

GUIDELINES FOR COURT SECURITY OFFICERS

The Code of Judicial Conduct states: ***“A judge should maintain order and decorum in proceedings before the judge. A judge should be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in the judge’s official capacity and should require similar conduct of lawyers, and of the judge’s staff, court officials and others subject to the judge’s discretion and control.”***

The following are some specific recommendations, in no particular order, to assist the court officer in maintaining order and decorum in the courtroom and to maintain an atmosphere that is dignified and courteous to all users of the courtroom. There are also recommendations that deal with safety and security issues.

1. Before the judge comes into the courtroom announce that there are no food or drinks permitted in the courtroom and that all cell phones should be turned off. Advise everyone that talking is not permitted while court is in session and that if they wish to talk they will need to go outside.

2. If a person enters the courtroom dressed inappropriately (based on the posted notice at the entrance to the courtroom about proper attire) speak to the person individually and explain why he/she must leave the courtroom and what he/she will need to do to return to the courtroom. If the person has a case on the calendar tell the person you will let the judge and other interested parties know you asked him/her to leave and why. Be sure to tell the person if he/she fails to return to court they may be called and failed or, if he/she is the plaintiff the case may be dismissed if they do not return in a reasonable time. Absent necessity, no one should wear sunglasses or hats in the courtroom.

3. If anyone is chewing gum or tobacco products, politely offer a trash can so he/she can discard it. It is appropriate to approach the witness stand with the trash can if a witness has gum or is chewing tobacco while testifying.

4. If a person addresses the Court from a seated position at counsel table, walk over to the person and quietly advise him/her to stand when addressing the judge.

5. When there are inmates or juveniles in custody, explain that they are not to talk to each other or try to communicate with others while they are in the courtroom. They may speak quietly to their attorney, probation officer or juvenile court counselor. Do not engage in conversations with inmates or juveniles except for court business when the judge is in the courtroom. This is

especially important in Juvenile Court and District Court #4 for child support and domestic violence proceedings. If a particular individual has a very loud voice that is disruptive but they are legitimately trying to talk to someone (an attorney or juvenile) let them continue to talk but remind them their voice is loud and they need to talk as quietly as possible. In juvenile court, if the juveniles in custody are talking to each other or in any way being disruptive, ask court counselors to sit between the juveniles until their cases are handled (the court counselors office has agreed to this procedure to reduce behavior problems in court). Do not kid, joke or play with the juveniles while they are in the courtroom. Model good behavior so they understand that they must be quiet and respectful in court.

6. If a cell phone rings in the courtroom, take the telephone away from the person and advise the person he/she can pick it up when court is over for that session. For example, if a cell phone rings in the morning session it can be picked up at 12:30 when court is in recess for lunch. If you return the telephone and the person will be returning to court that same day, inform the person they may not bring their telephone back into the courtroom the rest of the day.

7. Do not permit anyone to read newspapers, books, magazines, work on computers, text message, listen to music or play video games while court is in session. This rule also applies to the court officers. During a trial or a hearing the court officer should be watching the parties, spectators and witnesses and not reading or on the computer. However, if there is no court proceeding in progress and we are simply waiting for attorneys or parties to show up you may read.

8. Do not permit anyone to approach the bench or witness stand without obtaining permission from the judge. Pro se litigants probably do not know this rule so it would be best to advise them before their hearing starts that the area between the counsel tables and the judge's bench is an area they can only enter when given permission by the judge.

9. If the judge instructs someone to do something (such as sit down or stop talking) and the person does not do follow the judge's instruction, walk over to the person, stand behind or beside them to make your presence known. If necessary, quietly tell the person to listen to what the judge is saying and that follow the judge's instructions.

10. During domestic violence ex parte hearings and pro se divorces, stand within a few feet of the witness stand. This will help "guide" the pro se witness away from the judge's bench and make you available to hand documents/exhibits to the judge.

11. Only permit spectators to sit in areas designated for the general public. Do not permit people to move chairs or benches or walk beyond the bar. If a person claims they cannot hear put them as close to the front as possible but do

not let them sit on the attorneys bench without the judges permission. If you have a question about accommodations for disabilities, ask the judge.

