

ADMINISTRATIVE ORDER  
NO. 2003-07-02

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN  
AND FOR ORANGE AND  
OSCEOLA COUNTIES, FLORIDA

**AMENDED ADMINISTRATIVE ORDER ESTABLISHING THE  
NINTH JUDICIAL CIRCUIT COURTROOM DECORUM POLICY**

**WHEREAS**, pursuant to Article V, Section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

**WHEREAS**, to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the chief judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

**WHEREAS**, in an effort to ensure the effective and orderly administration of justice, it is necessary that a policy be established to provide certain basic principles concerning courtroom behavior and decorum in the Ninth Judicial Circuit;

**NOW, THEREFORE, I**, Frederick J. Lauten, in order to facilitate the efficient operation of the administration of justice, to foster the highest standards of professionalism throughout the Ninth Judicial Circuit, and pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, hereby order, **effective immediately**, to continue until further order, that all counsel (including all persons at the counsel table) when appearing in this Court, unless excused by the presiding Judge, shall abide by the following:

1. Stand when Court is opened, recessed or adjourned. Stand when addressing, or being addressed by the Court. Stand when the jury enters or retires from the courtroom. When making opening statements, closing arguments or examining witnesses, do not approach either the jury or the witness without the Court's permission. Remain at the lectern unless using exhibits or charts.
2. Address all remarks to the Court, not to opposing counsel or the opposing party.
3. Avoid disparaging personal remarks or acrimony toward opposing counsel and remain wholly detached from any ill feeling between the litigants or witnesses.
4. Refer to all persons, including witnesses, other counsel and the parties by their surnames and not by their first or given names unless the permission of the Court is sought in advance.
5. Only one attorney for each party shall examine, or cross examine each witness. The attorney stating objections, if any, during direct examination, shall be the attorney recognized for cross examination.
6. Counsel should request permission before approaching the bench. Any documents counsel wishes to have the Court examine should be handed to the clerk. Any paper or exhibit not previously marked for identification should first be handed to the clerk to be marked before it is tendered to a witness for his examination; and any exhibit offered in evidence should, at the time of such offer, be handed to opposing counsel.
7. No exhibit, whether marked for identification or not, shall be held in any manner, or placed in any position in the courtroom, that would allow the trier of fact to see the exhibit unless it has been admitted into evidence and permission to publish the exhibit to the jury has been obtained from the Court.
8. In making objections, counsel should state only the legal grounds for the objection and should withhold all further comment or argument unless elaboration is requested by the Court.
9. When examining a witness, counsel shall not repeat or echo the answer given by the witness.
10. Offers of, or request for, a stipulation should be made privately, not within the hearing of the trier of fact.
11. In opening statements and in arguments to the trier of fact, counsel shall not express personal knowledge or opinions concerning any matter in issue.
12. Counsel shall admonish all persons at the counsel table who make gestures, facial expressions, audible comments, or the like, as manifestations of approval or

disapproval during the testimony of witnesses, or at any other time. This behavior is strictly prohibited.

13. All parties, attorneys and witnesses should refrain from interrupting or talking over one another.
14. Counsel shall refrain from attempting to make a re-argument after the Judge has ruled.
15. Counsel shall complete resolution negotiations and advise clients of their settlement options in advance of court hearings.
16. No tobacco use in any form is permitted. No bottles, beverage containers, paper cups or edibles are allowed in the courtroom, except as permitted by the Court. No gum chewing is permitted.
17. Cell phones and pagers should be turned off or in a vibrate mode. Computers should be used with audio off.
18. All counsel should provide a copy of this policy to clients prior to coming to court.

Administrative Order No. 2003-07-01 is vacated and set aside and has been incorporated and/or amended herein.

**DONE AND ORDERED** at Orlando, Florida, this 11<sup>th</sup> day of September, 2014.

\_\_\_\_\_/s/\_\_\_\_\_  
Frederick J. Lauten  
Chief Judge

Copies provided to:

Clerk of Court, Orange County  
Clerk of Court, Osceola County  
General E-Mail Distribution List  
<http://www.ninthcircuit.org>