



<b>Berrien County Trial Court Policies and Procedures</b>	<b><i>Administrative Policy</i></b>	
	Subject: <b>Courthouse Decorum</b>	Number: <b>2021-02</b>
	Adoption Date: <b>9/3/2021</b>	Authorized By <b>Judicial Council</b>

## **COURTHOUSE DECORUM**

This administrative order replaces and rescinds prior Berrien County Trial Court Administrative Order 2013-12 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. This rule applies to those participating in court proceedings either in-person or virtually.
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 in clear containers), and gum chewing are not allowed in any courtroom at any time, whether during sessions of the court or at recess. This rule is intended to eliminate activity that is disruptive to court operations or that compromises courthouse security.
  - B. Taking photographs as well as audio and video recording is not allowed in any courtroom. Taking photographs or audio and video recording is only allowed in areas outside of the courtroom with the express consent of any individual who may be in the image or video. No photographs or audio/video recording of jurors or potential jurors is allowed in any area of the courthouse.

C. Conversation of an issue, except as necessary for the proceeding before the court (at the direction of 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. Electronic devices are allowed in the courthouse. 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 and smoking is not allowed while participating in a virtual court proceeding.

H. Remote appearances are provided by a license from the Michigan Supreme Court and the State Court Administrator's Office. Therefore there is no unauthorized recording, reproduction, or dissemination of remote proceedings without written consent of the Berrien County Trial Court.

#### 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, pajamas, swimwear, exercise garb, and revealing garments shall not be permitted in the courtroom. No person shall appear in court without a shirt, without pants, barefoot, or with a bare midriff. These requirements also pertain to those individuals participating in virtual court proceedings.

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, either in-person or virtually.

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. The court will excuse the requirement to stand for those participating in a hearing virtually. Those participating virtually must remain seated in the same location for the entirety of the proceeding as they would in-person in the courtroom so as not to distract court proceedings.