

WORKSHEET D

INTRODUCTION TO THE COURTHOUSE

- Tour the local courthouse(s) where your mentee will appear, and to the extent appropriate, introduce your mentee to judges, magistrates, staff attorneys, bailiffs, administrative assistants, and other court staff. Explain the roles of each in running the court.
- Show your mentee where the clerk's office is, and explain where to file pleadings, obtain certified copies of case documents, get journal entries, search the docket, etc. Ask for the clerk's perspective on filing protocols such as cover sheets, number of copies, walking copies to the judicial officer, etc. If the court uses electronic filing, discuss this process. Make sure your mentee is aware of standing orders and local rules.
- Ask a bailiff and/or court clerk to share protocols such as whether a lawyer is required to check in before a hearing, where different matters are heard (*e.g.*, courtroom versus chambers), whether simple or uncontested matters are called ahead of the regular docket, how to handle covering two cases scheduled at the same time, whether and when courtesy copies are expected, whether draft orders should be proposed with courtesy copies, how far in advance to an appearance judicial officers typically receive the files, etc.
- Discuss the procedure for obtaining a transcript of court proceedings.
- Ask the judicial officers to share with your mentee any pointers they have for handling matters before the court.
- Explain the protocol for meeting with a judicial officer, such as how to get to a judicial officer's chambers, how a meeting should be requested, who should be contacted to set up a meeting, etc. Discuss examples of *ex parte* contact and how to avoid it.
- Discuss when it is appropriate to enter a courtroom that is in session.
- Review the Commission on Professionalism's *Professionalism Dos and Don'ts: Professionalism in the Courtroom*, linked below. Discuss the importance of professionalism in the courtroom and highlight standards that your mentee must follow.
- Discuss the appropriate attire for lawyers in your local court(s). Discuss how your mentee should advise a client to dress. Does a client's dress depend upon the type of case being litigated? What if a client does not have the proper attire?
- Discuss how a judicial officer is customarily addressed in court, at formal functions and events, in social settings, or at the grocery store. Does this custom change depending upon how often you appear before the judicial officer or the capacity in which you know the judicial officer? For example, if you are a prosecutor and appear before the same judicial officer every day? Or, if you don't appear before the judicial officer in court, but you are on a bar association taskforce together and have frequent meetings together?

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- Discuss the court's local rules and how they impact your conduct. Discuss how different judicial officers have different views and interpretations of the local rules, as well as different courtroom practices, and that judicial preferences for attorney practice may be written or unwritten. To the extent possible, share information in this regard about the preferences of the judicial officers before whom your mentee is likely to appear.
- Discuss the importance of punctuality in court, as well as the expectations of judicial officers in this regard.
- Discuss available courtroom technology, such as ELMOs, overhead projectors, white noise machines, connections to personal laptop computers, etc. Provide information for or introduce your mentee to court personnel who should be contacted when your mentee plans on using technology in a proceeding.
- Discuss etiquette for speaking on and off the record.
- Discuss court procedure for handling exhibits, examining witnesses, and using the podium in the courts before which your mentee is likely to appear.
- Discuss the appropriate demeanor for addressing opposing counsel. What if you know opposing counsel well because you often oppose each other in cases? Because you went to law school together? Because you are good friends? How should you react if opposing counsel has been underhanded or dishonest during your case? What types of recourse are available? Discuss tips for keeping calm during conversations with an opposing counsel who is acting unprofessionally, such as yelling, making personal attacks, or making threats.
- Review the Commission on Professionalism's *Professionalism Dos and Don'ts: Working with Opposing Counsel and Other Lawyers*, linked below.
- If you and your mentee practice criminal law, visit the local jail, if feasible, and explain the procedures for jailhouse visits.

RESOURCES

Professionalism Dos & Don'ts: Professionalism in the Courtroom:

<https://www.supremecourt.ohio.gov/docs/Publications/AttySvcs/courtroom.pdf>

Professionalism Dos & Don'ts: Working with Opposing Counsel and Other Lawyers:

<https://www.supremecourt.ohio.gov/docs/Publications/AttySvcs/opposingCounsel.pdf>