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## IMPROVING THE LEGAL SYSTEM

# Introduction to the Courthouse

### Themes:

- Familiarizing yourself with the court personnel practices, policies, and procedures in a courthouse where you intend to practice.

### Conversation Starters:

- Where can an attorney find the local rules for a specific courtroom? What policies and procedures are distinctive to that jurisdiction, court, or judge? Are there any unique filing procedures for that court?
- How should attorneys dress in a courtroom? What advice should you give your client and your witnesses about what to wear to court? What can you do if you know that your client or witness does not have access to “courtroom-appropriate attire?”
- How should attorneys address a judge in court, at formal functions and events, in social settings, at a bar association taskforce, or at the grocery store?
- When should attorneys ask for a side bar? What should an attorney consider before deciding to speak on or off the record?
- What forms of technology and resources are available to attorneys in court and what should attorneys do to make sure that they have all the resources they need prior to their appearance (consider physical resources such as an ELMO device and other resources such as language translation personnel). How should an attorney coordinate with court personnel to ensure that they have all the resources they need for their hearing?
  - Discuss contacting the bailiff to learn more about the courtroom layout and practices.
  - Discuss contacting the clerk to learn more about how to handle exhibits.
- If you practice criminal law: What are the procedures for jailhouse visits?
- What else can an attorney do to familiarize themselves with courtroom specific policies and procedures?

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#### **Activities:**

- Review and discuss the “Professionalism in the Courtroom: Do’s and Don’ts”
  - In your opinion, what are the most important guidelines to emphasize?
  - What other do’s and don’ts could be added to this list?
- What additional challenges may come up in cases where you need a language interpreter?
  - How might you adjust your in-court client or witness communication strategies when you are using a foreign language interpreter?
  - Read GR 11.2 Code of Conduct for Court Interpreters. 2 Wash. Prac. Rules Practice GR 11.2 (7th ed.) and discuss some of the other potential challenges that attorneys should consider before using an interpreter.
- Tour a local courthouse and introduce the new lawyer to judges, magistrates or commissioners, staff attorneys, bailiffs, court clerks, and other court staff. Explain the roles of each in running the court.
  - Ask the judges to whom you introduce the new lawyer to share any pointers they have for handling a case in front of them.
- Mentor should explain the best way to set up a meeting with a judge.
  - When might an attorney want to meet with a judge?
  - Who should the attorney contact to set up the meeting?
  - If needed, what should the attorney discuss with opposing counsel about the meeting?
  - Discuss examples of ex parte contact and how to avoid it.
- Show the new lawyer where the clerk’s office is located.
  - Explaining where to go to:
    - File pleadings
    - Obtain certified copies of case documents
    - Get journal entries
    - Search the docket, etc.

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#### **Activities (continued):**

- Ask the clerk to provide to the new lawyer his or her perspective on filing protocols such as cover sheets, number of copies, walking copies through to the judge, etc.
- If the court uses electronic filing, discuss this process.
- Ask a bailiff and/or court clerk to share with the new lawyer protocols such as whether lawyers are required to check in before a hearing, whether simple or uncontested matters are called ahead of the regular docket, how a lawyer should handle a situation where s/he is covering two cases scheduled at the same time, whether courtesy copies are expected and when, whether draft orders should be proposed with courtesy copies, how far in advance to an appearance do judges receive the files, etc.

#### **Resources:**

- Discuss what additional resources the mentor/mentee have found useful in their own practice.
- [WSBA: "Professionalism in the Courtroom: Do's and Don'ts"](#)
- [Ohio Supreme Court: Professionalism Dos and Don'ts: Professionalism in the Courtroom](#)
- [Washington State Courts: GR 11.2](#)