

ADVICE FROM THE COURT TO LAWYERS

General Etiquette

1. Be on time (better yet, be early... you might learn something).
2. Always be dressed in a manner consistent with an in-Court appearance and consistent with the UTCRs.
3. Introduce yourselves to Staff and Judge (every time); tell them what you're appearing on and for whom (if not for yourself).
4. Be nice to court staff.
5. Do not breeze past staff and head into the Judge's chambers.
6. Identify yourselves on the phone.
7. Do not use the Court's telephones without asking permission.
8. NEVER use the Court's telephones if you have a cold.
9. Do not expect the Court to provide you with free copies. If you believe you want the court or counsel to have a copy of something, make enough copies prior to arrival.
10. Do not read papers and documents on Staff's/Court's desk.
11. Do not put your materials/files/coffee on the Court's/Staff's desk (unless invited to do so and then pay attention to things like coasters).
12. Do not put your briefcase on those desks (or on the floor where people are likely to trip over it). The Judge shouldn't have to post a sign.
13. Do not *ex parte*.
14. Call the Court as soon as you settle/dismiss a case.
15. Staff does not care about your case; they have work to do, they are not here to entertain you or be entertained by you (let them take the lead on friendly conversations).
16. Read the Court's pretrial order. Follow it.
17. Don't get emotionally involved in the righteousness of your case; don't try to argue the case in chambers; don't be rude and talk over the other attorney.
18. If you're waiting in chambers for another "matched set" of attorneys to complete their status, do not be having conversations with other folks in the room; go out of chambers to converse (it's very distracting to the Judge).
19. Be aware that Court staff is generally cross-trained; you can obtain assistance from either the Judicial Assistant or the clerk (frequently, the clerk may be the person primarily responsible for criminal matters; i.e. advice of rights forms, judgments, acknowledgments). You can always find out which staff member has the responsibility for calendaring versus criminal docketing and other criminal procedures.
20. The Judge is "Judge" in chambers and other parts of the Courthouse; "Your Honor" when robed, on the record, and on the bench. Never "Sir" or "Ma'am."
21. Witnesses do **not** come into the Judge's offices or chambers (except to check in). On dependency and termination of parental rights cases, DHS is a party and generally will be invited by the Court to participate in status conferences.

Courtroom

22. Know the ORCPs/UTCRCs/SLRs.
23. Know the individual Judge's preferences.
24. Speak LOUDLY, clearly and make sure the Court reporter (tape recorder) hears everything you say.
25. Do not turn your back on the Judge, jury or Court reporter while talking.
26. Get out of the way of the easel or the witness if you want the factfinder to be able to see and hear.
27. If you have a motion, turn in your responsive brief in accordance with the UTCRCs. If no responsive brief, give the Court your authorities **in advance** (why not the day before? Some Judges read them in advance.)
28. Do not argue the things that are already in your memo/brief if you have been assured by the Judge that it has been read.
29. Do not interrupt the Judge.
30. When the Judge has ruled, sit down and stop arguing and move on politely.
31. Have your jury instructions ready at the beginning of the trial (hard copy and on disk); written jury instructions are required by rule and the Court staff needs to begin working on them.
32. Have a checklist of the elements of your case.
33. Learn how to handle exhibits.
34. Remember the rules of cross examination: do not ask a question you don't know the answer to; do not use cross examination to rehash and repeat direct examination; get in and get out; do not cop an attitude.
35. Love your work. Elevate the tone to positive.

Criminal Cases

36. Learn how to call a case and fill out a judgment.
37. Know the difference between a stipulated plea and a statutory plea.
38. If the Defendant will be trying the case to the Court or by Stipulated Facts; assist the Court by verifying that a *written* jury waiver has been executed.
39. Know how to do a stip facts trial and specifically what is being stipulated to.

Domestic Relations Cases

40. USAs and joint asset/debt statements need to be filed with the Court in accordance with UTCRC 8.010 and, in any event, no later than the beginning of trial.
41. Verify with client that any order deferring fees has been complied with.
42. Prepare a "scribble copy" of the exhibits for the Judge.
43. Comply with any pretrial orders.