IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 18-9068

APPROVAL OF LOCAL RULES FOR THE PROBATE COURT OF GALVESTON COUNTY

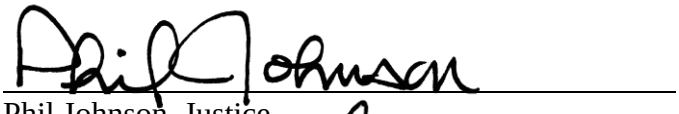
ORDERED that:

Pursuant to Texas Rule of Civil Procedure 3a, the Supreme Court approves the following local rules for the Probate Court of Galveston County.

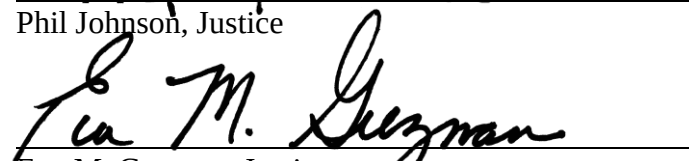
Dated: May 1, 2018.

Nathan L. Hecht, Chief Justice

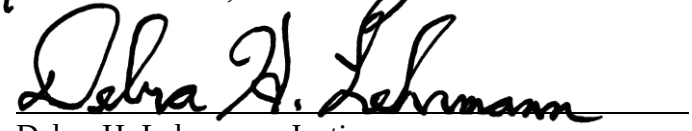
Paul W. Green, Justice



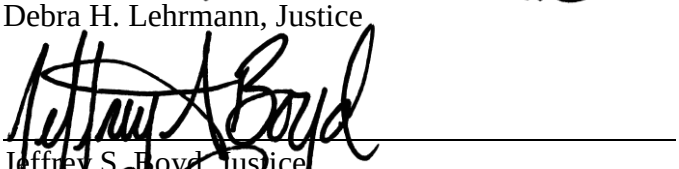
Phil Johnson, Justice



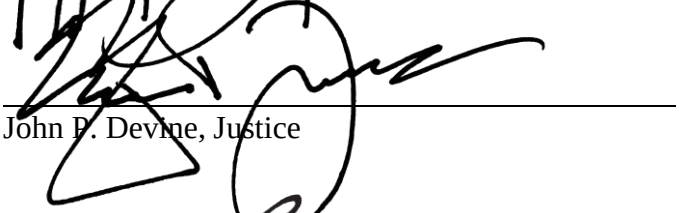
Eva M. Guzman, Justice



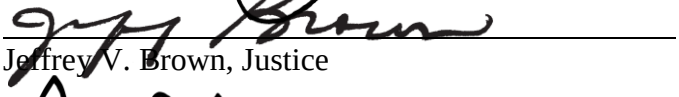
Debra H. Lehrmann, Justice



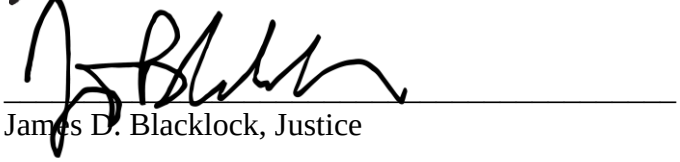
Jeffrey S. Boyd, Justice



John P. Devine, Justice



Jeffrey V. Brown, Justice



James D. Blacklock, Justice

LOCAL RULES FOR
THE PROBATE COURT
OF GALVESTON COUNTY, TEXAS

CHAPTER 1: GENERAL RULES:

Rule 1.1: Title, Scope, Authority and Application of Local Rules

(a) These rules are the Local Rules of the Probate Court of Galveston County, Texas. They shall govern proceedings in the Probate Court of Galveston County, Texas, for the purpose of securing uniformity and fairness in those proceedings and in order to promote justice.

(b) These rules are adopted by the Statutory Probate Judges of Texas pursuant to §25.0022 of the Texas Government Code and are adopted by the Statutory Probate Judge of Galveston County, Texas.

(c) These rules are standing orders of the Galveston County Probate Court, and any other statutory probate court that may be created hereafter in this county. Knowing or intentional violation of these rules may be punished by contempt or other sanction authorized by law or by rules of procedure as the trial judge may deem appropriate.

