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|  | THIRD CIRCUIT COURT POLICY COURTROOM & HEARING ROOM DECORUM | SECTION: Personnel NUMBER: 3CC-P14-0000 |
| | Prepared By: Judge Cox, Margaret Flanagan, Frank Hardester, Judge Knapp, Erin Lincoln, Judge Miller, Alisa Shannon, Judge Smith, & Toielynn Smith | Supersedes: n/a |

REFERENCES:

- [Michigan Code of Judicial Conduct – Canon 3 A\(2\)](#)
- [Administrative Order 1989-1](#)
- [MCR 8.110\(C\)\(2\)\(c\)](#)
- [MCR 8.115](#)
- [LCR 8.115](#)

DEFINITIONS AND ABBREVIATIONS:

- None

BACKGROUND:

This policy is designed to protect the dignity and professional image of the court and to provide Court participants with guidelines for appropriate attire and behavior. Therefore, the Third Judicial Court of Michigan adopts this policy in an effort to establish courtroom etiquette and prevent distractions to ensure the fair administration of justice.

POLICY STATEMENT:

This policy applies to the conduct and dress of those who attend court, including attorneys, litigants, witnesses, jurors, and interested parties. Protocols established in this policy apply whether the proceeding is held in-person or remotely.

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.

Persons attending court are required to abide by the following guidelines, which are representative rather than all-inclusive, unless explicitly authorized by a judge or hearing officer:

A. General

1. Smoking, tobacco products, eating, drinking, and gum chewing are not allowed in any courtroom/hearing room at any time, except as expressly permitted by the court. Litigants and jurors are allowed to use cups and consume drinking water provided by the Court in the courtroom / hearing room.
2. Recording, taking photographs is unlawful in the courtroom or hearing room unless permission is given by the court.
3. Virtual background, demonstrations, placards, badges, T-shirts, and clothing that espouse a position on an issue before the Court shall not be allowed.
4. Electronic devices that have the capacity to disrupt court proceedings must be turned off or set for silent notification during sessions of the Court.

B. Attire

1. Attorneys shall wear proper business attire while attending court.
2. Jurors, parties, and witnesses should wear proper attire while attending court.
3. Clothing such as shorts, halter tops, swimwear, exercise attire, exposed underwear, and revealing garments shall not be permitted. The person not properly dressed shall not be allowed into the courtroom and it would be up to the judge as to whether to permit the person to enter likely depending on whether the person was a litigant, witness or spectator.
4. Parties to a case shall not wear uniforms of any kind while attending court proceedings.
5. The jury services team shall assist the court in ensuring compliance with this policy and may require a juror whose clothing does not comport with this policy to obtain appropriate attire or to report for service on a later date.

C. Conduct

1. Individuals other than those giving testimony shall stand at all times when addressing the Court or jury, or when examining witnesses, unless excused from doing so by the court. Remain at the lectern unless using exhibits or charts.
2. All patrons in the courtroom are expected to stand when the Court is opened, recessed, or adjourned. Standing as jurors enter and exit the courtroom is subject to the discretion of the judge. Exceptions are made for those unable to stand due to medical or related reasons.
3. Parties and attorneys should refer to Judges as "Your Honor" or "Judge," not by the judge's first name or in another informal manner inside the courtroom.
4. Parties and attorneys should refer to Magistrates/Referees as "Your Honor" or "Referee," not by the referee's first name or in another manner inside the courtroom / hearing room.
5. Refer to all persons, including witnesses and parties by their surname and not by their first name or nickname unless the permission of the Court is sought and granted in advance.
6. Address all arguments or comments to the Court and not to opposing counsel or the opposing party.
7. Avoid disparaging personal remarks or acrimony toward the opposing counsel and remain detached from any ill feelings between the litigants or witnesses.
8. Only one attorney for each party shall examine or cross examine each witness. The attorney stating objections, if any during direct examination, shall be the attorney recognized for cross examination.
9. Counsel should request permission before approaching the bench, a witness or jury box.
10. No exhibit shall be positioned in the courtroom, that would allow the jurors to see unless it has been admitted into evidence and permission to publish the exhibit to the jury has been obtained from the Court.

11. Counsel should advise all persons at counsel table to refrain from making gestures, facial expressions, audible comments or the like that would suggest approval or disapproval during the testimony of witnesses or at any other time.

12. All parties should refrain from interrupting or talking over one another.

13. Counsel shall refrain from attempting to make a re-argument after the Judge has ruled.

D. Discretion

It is within the judge's / hearing officer's discretion to have an individual removed from the courtroom if the individual's conduct or dress does not comport with this policy.

The Court will consider exceptions to this policy as needed. This includes scenarios based on a medical condition, or cultural or religious reason. Documentation to support the exception may be requested.


FORMS:

- None

EFFECTIVE: Upon approval.

APPROVAL:

Date: 12/4/2023



Patricia P. Fresard, Chief Judge