

Court and Media Relationship

10003.1 GENERAL DUTIES

The following are general procedures for Justice Center Bailiffs of the Court Operations Division. Any conflict with these directives and any other Departmental Policy and/or Procedures shall be brought to the attention of the Justice Center Sergeant.

- (a) The area between the counsel tables and the judge's bench is called the "well" and is considered "no man's land." Unless the judge directs otherwise, only the court staff may enter this area while the judge is on the bench.
- (b) SSOs and Deputies have the responsibility for ensuring that court participants comply with County of Orange Ordinance # 4-7-11 wherein smoking is prohibited "in buildings owned or leased by the County of Orange and in County of Orange spaces in buildings partially leased by the County of Orange."
- (c) Bailiffs shall adhere to the policies and procedures of the CCOM. However, the operation of individual judge's courtrooms may vary. Bailiffs should ensure that all court participants comply with the following rules of the court:
 - 1. No food or drinks are allowed in the courtroom, except water pitchers in selected areas.
 - 2. The wearing of hats and sunglasses is not permitted in the courtroom.
 - 3. Have everyone turn off their cellular phones.
 - 4. Silence will be maintained at all times while court is in session, except by those persons involved in the case presently before the court. Anyone else talking while court is in session should be politely asked to be quiet or to leave the courtroom.
 - 5. No persons will be admitted to, or permitted to remain in, the courtroom unless properly attired in accordance with court rules.
 - 6. Sheriff personnel assisting a bailiff in a courtroom will be guided by the bailiff's instructions and will remain in the courtroom until properly relieved or excused by the bailiff.
 - 7. Before each court session, the bailiff will do a security check of the courtroom, and custody box. The bailiff should test all equipment and ensure that necessary supplies have been replenished.
 - 8. Bailiffs are particularly susceptible to questioning by litigants and attorneys. In all such instances bailiffs should remain courteous, but not give legal advice or offer personal comments on any court action.
 - 9. Telephone calls should be brief and sufficiently quiet so as not to disturb the court or court participants. Bailiffs with outside private businesses shall not make or receive business telephone calls on court or Department telephones.
- (d) Bailiffs shall not take enforcement action pertaining to "rules of the court" unless directed by the judge.

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10003.2 BAILIFF CONDUCT

Each bailiff's conduct and demeanor in the presence of the general public, other public employees, and court attachés is representative of the degree of professionalism of the entire Sheriff's Department. Proper and professional conduct not only reflects favorably upon the department, but upon the entire judicial system.

10003.3 BAILIFF JUDGE RELATIONSHIP

- (a) Judges have individual preferences with respect to the procedures in their courtroom. It is imperative that the bailiff discuss with the judge the preferences to be followed upon the initial assignment and periodically thereafter.
 - 1. If a discrepancy arises between the judge's preference and the Custody and Court Operations Manual, the discrepancy will be immediately reported to the Justice Center Sergeant.
 - 2. Regardless of how long a bailiff has served a particular judge, it is to their mutual advantage to discuss the bailiff's duties and responsibilities in determining if any changes or additions are necessary.
- (b) After a prolonged period of service with an individual judge, it is not unusual for a close relationship to develop. Under these circumstances, the bailiff should be extremely careful not to take advantage of the relationship. The bailiff must never, under any circumstances, refer to the judge by their given name when on duty or in the presence of the public. The judge is normally addressed as "Judge" or "Your Honor."
- (c) The bailiff shall always knock on the chambers door before entering. After concluding the business at hand, the bailiff should leave the chambers unless requested to stay. A bailiff must regard the judge's confidence as a trust never to be broken.

10003.4 PRO-TEM JUDGES

- (a) The Presiding Judge of a court may appoint a Pro-Tem (from the Latin phrase "pro tempore", meaning "temporarily") to hear cases when the court has a case overload, or if, for any reason, there are insufficient judges to hear the trials.
- (b) Pro-Tem judges are selected from qualified, volunteer attorneys, and may be utilized as long as the court has the need and the Pro-Tem judge is willing.
- (c) Parties have the right to have their cases heard by a regular judge and must sign a written stipulation to have their cases heard by a Pro-Tem judge. If all parties to a case do not sign the stipulation, the case must be transferred to a regular judge to be heard.
- (d) In any case, Pro-Tem judges should be treated as if they were a sitting judge.

10003.5 COURT STAFF RELATIONSHIP

- (a) To maximize efficiency of a courtroom, the bailiff should maintain a good working relationship with all court staff members.
- (b) Bailiffs should brief the staff on any unusual circumstances or security problems that may occur on a daily basis.

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- (c) The clerk or court reporter is often the first line of communication in an emergency situation.

10003.6 PUBLIC RELATIONS

- (a) While complying with the department objectives, bailiffs shall:
 - 1. Be informative, courteous, and maintain an impartial attitude toward all parties.
 - 2. Not give legal advice or discuss the relative merits of any case pending before the court.
 - 3. Not voice opinions in the presence of jurors or witnesses to avoid jeopardizing or influencing the outcome of a case.
 - 4. Not recommend or refer persons appearing in court to any attorney.
 - 5. In the performance of their duties, bailiffs shall appear, behave, and relate with the public and the press in a manner consistent with professionalism, proper decorum, and dignity.
 - 6. If there is a children's waiting room in the courthouse, inform parents of small children of its availability. Immediately advise parents with small children to remove the children from the courtroom if they become restless or noisy.

10003.7 PRESS RELATIONS

Refer to OCSD Policy Manual (Lexipol) Section 340 – News Media Relations for detailed information.