

# Family Case Tip Sheets

## Courtroom Procedure

This Tip Sheet was created to provide some information on courtroom procedure and behavior. The information provided is general in nature and should not be taken as legal advice. Only a lawyer can provide legal advice.

### Arriving at Court

When attending Court, plan to arrive early to ensure there is enough time to pass through security, find your courtroom, and take a seat. The Family Division in St. John's offers Legal Aid Duty Counsel, so make sure to allow enough time before your appearance if you plan to use this service.

### Court Procedure

To start a court proceeding, the Court Officer will call the Court to order and everyone will be asked to stand. The judge will then enter and begin to conduct the trial. He or she makes sure the Court's rules and procedures are followed to ensure that the trial is fair to both parties.

The Applicant, the person who has decided to take the matter to Court, presents his or her case first. This means that the applicant calls his or her witnesses and submits his or her evidence first.

After the applicant presents his or her evidence, the Respondent, the person who is responding to the application, will have a chance to present his or her case.

### Courtroom Behavior

Showing respect is an important part of courtroom procedure. The correct way to address a Supreme Court judge is to use the term "Justice", or use "Justice" in front of their last name. When referring to the other party you should always be respectful. If the other party has a lawyer, you address their lawyer as "counsel for the Applicant" or "counsel for the Respondent" or use their proper name, for example Mr. or Mrs. Smith. If the other party does not have a lawyer, you can address them as "the Applicant" or "the Respondent" or use their proper name.

In the Courtroom, you must show respect for the judge and the court process, and abide by the following rules:

- Don't interrupt the judge while he or she is speaking, and be polite to everyone.
- When your turn comes to speak to the Judge, stand up and speak clearly and loudly.
- Do not use obscene or abusive language.
- Clothes should be neat and tidy to create a good and positive impression. It is not appropriate to wear hats, chew gum, or take food or drink into the courtroom.
- If you have a cellphone or other electronic device, you must set it to silent or vibrate mode. You are not permitted to speak on a communication device while court is in session.