Rule 1.2: Jurisdiction

The Probate Court of Galveston County, Texas hears:

(a) all applications, petitions and motions regarding probate or guardianship matters;

(b) all matters incident or appertaining to such guardianships or estates;

(c) all matters regarding mental health commitments; and

(d) concurrently with the district courts, all actions by or against a person in the person's capacity as a personal representative, in all actions involving an inter vivos trust, in all actions involving a charitable trust, and in all actions involving a testamentary trust.

Rule 1.3: Parties and Parties Proceeding Pro Se

(a) "Counsel" as used in these Rules includes attorneys and parties representing themselves pro se.

(b) Any natural person proceeding on their own behalf without an attorney shall be expected to read and follow these Local Rules and the Rules of Civil Procedure, the Rules of Civil Evidence, the Texas Estates Code, and the Rules of Appellate Procedure as may be appropriate in the particular case. Failure to comply may be sanctioned, fined or punished as in other cases. Pro se parties shall be responsible for providing the Clerk with current addresses and phone

numbers. The address so provided shall be used as the address for serving all pleadings and other notices on the pro se party.

Rule 1.4: Assignment of Causes

(a) All matters filed in the Probate Court of Galveston County, Texas, shall be assigned a number. Once a case number has been assigned and docketed, all matters relating thereto, including but not limited to, any subsequent proceedings upon a testamentary trust or bills of review, shall remain in that court using the same cause number.

(b) If a case includes an ancillary matter as that term is defined herein, the cause number of all pleadings relating to the ancillary matter shall be followed by the letter "A." If a case contains more than one ancillary matter then each subsequent matter shall be designated by sequential letters (i.e. B, C, etc.). The style on all ancillary matters shall include the names of the party bringing the action and the opposing party, as well as the name of the estate. A form of the style is available on the court's website.

(c) "Ancillary matters" shall include any lawsuit brought by or against a personal representative, or brought on behalf of an estate, and which lawsuit does not relate to or concern the routine administration of an estate. Ancillary matters include, but are not limited to, suites concerning note collection, personal injury, breach of contract, and trust litigation. "Contested matters" shall include all other litigated matters, for which there are opposing parties.

Rule 1.5: Severance

(a) Motions to sever are not favored and will be granted only upon a showing that a severance is necessary to protect substantial rights or to facilitate disposition of the litigation. Except on a showing of good cause, a severance will not be granted for the purpose of making a judgment final which otherwise would be interlocutory because of the continued pendency of other claims in the case.

(b) Whenever a motion to sever is sustained, the severed claim shall be filed as a new case in the same court and shall be given a new number or letter by the Probate Clerk. Before the severed claim is filed as a new cause, the clerk's requirement concerning deposit for costs shall be met.

Rule 1.6: Vacations of Counsel

Counsel who desires to assure himself a vacation for a period not to exceed four weeks may do so automatically by designating the four weeks, in a letter, addressed to and filed with the County Clerk, thirty days in advance. If plans for a vacation are made by a Counsel after a trial setting notice has been received, Counsel will immediately notify the Court and other parties with a request that the case be reset for a different time. The Court will rule on such a request after giving all parties to the lawsuit an opportunity to respond to the request.

Rule 1.7: Judicial Absences

Whenever the judge anticipates an absence of more than five court days due to vacation, illness, national service, attendance at legal education courses, attendance at the meetings of judicial or bar committees, or otherwise, then the judge may, at her discretion, request that the presiding judge assign a visiting judge to her court.

Rule 1.8: Bankruptcy

(a) Notice of Filing

(1) Whenever any party to litigation in this court files for protection under the bankruptcy laws of the United State, it shall be the responsibility of that Party's Counsel in these courts:

(i) to promptly notify the affected court(s) by immediately telephoning the Court;

(ii) within three days of any bankruptcy filing, to provide written notice to the affected court(s) and all Counsel that a bankruptcy filing has occurred, giving the name and location of the bankruptcy court, the bankruptcy cause number and style, the date of filing and the name and address of Counsel for the bankruptcy case.

