

Courtroom Decorum and Procedure

1. Probate and guardianship hearings are routinely more informal than an evidentiary hearing or trial. However, because such hearings are often observed by parties or interested persons, court must be conducted in a manner that reflects positively on the profession of law and the judicial process. Therefore, please familiarize yourself with the professionalism section of the 7th Judicial Circuit website.
2. Specifically, the following behavior will be expected of counsel at all hearings:
 - a) Refer to all persons (including other counsel, witnesses and parties) by their surnames and not by their given or "first" names. Exceptions may be made for children.
 - b) Remain courteous and respectful with opposing counsel, parties and witnesses. Impress upon your clients and witnesses the need to conduct themselves in this manner.
 - c) Refrain from being rude or disruptive of the proceeding.
 - d) Refrain from actions intended to harass or embarrass opposing counsel, parties or witnesses.
3. A heightened decorum will be expected during an evidentiary hearing or trial. In addition to the behaviors listed in paragraph 2 above, counsel shall be expected to:
 - a) Address objections and any remarks to the court and not to opposing counsel.
 - b) When objecting, counsel should stand, state that he or she objects, and state the legal ground for the objection without further comment or argument unless requested by the court.
 - c) Any document or object to be tendered to a witness or submitted for admission as evidence to the court shall be shown to opposing counsel first.
 - d) Only one attorney for each party should examine or cross examine a witness. The examining attorney shall be the one to make any question.
 - e) Do not ask the court to declare a witness to be an expert.