



Berrien County Trial Court

Thomas E. Nelson, Chief Judge - Brian E. Ray, Administrator

Courthouse - 811 Port Street - St. Joseph, MI 49085

(269) 983-7111, Ext. 8453 - FAX (269) 982-8634

www.berriencounty.org

Administrative Order 2013-12

COURTHOUSE DECORUM

This administrative order replaces and rescinds prior Berrien County Trial Court Administrative Order 2006-02 Courthouse Decorum.

This administrative order is issued in accordance with MCR 8.112. The purpose of this order is to regulate the conduct and dress of all those persons using the courthouse.

1. This court rule applies to the conduct and dress of those who attend court or engage in business in any court facility, including attorneys, law enforcement officers, litigants, witnesses, jurors, and interested persons.
2. 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.
3. Persons attending court are required to abide by the following guidelines, which are representative rather than all-inclusive.
 - A. Eating, drinking (except water utilizing courtroom pitchers and cups), reading Newspapers or magazines, and gum chewing are not allowed in any courtroom at any time, whether during sessions of the court or at recess.
 - B. Taking photographs as well as audio and video recording is not allowed in any court facility without the express permission of the court.
 - C. Conversation of an issue, except as necessary for the proceeding before the court, is prohibited in the courtroom during sessions of the court.
 - D. Demonstrations, placards, badges, T-shirts, and clothing that pose a serious and imminent threat to the fair and orderly administration of justice will not be allowed.

E. Individuals other than attorneys, court personnel, and jurors shall refrain from using the corridors between the courtrooms and chambers unless expressly authorized to do so by the court.

F. Cellular telephones, pagers, and electronic or communication devices of any kind shall not be permitted in any Berrien County Court facility. Exceptions to this provision are persons employed by Berrien County with County identification, attorneys with their bar card, and law enforcement officers on official business. (Devices shall be turned off or set for silent notification during sessions of the court. Individuals shall not answer telephones, pagers, or other electronic communication devices in any courtroom at any time.) Failure to comply with this section may result in a fine, incarceration, or both, for contempt of court.

G. No smoking is permitted within any Berrien County court facility.

4. Dress

A. Attorneys shall wear proper business attire while attending court, unless excused from doing so by the court.

B. Jurors, parties, and witnesses should wear proper attire while attending court, unless excused from doing so by the court.

C. Clothing such as short shorts, mini-skirts, halter tops, sweat suits, camouflage garments (except military personnel on active duty), swimwear, exercise garb, and revealing garments such as tank tops shall not be permitted in the courtroom. No person shall appear in court without a shirt, barefoot, or with a bare midriff.

D. All persons are required to remove hats, caps, sunglasses, and hoods in the courtroom, unless worn for bona fide religious, medical, or health reasons.

E. The jury clerk shall assist the court in ensuring compliance with this sub-rule, and may require a juror whose clothing does not comport with 4 B and C to obtain appropriate attire or to report for service on a later date. A juror who fails to return to court as directed may be found in contempt of court and is subject to the penalties permitted by statute and court rule.

F. Law enforcement officers on official department business, and in uniform, are permitted to carry their holstered firearm. Law enforcement officers on official department business and dressed in "plain clothes" may carry their holstered firearm if that firearm is completely covered and not in plain view. Law enforcement officers conducting personal business at a court facility are prohibited from carrying their firearm in that court facility.


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

6. Stand when Court is opened, recessed, or adjourned. 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.

Effective Date: December 9, 2013

IT IS SO ORDERED:

12/9/13
Date


Thomas E. Nelson, Trial Court Chief Judge