(2) Compliance with this rule will enable the court to pass over cases affected by bankruptcy and to try other cases on the docket.

(3) Failure to comply with this rule may be punished by sanctioning Counsel and in appropriate cases, the party once the bankruptcy is concluded.

(b) Conclusion of Bankruptcy

Once a bankruptcy has been concluded, whether by discharge, denial of discharge, dismissal or otherwise, Counsel shall promptly notify the Court so that the affected cases may be restored to the active docket or dismissed as may be appropriate.

Rule 1.9: Appointment of Attorney or Guardian Ad Litem

(a) An attorney or guardian ad litem may be, or shall be, appointed pursuant to the Estates Code or the Rules of Civil Procedure.

(b) Until an order is signed dismissing an ad litem, the ad litem shall be notified of all hearings and/or conferences with the court, and shall be served with all pleadings.

(c) The ad litem shall make a report as directed by the Court of the result of the ad litem's investigation concerning the purpose of the ad litem's appointment.

(d) In any case for which an attorney has been appointed, the ad litem should consider filing an application for security for costs pursuant to Rule 143 of the Rules of Civil Procedure and Section 53.052 of the Estates Code.

CHAPTER 2: CASES

Rule 2.1: Docketing Instructions

Unless otherwise specified by statute, the Presiding Judge of the state's Statutory Probate Courts shall direct the County Clerk in the matters of filing, docketing and transferring cases within the jurisdiction of the statutory probate court in the county. The Presiding Judge shall give such direction based upon the request of the statutory probate judge of the county unless the administration of justice requires otherwise.

Rule 2.2: Filing Papers

(a) All pleadings, motions, notices, briefs, proposed orders, proposed judgments, and any other paper, document or thing made a part of the record shall be filed with the Clerk.

(b) All proposed orders and judgments shall be presented to the court after the presenting counsel has either obtained approval or has sent a copy, and the presenting Counsel shall either:

(1) obtain approval of said proposed order or judgment by all other Counsel, or

(2) shall send a copy of the proposed order or judgment to all Counsel.

(c) If the second method is used, then the presenting Counsel must notify the court of the delivery of the proposed order or judgment to all other Counsel. Notification may be accomplished by sending the court a copy of the letter mailed to all Counsel and such letter should contain a copy of the proposed order or judgment. It is not necessary to prove that all Counsel actually received the proposed order or judgment, only that it was mailed to their last known address. If the court receives no objection within ten (10) days after notification, the court may act on such proposed order or judgment.

(d) No amendment to a pleading shall be filed less than seven (7) days prior to the date a case is set for trial. Any amended pleading offered for filing within seven (7) days of the date of trial shall comply with Rules 63, 64, 65, and 66, Texas Rules of Civil Procedure.

(e) If an order sustains a special exception, grants leave to file amended pleadings, or otherwise requires that pleadings be amended, the amended pleadings must be filed within 20 days after the date that the order was signed, unless the order specifies a different deadline.

Rule 2.3: The Setting of Cases

(a) The probate court shall promulgate a yearly calendar showing which weeks shall be jury or non-jury.

(b) Non-jury matters may be set and tried in jury weeks subject to the jury docket.

(c) At the court's discretion, subject to the availability of jury panels, the court may call to trial any jury matter during a non-jury week.

(d) All jury and non-jury matters will be set by the Court upon written request of any party, and will be placed on the docket for each week, day, or half-day in the order in which such requests are received.

(e) Judges should not be requested to sign orders setting cases except when a show cause order is necessary, or when some rule of law requires that an order for a setting be signed by a Judge and entered in the probate court docket.

(f) Each request for a non-jury setting shall include an estimate of the hearing time required for the matter being set, and the notice of such setting that the party requesting the setting gives to other parties shall state said time estimate.

(g) Uncontested matters and routine matters of very short duration may be set on the uncontested docket by calling the Court. The uncontested docket consists generally, but is not necessarily limited to, issuance of letters testamentary, probate of wills as a Muniment of title, and issuance of letters of administration.

(h) The Court hears a mental health docket weekly at a regularly scheduled time after the appropriate paperwork is filed with the probate clerk's office.

