney stating objections, if any, during direct examination shall be the attorney recognized for cross-examination.
- (9) Counsel should request permission before approaching the bench, and any documents counsel wish to have the Court examine should be handed to the Clerk.
- (10) Any paper or exhibit not previously marked for identification (see Local Rule 9070-1) should be handed first to the Clerk to be marked before it is tendered to a witness

for examination; and any exhibit offered in evidence should, at the time of such offer, be handed to opposing counsel.

(11) In making objections, counsel should state only the legal grounds for the objection and should withhold all further comment or argument unless elaboration is requested by the Court.

(12) In examining a witness, counsel shall not repeat or echo the answer given by the witness.

(13) Counsel and parties attending hearings by telephone shall comply with the Court's Policies and Procedures on Telephonic Appearances available on the Court's website, www.flmb.uscourts.gov.

(14) In a case tried before a jury, offers of, or requests for, a stipulation should be made privately, not within the hearing of the jury.

(15) Counsel shall instruct all persons at counsel table that gestures, facial expressions, audible comments, or the like, as manifestations of approval or disapproval during the testimony of witnesses, or at any other time, are absolutely prohibited.

(16) Attorneys and litigants should conduct themselves with civility and in a spirit of cooperation in order to reduce unnecessary cost and delay.

(17) The proceedings of the Court are serious and dignified. All persons appearing in Court should therefore dress in appropriate business attire consistent with their financial abilities.

Notes of Advisory Committee

2015 Amendment

This amendment is primarily stylistic. New section (b)(13) directs counsel and parties to the Court's Policies and Procedures on Telephonic Appearances. This amendment to the rule is effective July 1, 2015.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment to the rule was effective on April 15, 1997.

This rule was formerly Local Rule 2.22. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.