

RULE II

CONDUCT IN THE COURT

1. Proper decorum in the court is necessary to the administration of justice and the court's functions. Any conduct which interferes, or tends to interfere, with the proper administration of justice and/or the court's business is prohibited.
2. No radio or television transmission, by voice recording or the making or taking of pictures shall be permitted, except with regard to the following:
 - (a) Other than a device used by the court reporter making a record in a proceeding before the court.
 - (b) Arraignment, plea and detention proceedings conducted by video.
 - (c) As authorized by court order
3. In order to facilitate the transaction of the court's business, each case shall be assigned, inter alia, a hearing date and time. To the greatest degree possible, the court will adhere to this hearing schedule. It is expected that the attorneys involved in a particular case will be on time for and present in court at the date and time of a scheduled hearing. Failure of a party or counsel to appear at the scheduled time for trial or hearing may, at the court's discretion, be deemed a contempt of court. A fine may, at the court's discretion, be imposed and paid, unless suspended by the court, in addition to any other penalties imposed.
4. In order to facilitate the transaction of the court's business, the court shall, on its own motion, set cases for pre-trial hearings when deemed appropriate and necessary by the court, notify and require the attendance at said hearings by the parties involved and the attorneys representing said parties.
 - (a) The procedure herein set forth shall apply to all cases, except to the extent that by their nature they would clearly be inapplicable.
 - (b) Upon receipt of the notice of pre-trial hearing, counsel shall:

- (1) Amend complaint or other pleadings, if necessary, by filing a motion with copy to opposing counsel. Opposing counsel, upon receipt of such motion, shall promptly advise the judge of his position of either opposing said motion or consenting thereto. The judge shall then rule on the motion promptly.
- (2) If further depositions or other discovery measures are desired, complete them so that the transcript will be available at the hearing.
- (3) If further medical examinations are desired, make necessary arrangements to complete them prior to the hearing.

5. At a final pretrial hearing counsel shall:

- (a) Have present the counsel who is fully authorized to act and negotiate on behalf of the parties.
- (b) Have party, or parties, in interest, present at pre-trial conference, unless prior to date of pre-trial and for good cause shown, counsel obtains from the judge, permission excusing such appearances.
- (c) Present a written statement of the issues involved.
- (d) Submit a written statement of all questions of law which it is expected will be involved.
- (e) Submit exhibits which are expected to be offered into evidence for the purpose of stipulating such matters with respect thereto as may avoid formalities of proof.
- (f) Present statements of items of expenses and damages, with proper proof thereof for the purpose of stipulating with respect thereto and avoiding formalities of proof.
- (g) State the names and addresses of witnesses to be used at the trial. Depositions of witnesses not available for trial shall have been completed.
- (h) File a statement that all depositions and all discovery procedures and all law and motions made have been completed and the case is ready for trial.
- (i) Come prepared to discuss seriously, the possibility of settlement of the case.

6. General Provisions.

- (a) The pre-trial shall be conducted by the judge.
- (b) At the conclusion of the pre-trial, a pre-trial order may be prepared by the court, setting forth all matters determined at the pre-trial. Said order shall control at the trial, unless otherwise directed by the court. The court may require counsel to submit a proposed order within five (5) days after the conference.
- (c) Counsel shall file, in such form and at such time as directed by the court, trial briefs covering such special questions of law as the court shall specify. A copy shall be served on the opposing parties at the time of filing with the court.
- (d) Any matters not specifically included in this rule may be determined by the court and included in said order.
- (e) Statements of the parties or their counsel made during a pre-trial hearing shall not be binding upon the parties unless expressly agreed to or entered into the pre-trial order.
- (f) After the case has been assigned for trial, no vacation thereof or continuance will be permitted except in case of death, serious illness or extreme emergency, which could not have been reasonably anticipated. See Rule 8 and Rule 9.
- (g) If hospital records are desired from the adverse party, counsel will make a written request therefore upon opposing counsel at least 30 days before the pre-trial. If counsel upon whom the demand is made considers the demand unduly onerous or unjust, upon application, the court may require the expense of procuring the same to be paid, all or in part, by the party making the request. Copies shall be substituted and received into evidence, unless a specific objection thereto is sustained.

If any privileged information is disclosed, and the privilege is not thereafter waived, counsel are ethically bound not to utilize the same in any manner after the pre-trial.

In any discovery procedures, the policy of the court will be to encourage full, fair and free disclosure of information.

No physician shall be subpoenaed or called as a witness to testify in any proceeding, either personally or by deposition, without prior conference with the attorney calling him

concerning the subject of his testimony. Such attorney shall make arrangements for notifying the physician of the approximate time his appearance will be required at a hearing, either by telephone or other personal contact.

7. Notification of Assignment Commissioner.

It shall be the duty of counsel to immediately notify the assignment commissioner of the settlement of any cause, including motions, which has been assigned a trial date or hearing date and placed on the docket.

It shall be the duty of counsel to notify the assignment commissioner at least three (3) days prior to hearing upon any matter set by the assignment commissioner, either with or without the request of counsel, in which counsel desires a court reporter.