Rule 2.4: Resolution of Conflicting Settings

(a) Where a Counsel has settings in two or more courts which conflict, preference shall be as follows:

(1) Trials on the merits in any court take precedence over hearings, motions and other temporary matters in any other court; and

(2) All proceedings in any court take precedence over depositions and other out of court discovery activities.

(b) Any Counsel having a previously scheduled oral argument in any appellate court shall be given a reasonable time to travel to and from that court and make argument provided the attorney advises the trial judge of the scheduled argument before the commencement of trial.

Rule 2.5: Disposition of Contested and Ancillary Matters

(a) On its own motion or by agreement of the parties and Counsel, the court will refer a case for resolution by an alternate dispute resolution procedure under Chapter 154, Civil Practice and

Remedies Code. Any party or Counsel may move for such referral if agreement cannot be reached.

(b) Pre-trial hearings or orders will not be required in every case, but upon request of any Counsel or on its own motion the court may set a hearing under Rule 166, Texas Rules of Civil Procedure, to consider such matters as might aid in the disposition of the action, including the entering of a docket control order. For further discussion of pre-trial hearings, see Rule 2.7 supra. Examples of a pretrial order and docket control order are available on the court's website.

(c) Cases will be set for trial by the court upon written request and representation of any Counsel that the case will be ready for trial. The request may ask for a setting on a specific trial week, but no sooner than 45 days from the date of request, unless leave of court is obtained, or all Counsel agree to an earlier setting. The request must be sent to all Counsel. Any Counsel will file a written response to the request within 7 days after receipt stating any objection to the request for setting. The objecting Counsel must then request a hearing and, after the hearing, unless the court determines that the case is not ready for trial, the case will be set for trial on the date requested or the nearest date that the docket of the court will permit.

(d) At the time of making a request for setting, Counsel shall inform the court of the estimated time for trial. Counsel shall make a good faith estimate of the time required after consulting all Counsel and considering the following: proper examination of witnesses, introduction of exhibits, cross-examination and rebuttal of witnesses reasonably anticipated to be called by all of the parties. In the event that the time requested is not sufficient, the court may continue the matter until such date and time as the court's docket allows. If the court finds that the Counsel requesting the trial setting has misrepresented the reasonable time required in bad faith, the court may impose appropriate sanctions, including attorneys fees occasioned by any delaying trial and costs and expenses for travel of witnesses and parties who are required to return at a later date as a result of the continued setting.

Rule 2.6: Motion of Continuance, Agreed Passes and Settlements

A trial or hearing date cannot be postponed or changed without the consent of the court.

(a) Except as hereinafter provided, any motion for continuance will be filed no later than five (5) days preceding the trial or hearing date. Any motion for continuance based upon facts which occur on or after the fifth day preceding the trial or hearing date will be filed as soon as possible and will be heard at a time to be set by the court.

(b) In the event Counsel agree to continue any trial or other hearing, Counsel initiating the request for continuance shall immediately notify the court and the court will decide whether to grant such continuance. If such Counsel fails to notify the court within a reasonable time before the scheduled trial or hearing, the court may impose appropriate sanctions against such Counsel or the party represented by such Counsel. If the parties reach a settlement, Counsel representing the plaintiff, movant or party seeking affirmative relief, shall notify the court of such settlement, and that the trial or hearing date is no longer needed. If such Counsel fails to so notify the court

within a reasonable time before the trial or hearing, the court may impose appropriate sanctions against such Counsel or the party represented by such Counsel.

Rule 2.7: Pre-trial

(a) The Court may, at its discretion, order a pre-trial conference to take care of preliminary matters.

(b) Counsel will be expected at pre-trial to advise the Court which issues will be disputed and to be familiar with the authorities applicable to the questions of law raised at pre-trial. Failure to conform to this rule shall be grounds for postponement of the trial, setting of further pre-trial hearings, or other appropriate sanction.

(c) If the Counsel for either party fails to appear at a pre-trial conference the Court may:

(1) Rule on all motions, dilatory pleas, or exceptions in the absence of such Counsel.