12. There shall be no food or drinks in the courtroom. If someone brings food or drinks into the courtroom they need to be asked to take it outside. Court officers, clerks and judges who use a non-descript cup may have a drink at their work table but it should not be apparent to court users that it is coffee or other drink. In other words, no coffee in a Starbucks or McDonald's drink cups. There is no food permitted in the courtroom and please don't let anyone leave gifts of food (or any other kind of gift) on the judge's bench, clerk's desk or your desk. In some court hearings such as drug court or adoption ceremonies, a celebration may include serving cake, cookies and drinks. That of course if OK as long as the judge consents.

13. Never leave people in the courtroom without a court officer present. If you need to leave simply ask everyone to exit the courtroom and lock the doors until you return. Always leave an empty courtroom locked. The judges often have personal items (computer, purse, personal notes, reading material) on the bench.

14. Do not open an empty courtroom for parties/attorneys to use as a conference room unless you are going to stay in the courtroom with them.

15. If there is a disturbance or talking, go to that person or group and deal with the problem – never yell out at the entire audience when you only need to address a few people. If there is a spectator who is dramatically reacting to the testimony (throwing hands up, making loud sighs, huffing, puffing, talking or in any way making gestures) tell the person they are being disruptive and distracting to the proceedings and they will need to leave the courtroom. You may give the person a warning if you deem it appropriate but if the behavior is repeated the person must leave the courtroom.

16. If a person continues to talk while you are opening court, go to that person immediately afterwards and remind them that next time they should not talk while court is being opened.

17. Do not make jokes or personal comments with attorneys, parties, witnesses or spectators when the judge is on the bench. It is important that all sides to a case believe that the judge is fair and impartial and that no one is going to receive an advantage because the judge sees one side being extra-friendly with court personnel. It is also important that litigants and spectators understand that court is serious business and a playful, party type attitude is never appropriate. Toys, games, dolls, etc., do not belong in the courtroom and should not be on the counsel tables, bailiff's desk or clerk's desk.

18. Try to keep your radio at a volume level where it is not disruptive to the court proceedings.

19. Discuss with your judge the plan for an emergency in the courtroom. For example, if a fight breaks out in the hall do you want the judge to immediately leave the courtroom so you can go outside and not worry about protecting the judge? What if there is a fight in the courtroom? Ask if your judge is carrying a gun and never allow attorneys or district attorneys carry a gun in the courtroom. Law enforcement officers who are not in court for official business cannot carry a weapon in the courtroom. Find out what doors may be used for entry and exit of the courtroom by the public and by the attorneys and monitor the access.

20. Never make a comment to the judge about a case or any of the parties unless you know the case is over and the judge has entered a ruling. For example, don't say, "I go to church with her mother and she is the sweetest girl" or "I have arrested that man before and he lies through his teeth". That is an ex parte conversation and it is prohibited by the Code of Judicial Conduct. However, if you see any threatening behavior to a party or a witness or spectator from anyone, please report it to the judge immediately, preferably with all of the attorneys present.

21. When escorting the judge on the elevator, do not permit parties who are in a case that is being heard that day by the judge to get on the elevator with the judge. Ask the person to take a separate elevator. If you are on the elevator with the judge and someone starts to talk about a case in the judge's court that day, please ask the person to wait until they are off the elevator to talk about the court cases.

22. When a case is called for hearing and a party approaches the counsel table with their shirt tail out or pants pulled too low or falling off, stop the person and ask him/her to go outside and tuck in their shirt before they have a seat at the counsel table. If anyone questions why they must tuck in their shirt, advise them it is for security reasons. If you have not seen Judge Pope's video about hiding weapons under loose clothing, ask to view it.

23. If there is excessive noise coming from the hallway outside the courtroom either ask the people responsible to be quiet (by opening the courtroom door but without leaving the courtroom) or call for assistance from court security to handle the problem. Remember if you open the door and yell out in the hall you are being disruptive as well. If someone leaves the courtroom in an angry manner (slamming the door, cursing) if at all possible let them leave. Unless the person is a party to a case in court that day do not let the person return to the courtroom that day and explain it is due to the prior disruptive behavior. If he/she is a party, you must let him/her back in the courtroom but do caution him/her about their behavior.

24. Before and after court look around the courtroom for any unusual packages, boxes, bags or anything else that does not belong in the courtroom.

Never permit anyone to leave any packages, gifts, food, drinks etc., for the judge on the bench or to "look" for something on the bench. The courtroom clerk is the only person who can leave or pick up things from the judges bench.

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If any of the actions prohibited herein are done by court personnel or attorneys, ask your judge how she/he wants to handle that situation.