

Lesson: Courtroom Etiquette

Objective: Learn about appropriate behavior in a courtroom; prepare for the setting of the oral arguments. (*Colorado Model Content Standards: Civics, Standard 4.4, grades 9-12*)

Activities: Teacher lecture (background information and lecture outline provided); class discussion; and homework assignment.

Outcomes: Students know the appropriate etiquette for viewing oral arguments or visiting courtrooms.

Grade Level: Grades 9-12

Anticipated classroom time: 15 minutes

Message from former Colorado Court of Appeals Judge Robert J. Kapelke:

In the remarkable novel Cry the Beloved Country by Alan Paton, the narrator comments on a South African courtroom: “You may not smoke in this Court, you may not whisper or speak or laugh. You must dress decently, and if you are a man, you may not wear your hat unless such is your religion. This is in honour of the Judge . . . and in honour of the Law behind the Judge, and in honour of the People behind the Law.”

The rule of law and respect for the judicial system are hallmarks of our American system of government. As the quotation from the novel illustrates, compliance with rules of behavior and etiquette in the courtroom reflect our respect, as citizens, of not only the judge, but, more importantly, of the law itself and our justice system, whose ideals are fairness and equality of treatment.

By their codes of ethics, lawyers are required to be respectful of not only the judicial officers, but also the opposing attorneys and parties, as well as the witnesses and jurors.

In order to preserve order and decorum in the courtroom, judges have the awesome power of contempt and can punish even the spectators for disruptive or disrespectful conduct. For the most part, though, common courtesy and politeness are sound guides to how to act in the courtroom. Just keep in mind that your appearance and all that you say and do in a courtroom will be creating an impression, and that respect is a key.

Teacher background information:

It is important to behave respectfully in any kind of courtroom in order that the proceedings are not unnecessarily disrupted. There are rules for members of the media in the courtroom (regulating their use of cameras and the sharing of footage), and there are rules for those who are watching the proceedings. Interrupting the court process could find you in contempt of court. If necessary, you will be removed from the auditorium for violating any of these rules. Talking, whispering, giggling, shuffling papers, or disturbing the composure of the proceedings with phones or pagers is not allowed. Not only is it necessary to show respect for the judges and justices who have earned the right to rule on certain matters, it is also essential to show respect for the lawyers and parties who are arguing before the court.

- Come into and leave the courtroom or auditorium quietly.
- Listen and watch carefully; focus on the details.
- Don't embarrass yourself by yelling out, whistling, or making any other inappropriate noises.
- Don't bring food, gum, or anything to drink.
- Don't talk to your friends during the court session. If you don't understand something or wish to say something, please save your comments for the break.
- Don't leave the auditorium, unless you feel ill. Please find an adult to help you.
- Don't throw anything.
- Don't bring backpacks or bulky jackets into the courtroom or auditorium.
- Don't bring cell phones or pagers.
- Bring a notebook and writing implement so that you may take notes.
- Dress as though you were going to court yourself. Absolutely no hats are allowed.

A bailiff in an appellate court is a court employee whose job it is to keep order in the courtroom. The bailiff is generally one of the judges' law clerks. Bailiffs keep track of counsel as they enter the courtroom, run the recording equipment for oral arguments, and do other such duties. A bailiff in the trial courts keeps order in the courtroom and is also in charge of the jury. There are no juries at Colorado Court of Appeals or Supreme Court oral arguments.

The bailiff will bang the gavel to begin the court proceedings. Participants and observers are required to stand when court is called to order. The bailiff will tell you when you may be seated. You are also required to stand when court is called into recess.

Class discussion: Discuss proper behavior with your students. Ask the students for reasons why it is important to behave properly in a courtroom setting.

Homework assignment: Have students come to school on the day of the arguments dressed appropriately.

Lecture outline:

Behavior

- Important to behave respectfully
 - Show respect for the judges and justices
 - Show respect for the lawyers and parties who are arguing before the court
 - Rules for members of the media in the courtroom at <https://www.courts.state.co.us/userfiles/file/Media/Cameras%20in%20the%20Courtroom%202015%20update.pdf>
 - Rules for those who are watching the proceedings
 - Interrupting court process could find you in contempt of court

Rules

- Come into and leave the courtroom or auditorium quietly
- Listen and watch carefully; focus on the details
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Enforcement

- A bailiff is court employee who keeps order in the courtroom
 - Generally one judge's law clerk
 - Keeps track of counsel
 - Runs the recording equipment for oral arguments
 - Will bang the gavel to begin the court proceedings
 - Participants and observers required to stand when court is called to order
 - Required to stand when court is called into recess