

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

Order

April 29, 2015

File No. 2015-1

Proposed Local Rule 8.115 of the Michigan Court Rules

On order of the Third Circuit Court, this is to advise that the Court, pursuant to MCR 8.112(A)(3), is considering adoption of Local Rule 8.115 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. The comment period runs from Monday, May 4, 2015 through Monday, July 6, 2015. This matter also will be considered at a public hearing. The notices and agendas for public hearings are posted on the public notice bulletin boards on the first floor of the Coleman A. Young Municipal Center, in the Detroit Legal News, and at www.3rdcc.org.

Comments to the proposal may be submitted either electronically to:

Richard.Lynch@3rdcc.org

or traditionally to:

Office of General Counsel - Local Court Rules
Two Woodward Avenue
742 Coleman A. Young Municipal Center
Detroit, MI 48226

Publication of this proposal does not mean that the Court will issue an order on the subject nor does it imply probable adoption of the proposal in its present form.

Local Rule 8.115 Courthouse Decorum

- (A) This court rule applies to the conduct and dress of those who attend court or engage in business in the court offices, including attorneys, litigants, witnesses, jurors, and interested persons.
- (B) Court proceedings shall be conducted in a manner that protects the dignity and seriousness of the proceedings. Conduct by any person that may interfere with the decorum of the court is prohibited and may result in removal of that person from the court and/or a finding of contempt of court.

- (C) Attorneys shall wear proper business attire while attending court, unless excused from doing so by the court.
- (D) Jurors, parties, witnesses, and interested persons should wear appropriate attire while attending court, unless excused from doing so by the court.
- (E) The jury clerk shall assist the court in ensuring compliance with this rule and may require a juror whose clothing does not comply with subsection (D) to obtain appropriate attire or to report for service on a later date. A juror who fails to return to court as directed may be found in contempt of court and is subject to the penalties permitted by statute and court rule.
- (F) Persons attending court are required to abide by the following guidelines, which are representative rather than all-inclusive.
 - (1) Smoking or the use of electronic smoking devices, eating, drinking beverages other than water, and gum chewing are not allowed in any courtroom at any time, whether during sessions of the court or during a recess.
 - (2) Taking photographs or making other audio or video recordings is not allowed in the courtroom without the express permission of the court.
 - (3) All conversations and reading of non-case related materials like books, newspapers, and periodicals, except as necessary for the matter before the court, are prohibited in the courtroom during sessions of the court.
 - (4) Cellular telephones, beepers, and electronic communication devices that have the capacity to disrupt court proceedings must be turned off or set for silent notification during sessions of the court. Individuals shall not answer or send messages from telephones, beepers, or other electronic communication devices while the court is in session. Failure to comply with this section may result in the seizure of the device, a fine, incarceration, or both for contempt of court.
- (G) Each business office of the court may set a policy regarding the use of cellular telephones, beepers, and other electronic communication devices in that office.
- (H) It is within the discretion of the judge to have an individual removed from the courtroom if the individual's conduct or dress does not comport with this rule.