

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

STANDING ORDER MC-83(C) JUDGE'S DIRECTIVES

The following standing order is hereby ADOPTED:

STANDING ORDER MC-83(C) JUDGE'S DIRECTIVES

(a) CONTACT WITH COURT PERSONNEL

- (1) Case-related telephone inquiries should be made to the court administrator only, not to the law clerks or to the judge.
- (2) The case load prevents the court administrator from responding to casual telephone inquiries about motions and case status. Inquiries about such matters should be in writing unless time does not permit.
- (3) Information about the electronic filing of documents, exemptions to the electronic filing of documents, the entry of orders, or docket entries should be obtained from the United States District Clerk's Office - Beaumont Division at 409-654-7000. In addition, such information is available through the Case Management/Electronic Case Files (CM/ECF) database, which provides attorneys with docketing information, printable images of documents, 24-hour filing capability, and e-mail (rather than fax) notification of the entry of court orders and judgments. This database can be accessed from the Eastern District's web site at www.txed.uscourts.gov and requires registration.
- (4) Case-related correspondence should be addressed to:

Ms. Patricia Leger
Court Administrator for Judge Marcia A. Crone
P. O. Box 1470
Beaumont, Texas 77704
- (5) Substantive issues should not be raised in letter form because letters are not docketed or included in the appellate record. A copy of urgent documents, including letters, should be sent directly to chambers to ensure that they quickly come to the court's attention.
- (6) At the court's direction, the law clerks may contact counsel, but they will not discuss matters other than the subject of the call, and counsel should not attempt to extract additional information. Counsel should respond promptly to a law clerk's inquiry.

(b) EMERGENCIES

- (1) Applications for restraining orders or for other immediate relief should be made through the court administrator. The court administrator will present such applications to the court following counsel's affirmation that the opposing party has been contacted and that both parties can be available for a hearing on the record.
- (2) Motions for extension of deadlines or cut-off dates are not emergencies.

(c) APPEARANCES

- (1) An attorney who appears at a hearing or conference shall:
 - (A) be familiar with the case;
 - (B) have authority to bind the client;
 - (C) be in charge for that appearance; and
 - (D) be on time.
- (2) If out-of-town counsel wish to appear by telephone for an in-chambers status conference, a written request should be made to the court administrator as far in advance of the conference as reasonably possible. The court, at its discretion, will attempt to accommodate out-of-town counsel. No recording will be made of the status conference, however, if it is conducted, in whole or in part, telephonically.
- (3) Counsel must notify the court administrator **immediately** of the resolution of any matter that is set for trial or hearing.
- (4) Failure to appear when notified of a setting will subject that attorney and/or his or her client to sanctions, including dismissal for want of prosecution and/or appropriate judgment.

(d) ELECTRONIC FILING

Any questions concerning electronic filing procedures, requirements, or attorney registration should be directed to the District Clerk's Office.

(e) COURTROOM DECORUM

Counsel are responsible for instructing the parties and witnesses on courtroom decorum.

- (1) Counsel shall ensure that all parties and witnesses refrain from chewing gum, drinking, eating, smoking, wearing hats, or reading newspapers, books, etc., in the courtroom.
- (2) All counsel and parties are expected to be seated at the counsel tables and ready to proceed when court is called into session. Counsel may drink water in the courtroom at the counsel table, but no other eating or drinking is permitted.
- (3) Counsel may question witnesses either while standing at the lectern or seated at the counsel table, whichever is preferred.
- (4) Counsel shall conduct opening statements and closing arguments either from the lectern, standing before the jury (in jury trials), or facing the court (in bench trials).
- (5) Counsel need not seek permission to “approach the witness” unless requested to do so by the court.
- (6) All counsel are expected to stand at all times when addressing the court.

(f) COURTROOM ATTIRE

(1) Attorneys, Parties, Corporate Representatives

Attorneys and their staff, parties (except criminal defendants in custody), and corporate representatives are required to wear standard business attire. For men, this includes a suit and tie or a coat and tie with tailored slacks or khaki pants. A coat and tie with jeans or other denim pants are not acceptable. For women, this includes a tailored suit or dress. Slacks are appropriate if part of a tailored suit. Slacks or skirts with a blouse or sweater, but without a jacket, are not acceptable. Extremely short skirts and other revealing clothing (short, low-cut, sheer) are not acceptable.