(2) Declare any motions, dilatory pleas, or exceptions of such absent party waived.

(3) Advance or delay the trial setting according to the convenience of Counsel present

(4) Pass and reset the pre-trial.

(5) Where the absent Counsel represents the Plaintiff, the Court may decline to set the case for trial or may cancel a setting previously made, or the Court may dismiss the case for want of prosecution, especially where there has been a previous failure to appear or where no amendment has been filed to meet exceptions previously sustained.

(d) Counsel attending the pre-trial shall either be the attorney who expects to try the case, or shall be familiar with the case and be fully authorized to state his party's position on the law and the facts, make stipulations and enter into settlement negotiations as trial counsel. If the Court finds that the counsel is not qualified, the Court may deem that no counsel has appeared and proceed in any of the ways enumerated above.

Rule 2.8: Trial Procedure

(a) Any party or Counsel filing special exceptions, pleas in abatement, or other dilatory pleas shall request and obtain a hearing on them at least 30 days prior to the trial date or as soon as possible after the pleading is filed if the pleading is filed within 30 days of the trial date. Any such matters not heard are waived.

(b) All contested and ancillary matters are specially set unless otherwise notified. Counsel may request one, and only one, additional setting as a second setting. A second setting will be called to trial, for that date and time, if the case with the number one setting is unable to proceed for any reason.

(c) Unless ordered otherwise, at the time the parties and Counsel report for trial they will deliver to the Court and the other Counsel a witness list, exhibit list, any motion in limine and any requested instructions and questions if a jury trial, and proposed findings of fact and conclusions of law if a non-jury trial. Any witnesses or exhibits not shown on such list can be used at the trial only upon leave of the Court. Prior to commencement of trial all exhibits will be marked, exchanges and examined by Counsel so that the trial will not be delayed by such examination.

(d) Counsel intending to offer videotaped depositions or other films at trial, except those offered solely for impeachment, must make such tapes and films available to opposing Counsel sufficiently in advance of trial so that a hearing on any objections can be held before commencement of trial. Any tapes or films not so tendered will not be permitted into evidence at the trial. All Counsel must timely examine any tendered tapes or films and request a hearing immediately if there are objections to the admissibility of any part of the tapes or films. Any objections not heard prior to trial will be waived.

(e) It is the responsibility of each Counsel to stipulate to all facts which are not in dispute and to waive formal proof as to any documents to be introduced about which there is no dispute as to authenticity.

Rule 2.9: Motion Practice

(a) Counsel are directed to use all reasonable means to resolve pre-trial disputes to avoid the necessity of judicial intervention.

(b) No motions, objections or special exceptions will be set for hearing unless the moving Counsel shall have certified in such motion or in a letter substantially following:

> "A conference was held on (date) with (name of opposing Counsel) on the merits of this motion. Agreement could not be reached. Therefore, it is presented to the Court for determination."
>
> **or**
>
> "A conference was not held with (name of opposing Counsel) on the merits of this motion because (explanation of inability to confer.)" **Note that a statement that opposing counsel was "unavailable" is insufficient. Every effort to confer must be made.**

(c) Court personnel are responsible for scheduling the dates and times for hearings. Upon receiving the date and time of hearing, the moving Counsel shall immediately notify all Counsel in writing as to the date, time and subject matter of the hearing. A copy of this communication shall be provided to the Court Coordinator.

(d) By agreement, Counsel may submit matters for ruling by the judge without a personal appearance and oral presentation. The judge should be advised in writing when such procedure is desired.

(e) At the time of making a request for setting on a motion, Counsel shall inform the Court of the estimated time for the hearing. Counsel shall make a good faith estimate of the time required after consulting all exhibits, cross examination and rebuttal of witnesses reasonably anticipated to be called by all of the parties. In the event that the time requested is not sufficient, the Court may continue the matter until such date and time as the Court's docket allows. If the Court finds that the Counsel requesting the hearing has misrepresented the reasonable time required in bad faith, the Court may impose appropriate sanctions, including attorney's fees occasioned by any delay in the hearing, costs and expenses for travel of witnesses and parties who are required to return at a later date as a result of the continued setting.

