

ROCKDALE MUNICIPAL COURT

RULES OF CONDUCT AND COURT DECORUM

I. AUTHORITY FOR RULES.

Under the inherent power and duty of all Texas courts as codified in Section 21.002, *Government Code*, the following **Rules of Conduct and Court Decorum** shall apply and govern all proceedings before the Municipal Court of the City of Rockdale in the County of Milam, Texas.

II. FORMAL OPENING.

Each session of the Court shall be brought by announcement of the Bailiff, Clerk or other officer of the court requiring all to rise as the Judge takes the bench.

III. CONDUCT REQUIRED OF ALL PERSONS WHILE ATTENDING COURT.

Court is in session whenever the Judge is on the Bench. While the Court is in session there shall be:

- A. **No smoking** or use of tobacco products, including snuff or chewing tobacco.
- B. **No reading** of newspapers or magazines during proceedings.
- C. **No propping feet** or sitting on tables, railings, or on the backs of benches or chairs.
- D. **No noises**, no rustling of papers, and no talking (except for quiet conversations between the Defendant and his/her attorney, with the permission of the Judge).
- E. **No gum** chewing and/or popping of gum.
- F. **No food**. Beverages allowed if in container with lid. No trash left behind.
- G. **No gestures**, facial expressions, or sounds indicating approval or disapproval.
- H. **No inappropriate attire**.
- I. **No unattended children**. Defendants who must bring their children to Court shall sign in with the Bailiff and wait in the hallway with the children until their case is called.
- J. **No cellular phones**. Cellular phone use is prohibited (including texting), and no cellular phones are to be used or ring and no pagers are to go off in the Courtroom. **Cellular phones and pagers must be silent, or they will be confiscated.**

K. **No hats** are to be worn, unless a religious reason is brought to the attention of and accepted by the Judge.

L. **Leave all purses, bags, brief cases, etc.** at the counsel table when you are called to the Bench.

M. **Have all paperwork and documents** (i.e., Driver's License, evidence, etc.) ready when called to approach the Bench.

IV. CONDUCT REQUIRED OF ATTORNEYS AND PRO SE DEFENDANTS

Attorneys (and *pro se* Defendants) shall observe the letter and spirit of all canons of ethics, including those concerning improper *ex parte* communications with the Judge and with those dealing with discussion of cases with representatives of the media.

Pro se parties (individuals representing themselves without an attorney) should be prepared to present their cases in a proper manner. The Court is not permitted to protect or represent you, or to instruct you on Court procedure, evidence, rules, or how to present and prove your case. If you are unprepared, unaware, or ignorant of the means and methods of presenting your case, it may adversely affect your case.

- A. Attorneys shall advise their clients and witnesses of all the Rules of Conduct and Court Decorum that may be applicable, and shall ensure that their clients and witnesses follow all appropriate Rules of Conduct.
- B. *Pro se* defendants (defendants acting as their own attorney) shall conform their behavior to these Rules of Conduct and to all provisions applicable to licensed attorneys.
- C. Attorneys (and *pro se* Defendants) shall be dressed appropriately while in attendance of the Court, unless otherwise permitted by the Court.
- D. All parties shall be prompt in arriving for Court and in attending to Court business.
- E. Once an individual has entered the Courtroom and appeared before the Court (whether Defendant, attorney, or witness), he/she shall not leave the Courtroom without obtaining

permission from the Judge. The permission of the Prosecutor to leave is not adequate. Court permission is required, especially for witnesses.

- F. During trials, the State, or moving party (party with burden of proof), shall be seated at the counsel table or side of the counsel table nearest to the jury box.
- G. During trials and hearings, all remarks of attorneys to the Court shall be addressed to the Court formally.
- H. All participants in the Court proceedings shall address each other and members of the Jury without familiarity. The use of first names shall be avoided, except with children 14 years of age or younger or unless otherwise instructed by the Court. Address the Court as "Judge" or "Your Honor." Address opposing parties, counsel, witnesses, and Court Officers as "Mr.", "Mrs.", "Miss", "Officer", etc.
- I. All objections, arguments, and other comments shall be directed to the Judge and not to opposing counsel (or to *pro se* Defendants).
- J. Objections shall be in proper legal form. Argument upon an objection will not be entertained except with the permission of the Court.
- K. While addressing the Court, attorneys (and *pro se* Defendants) shall rise and remain standing at their positions at counsel table.
- L. Attorneys (and *pro se* Defendants) shall remain seated at the counsel tables at all times except:
 - 1. when the Judge enters and leaves;
 - 2. when addressing the Judge or jury;
 - 3. whenever it may be proper to handle documents, exhibits, or other evidence;
 - 4. when objecting to opposing counsel; and
 - 5. when the Judge directs otherwise.
- M. Attorneys (and *pro se* Defendants) shall not approach the bench except with permission or on request of the Judge.
- N. Attorneys (and *pro se* Defendants) shall not lean on the Bench, sit on rails or tables, or appear to engage the Court in conversation in a confidential manner.
- O. No party shall expect any Court participant to request his/her presence prior to the commencement or resumption of any Court proceedings
- P. The Court may enforce the Rules of Conduct and Court Decorum by appropriate action or

sanctions, including the sanction of Contempt of Court.

- Q. Nothing herein shall prevent or prohibit the further adoption by the Court of additional or supplemental rules, whether written or not.

V. ADMONITION.

All attorneys appearing before the Court and all *pro se* defendants (defendants acting as their own counsel) are required to conform their conduct to the above stated Rules of Conduct and Court Decorum.

The undersigned attests to his or her receipt of said Rules and acknowledges the expectation of the Court. The undersigned further acknowledges that violation of the Rules of Conduct and Court Decorum may constitute Contempt of Court or another violation and may be punishable by a fine and/or confinement in jail pursuant to Section 21.002(c), Government Code and other laws.

Printed Name:

Signature:

Date:

Bar Card No.:

NOTE: This endorsement must be returned to the clerk prior to any proceeding before the Court.

