

Memo

To: Trial and Hearings Counsel
From: Judge Elizabeth Perris, Judge Trish Brown, and Judge Randall Dunn
Subject: Trial Practice Recommendations

Your compliance with the following requests will be greatly appreciated. Bear in mind that these requests are advisory and are intended to supplement, rather than supersede, applicable local or national rules.

1. Civility is the key to behavior in this Court. This rule extends to all participants, including the Judge's staff, lawyers, parties and witnesses. If you have any complaints about anyone's lack of civility, including the Judge's, please bring the matter to the attention of the Court by asking for a conference in chambers.
2. Please be on time for each Court session. The Court will make every effort to commence the proceeding promptly at the time noticed.
3. Please turn off your cell phones – do not simply silence them. Cell phones can interfere with the sound and recording systems.
4. Please stand whenever you address the Court, unless invited to remain seated. This includes making objections. Generally you may remain seated while examining witnesses. Please request permission before handing exhibits to the witness or the Court.
5. Please make sure you speak into a microphone so the reporting system can pick up your comments. The system is sensitive enough to pick up your voice if you are next to the table, podium or the witness stand.
6. When appearing by telephone, if possible, mute your phone until you need to speak. Minimize background noise whenever possible. Never put the Court on hold.
7. Whenever possible, offers to stipulate should be discussed with counsel before being presented in open Court.
8. Witnesses are to be treated with fairness and consideration. Onerous, abusive or sarcastic examination will not be permitted.

9. Regarding exhibits:

a. Please take particular care to comply with Court rules and orders regarding the preparation of exhibits.

b. Exhibits should not be marked during Court time. All exhibits should be marked prior to the Court session and, if feasible, distributed to the Judge and other counsel.

c. Please ensure you bring enough copies: one for each party, one for the witness and two for the Judge.

10. No person should, by facial expression or other conduct, exhibit any opinion concerning any testimony given by a witness. Counsel should admonish their clients and witnesses, and all persons accompanying them, about this common and distracting occurrence.

11. Counsel should make every effort to agree to take expert or other fee-charging witnesses out of order so as to reduce fees and the impact on those witnesses' businesses or practices.

12. Counsel are expected to advise their clients and witnesses regarding appropriate courtroom conduct. This includes no argumentative behavior or improper language while testifying, and inappropriate attire.