Rule 2.10: Hearings Conducted by Telephone

Any party may request that a short **uncontested** hearing, not requiring the introduction of evidence, be conducted by telephone conference call or that the party be allowed to participate in the hearing by telephone. The requesting party shall make the request in writing to the Court with notice to all other parties. Any party objecting should notify the Court. If a party would like a telephonic hearing to be recorded, the party should communicate that request to the Court in advance. A Judge may, at anytime, determine that a hearing by telephone is not sufficient and may require a hearing in Court upon notice to all parties.

Rule 2.11: Deposition Guidelines

(a) In an attempt to have uniformity and save time and expense resulting from hearings on discovery matters, the following guidelines will generally be followed by the courts on matters pertaining to oral depositions. A deposition may be noticed in:

(1) the county of the witness's residence, or the county where the witness is employed or regularly transacts business in person;

(2) the county of suit, if the witness is a party designated by a party under Rule 199.2(b)(1);

(3) the county where the witness was served with the subpoena, or within 150 miles of the place of service, if the witness is not a resident of Texas or is a transient person; or

(4) any other convenient place directed by the Court in which the cause is pending;

(b) the party initiating a deposition may elect to take the deposition orally or on written questions and all Counsel may elect to cross-examine orally or on written questions.

(c) Unless the parties through their Counsel otherwise agree, reasonable fees charged by an expert for giving deposition testimony shall be paid by the party that retained the expert. The fee

for the preparation of an expert's report, not previously reduced to writing and sought under Rule 195.5, Tex. R. Civ. P., shall be paid by the party that retained the expert.

(d) Notice of less than fifteen (15) days under Rules 21a and 202.3(a), Tex. R. Civ. P., shall be presumed to be unreasonable.

(e) Although these matters are best handled by agreement of the parties, Counsel are not precluded from submitting disputes as to such matters to the Court for determination by proper motion and hearings.

(f) Counsel initiating an oral deposition shall first attempt to communicate with all Counsel to determine whether agreement can be reached as to date, time, place and materials, to be furnished at the time of deposition. Any written notice of deposition shall state as follows:

> "A conference was held (or attempted) with opposing Counsel to agree on a date, time, place and materials to be furnished. Agreement could not be reached (or Counsel will not respond) and the deposition is therefore being taken pursuant to this notice (or agreement was reached and this notice complies with the agreement)."

(g) Failure to hold such conference or to make adequate attempt to hold such conference prior to noticing a deposition shall be grounds to quash the deposition.

Rule 2.12: Matters Requiring Immediate Action

(a) An application for action or relief, including but not limited to, restraining orders, writs of habeas corpus, receivership, temporary administration, proceedings for examination and delivery of the contents of safe deposit boxes or any papers of a decedent pursuant to Sections 151.001 through 151.005 of the Texas Estates Code, shall not be presented to a judge until the application or case has been filed with the clerk, unless it is impossible to do so. If it is impossible to file an application or case before it is presented to a judge, then it shall be filed as soon thereafter as possible, and the clerk notified of all actions taken by the judge.

(b) Every application for action or relief of any kind shall be presented first to the judge of the court to which it is assigned. If that judge is not able to hear the case, another statutory probate judge shall be assigned to hear the case. After a judge has announced a ruling on the application or deferred ruling, the application shall not be presented to any other judge without leave of the judge to which it was first presented.

(c) Every application for relief ex parte shall contain a certificate signed by Counsel stating:

> (1) Whether or not the party against whom relief is sought ex parte is represented by Counsel; or,
>
> (2) If the party against whom relief is sought ex parte is represented by Counsel, the certificate shall state the name, address, telephone and email address of such Counsel.

Movant should give counsel notice of at least 2 hours that the movant intends to present the application to the court at a given time and place, unless otherwise directed by the Court.

Rule 2.13: Service of Process

Chapters 51 and 1051 of the Estates Code impose specific requirements for service of process in probate and guardianship cases that differ from the requirements in the Texas Rules of Civil Procedure applicable to other kinds of civil cases. Service of process in probate and guardianship cases must comply with the Estates Code.

