

- 1.3 These rules shall apply to any building occupied or used by the Court, and to the environs of any such building. It shall be in effect at all times that judges or court personnel are present whether or not court proceedings are actively under way.
- 1.4 All persons seeking entry to a courtroom are subject to search by the Sheriff or other officers designated by the Sheriff or by the court. Such search may include briefcases, parcels, purses or other containers carried by persons seeking entry to a courtroom.
- 1.5 With the exception of weapons carried by law enforcement personnel, no weapons other than exhibits shall be permitted in any courtroom. No other person shall bring a weapon other than an exhibit into any courtroom unless specifically permitted by this rule. The court may require that any firearm intended for introduction as an exhibit, be presented to the Sheriff for a safety check prior to its being brought into any courtroom.
- 1.6 Attorneys or *pro se* litigants shall rise when addressing the court, and shall make all statements to the court from the counsel table or the lectern facing the court. They shall not approach the bench except upon the permission of the court.
- 1.7 While questioning witnesses, attorneys or *pro se* litigants shall stand at the counsel table or at the lectern. They shall not approach the witness except with the court's permission. Only one attorney for each party may participate in the examination or cross-examination of a witness. When interrogating a witness, counsel shall not use first names, but shall always use surnames unless granted permission by the Court. The same attorney shall conduct the examination of and any objections pertaining to a witness.
- 1.8 When appearing in court, all attorneys shall be suitably attired, and to the extent possible shall advise their clients to be similarly attired in apparel other than shirts without collars, shorts, sandals, overalls, torn or tattered jeans.
- 1.9 No smoking shall be permitted within the courtroom at any time.
- 1.10 In keeping with the dignity and serious nature of court proceedings, proper attire is required in the courtrooms. No participant in a case may appear in t-shirts, tank-tops, tube-tops, cut-offs, shorts, excessive or distracting facial jewelry or other inappropriate clothing. Attorneys are responsible for ensuring that clients and witnesses comply with this dress code.

## **RULE 2 FILES AND RECORDS**

- 2.1 **Removal of Records, Check Out Procedure.** All files requested for review will be retrieved only after the person requesting the file has filled out a "check-out" card. This card must reflect the case name and number, the name of the person checking out the file,

their phone number and date. This card will be given to a court clerk. Anyone wishing to review a file must specifically request that the file be retrieved from filing by a clerk. Public access to the filing cabinets will not be allowed. Upon return of the file, the “check-out” card will be discarded. No person or entity will be allowed to retain a file longer than 1 week at a time.

An attorney whose principal office is outside the 6<sup>th</sup> Judicial District may check out files only upon written request and with the permission of the judge assigned to the case. The attorney shall sign, or authorize in writing someone to sign on his or her behalf, the appropriate record kept in the Clerk’s office that he or she has checked out the file.

Files and records shall be returned immediately upon request of the Clerk and in any event at least three (3) days before a scheduled hearing.

Members of the general public may view the files in the courthouse, except those restricted by law, but may not check them out and take them.

Microfilmed records shall not be removed from the possession of the Clerk and may be viewed at the place provided within the courthouse.

All juvenile files and records, all mental illness and adoption files and records, all files and records pertaining to alcohol and/or drug abuse, all files not microfilmed and all other records required by law to be kept confidential shall not be disclosed to any person, except upon approval of a judge of this court.

No criminal files shall be removed from the office of the Clerk of the District Court, except on written permission of the Court after verification that it has been microfilmed. All files checked out must be returned within five (5) working days. (Also so Supreme Court Rule 106).

- 2.2 **Copy Expense.** The official custodian of the court records shall be authorized to charge and require advance payment of a fee for providing access to or furnishing copies of records. Executive branch agencies such as the Department of Social and Rehabilitation Services and local government agencies may be charged for access and copies on the same basis as members of the public. Photocopies of any papers in any non-confidential file may be obtained from the clerk twenty-five (.25) cents per page (.50 cents in Miami County) and at no cost if indigent or waived by the judge. Certification by the clerk of such papers may be obtained at a cost of One Dollar (\$1.00) for every certification. Payment shall be in cash or by check and shall not be charged to costs.

Attorneys are prohibited from utilizing copy or facsimile equipment for personal use.