

STANDING ORDER REGARDING COURTROOM OPPORTUNITIES FOR NEWER ATTORNEYS

The Court is cognizant of a growing trend in which fewer cases go to trial, and in which there are generally fewer opportunities in court for speaking or “stand-up” engagements. This is especially true for newer attorneys, that is, attorneys practicing for less than seven years (“Newer Attorney(s)”). Opportunities for Newer Attorneys to speak in federal court are increasingly rare. Accordingly, the Court strongly encourages litigants to be mindful of opportunities for Newer Attorneys to conduct oral argument before the Court, particularly for motions where the newer attorney drafted or contributed significantly to the underlying motion or response. The Court believes that it is everyone’s responsibility to assist in providing substantive experience to our next generation of lawyers and that the benefits of doing so will accrue to Newer Attorneys, to clients, and to the profession generally. Therefore, the Court strongly encourages all parties practicing before it to keep this goal in mind.

Recognizing the importance of the development of future generations of practitioners through courtroom opportunities, the Court adopts the following procedures regarding oral argument as to pending motions:

- (1) If a party is interested in having a Newer Attorney argue a motion, after the motion is ripe, the party should contact chambers to request oral argument and inform chambers that a Newer Attorney will argue the motion or a portion of the motion.
- (2) If such a request is made, the Court will:
 - A. Grant the request for oral argument on the motion, if it is at all practicable to do so, even if the Court would not ordinarily permit oral argument. In those instances where the Court is inclined to rule on the papers, a representation that the argument would be handled by a Newer Attorney will weigh in favor of holding a hearing.
 - B. Strongly consider allocating additional time for oral argument beyond what the Court may otherwise have allocated, were a Newer Attorney not arguing the motion.
 - C. Permit other, more experienced counsel of record to speak on the motion as well, where appropriate, during oral argument.
 - D. Notify opposing counsel if such a request is granted and request opposing counsel reciprocate in permitting a Newer Attorney to make its argument on the motion.

All attorneys, including Newer Attorneys, will be held to the highest professional standards. Relatedly, all attorneys appearing in court are expected to be adequately prepared and thoroughly familiar with the factual record and the applicable law, and to have a degree of authority commensurate with the proceeding.

The Court also recognizes that there may be many different circumstances in which it is not appropriate for a Newer Attorney to argue a motion. Thus, the Court emphasizes that it draws no inference from a party’s decision not to have a Newer Attorney argue any particular motion before the Court.

Additionally, the Court will draw no inference about the importance of a particular motion, or the merits of a party’s argument regarding the motion, from the party’s decision to have (or not to have) a Newer Attorney argue the motion.