Rule 2.14: Private Service of Process

(a) For purposes of supervision and discipline, the court deems those persons authorized to serve citations and other notices by order pursuant to Rule 103, Texas Rules of Civil Procedure, to be officers of the court. Any such person filing a false return or engaging in service contrary to law or rule may be subject to punishment by an order of contempt. Such order may prohibit such person from serving citations and notices in this County.

(b) Any proposed order authorizing private service under Rule 103 will not be signed by the judge unless accompanied by a certificate signed by Counsel requesting such an appointment. Such certificate shall set out the name and address of the person to be so authorized and affirm that such person is not less than eighteen years of age, is not a party, and has no interest in the outcome of the suit in which the authorization is sought.

Rule 2.15: Motions to Withdraw as Attorney of Record and Motions to Substitute Attorneys

(a) A motion to withdraw as attorney of record will be granted without a hearing only if the moving attorney:

(1) files written consents to the withdrawal signed by attorneys for all parties; and

(2) files a written consent to the withdrawal signed by the client, or includes in the motion a specific statement of the circumstances that prevent the moving attorney from obtaining the client's written consent; and

(3) files a certificate stating the last known mailing address of the client.

(b) If a motion to withdraw and to substitute another attorney includes an appearance by another attorney pursuant to Rule 10 and Rule 57, Tex. R. Civ. P., that appearance will satisfy the requirements of subparagraphs (2) and (3) above, but such an appearance will not satisfy the requirement that the movant must file written consents to the withdrawal signed by attorneys for all parties.

(c) If all requirements of subsection (a) are not satisfied, a motion to withdraw or to substitute another attorney must be presented at a hearing after notice to the client and to all other parties.

CHAPTER 3: DISMISSAL FOR WANT OF PROSECUTION

Rule 3.1: Case Selection

The following cases are eligible for dismissal for want of prosecution under this Chapter pursuant to Tex. R. Civ. P. 165a:

(a) Cases on file for more than 180 days in which no answer has been filed.

(b) Cases which have been on file for more than twelve months and are not set for trial and have had no filings or settings within 180 days.

(c) Cases in which a party or the party's attorney has failed to take any action specified by the Court.

(d) Any other case designated by the Court.

Rule 3.2: Notice

Pursuant to Rule 165a, Tex. R. Civ. P., the Court shall give notice that certain cases will be dismissed for want of prosecution. Such matters will be dismissed on the date indicated in the notice of dismissal.

CHAPTER 4: RULES OF DECORUM

Rule 4.1: General rules of Courtroom Conduct

(a) All officers of the Court except the judge and jurors, and all other participants except witnesses who have been placed under the rule, shall promptly enter the courtroom before the scheduled time for each court session. When the bailiff calls the court to order, complete order should be observed.

(b) In the courtroom, there shall be:

(1) no tobacco;

(2) no chewing gum;

(3) no reading of newspapers or magazines;

(4) no bottles, cups or beverage containers except court water pitchers and cups;

(5) no edibles;

(6) no propping of feet on tables or chairs;

(7) no noise or talking that interferes with court proceedings, including but not limited to cellular phones and digital pagers.

(c) The Judge, attorneys, and other officers of the court will refer to and address other court officers or participants in the proceedings respectfully and impersonally, as by using appropriate titles and surnames rather than first names.

(d) The oath will be administered in a manner calculated to impress the witness with the importance and solemnity of the promise to adhere to the truth.

(e) All officers of the court shall dress appropriately for court sessions.

Rule 4.2: Conduct of Attorneys

(a) Attorneys should observe the letter and spirit of all canons of ethics, including those dealing with discussion of cases with representatives of the media and those concerning improper *ex parte* communications with the Judge.

(b) Attorneys should advise their clients and witnesses of local rules of decorum that may be applicable.

(c) All objections, arguments, and other comments by counsel shall be directed to the Judge or jury and not to opposing counsel.

(d) Attorneys should not approach the bench without leave of court and must never lean on the bench;

(e) Attorneys shall anticipate any need to move furniture, appliances, or easels, and should make advance arrangements with the bailiff. Tables should not be moved during court sessions.