

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) must:

- (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;
- (4) stand at the lectern while making opening statements or closing arguments;
- (5) address all remarks to the Court, not to opposing counsel. Counsel must address only the judge when commenting, inquiring, or arguing;
- (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) or otherwise use case designations (for example, “the plaintiff,” “the defendant,” or “the witness”). Counsel and litigants must call the judge “Judge [Last Name]” or “Your Honor;”
- (8) request permission before approaching the bench, and hand to the Clerk any documents that counsel wish the Court to examine;
- (10) hand any paper or exhibit not previously marked for identification (*see* Local Rule 9070-1) to the Clerk to be marked before it is tendered to a witness for examination, and hand any exhibit to opposing counsel concurrent with the exhibit being offered into evidence;

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

(12) when examining a witness, refrain from repeating or echoing the answer given by the witness;

(13) limit examination or cross-examination of a witness to one attorney for each party and ensure the attorney who objects during direct examination of a witness is the same attorney who cross-examines the witness;

(14) not express personal knowledge or opinion when making an opening statement or a closing argument;

(15) keep all electronic devices on silent mode;

(16) 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;

(17) conduct themselves with civility and in a spirit of cooperation in order to reduce unnecessary cost and delay;

(18) ensure that clients, witnesses, and parties at counsel's table know and observe these rules;

(19) be aware that the proceedings of the Court are serious and dignified. All persons appearing in Court, whether remotely or in person, should therefore dress in appropriate business attire consistent with their financial abilities. Attorneys and litigants must not wear clothing intended or likely to influence or distract;

(20) if a judge conducts a proceeding by telephone or video, comply with the that judge's procedure on telephonic appearances available on the Court's website at <https://www.flmb.uscourts.gov/judges/>; and

(21) not eat or drink anything in the courtroom except water.

Notes of Advisory Committee

2024 Amendment

The amendments to the rule more closely align with M.D. Fla. R. 5.03 and make clear that certain rules of decorum apply whether a person is appearing remotely or in person. Other changes are stylistic. The amendments to the rule are effective August 15, 2024.

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.