(2) Jurors and Witnesses

Jurors and witnesses shall dress appropriately and respectfully for the courtroom. For men, other than uniformed law-enforcement officers, this includes a coat and slacks or khaki pants. For women, other than uniformed law-enforcement officers, this includes a tailored suit or dress or a blouse with an appropriate skirt, tailored slacks, or khaki pants. No shorts, jeans or other denim pants, overalls, scrubs, tee shirts, tank tops, midriff-bearing or other revealing or low-cut clothing, extremely short skirts, sunglasses, flip-flops, or hats shall be permitted in the courtroom.

(3) Spectators

Spectators are required to dress appropriately and respectfully for the courtroom. Men are required to wear coats. No shorts, scrubs, tee shirts, tank tops, midriff-bearing or other revealing or low-cut clothing, extremely short skirts, sunglasses, flip-flops, or hats shall be permitted in the courtroom.

(4) Responsibility of Counsel

Counsel are responsible for ensuring compliance with these rules by their clients, party representatives, and witnesses. Counsel should contact the court in advance if special accommodations are desired for a client, party representative, or witness.

(g) TRIAL SETTINGS

- (1) The court holds civil docket call on a monthly basis at 10:00 a.m. on dates designated by the court. At the docket call, the court sets specific, final pretrial conference and trial dates for each pending case. All pending motions, as well as objections to the use of exhibits, witnesses, and deposition excerpts at trial, will be ruled on at the final pretrial conference if not previously resolved.
- (2) The court holds criminal pretrial conferences the fourth Monday of each month at 9:00 a.m. unless the parties are otherwise notified. The parties should be prepared to answer questions on any pending motions. All pending motions, as well as objections to the use of exhibits and witnesses, will be ruled on at the pretrial conference. Trial of the case will be set at the pretrial conference for the weeks immediately following the conference. A case not reached for trial at the original setting will be reset to the earliest possible date.
- (3) Unless an attorney has actually begun trial in another court, prior settings will not cause a case to be continued.

(h) CONTINUANCES

- (1) Joint motions for continuance are not binding and will be granted only at the court's discretion.
- (2) Bona fide vacation requests will be respected if they are made well in advance of the trial setting.
- (3) A trial will not be continued because of the unavailability of a witness. Counsel are expected to anticipate such possibilities and should be prepared to present

testimony by stenographically recorded deposition, video-taped deposition, or stipulation.

(i) **COURTROOM PROCEDURES**

(1) **Hours**

The court's hours during trial will vary depending upon the type of case and the needs of the parties, counsel, witnesses, and the court. The court will normally convene at 9:00 a.m. and adjourn around 5:30 p.m., recessing for lunch between 12:00 p.m. and 1:30 p.m.

(2) **Access at Other Times**

Counsel needing access to the courtroom to set up equipment or exhibits before or after the standard hours must arrange in advance with the court administrator to have the courtroom opened.

(3) **Equipment**

(A) The courtroom is equipped with an overhead projector; sound and video equipment; input for laptops at the bench, counsel table, witness stand, and podium; monitors at the bench, counsel table, witness stand, and podium; a document camera; a drop down screen facing the jury; and easels with writing pads.

(B) Counsel are responsible for setting up the overhead projector and sound or video equipment. Prior permission must be obtained from the court administrator in order to permit arrangements to be made with the court security officers.

(C) Because jurors are permitted to take notes during trial, counsel are responsible for providing a notepad and a pen for each member of the jury. Counsel shall furnish these items to the court administrator on the first day of trial.

(4) **Telephones**

(A) Telephone messages will **not** be taken by the Judge's staff, and counsel shall refrain from requesting use of telephones in chambers.

(B) Cellular telephones are **not** permitted in the courtroom.

(5) **Seating**

- (A) The court does not designate seating at counsel tables. This is determined on a first-come, first-served basis on the first day of trial.
- (B) Enter and leave the courtroom by the front doors only; do not use the court's entrance or the side entrances.

(6) **Availability**

While the jury is deliberating, counsel, unless given permission by the court to leave, shall remain in or near the courtroom to be available immediately for jury notes or a verdict.

This order applies to all pending cases and to those filed on or after the date of this order.

SIGNED at Beaumont, Texas, this 14th day of January, 2008.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE