



# Student Protocol for Nebraska Appellate Court Arguments Outside of the State Capitol

## Security.

Before entering the room/auditorium where court arguments are to be heard, you will be screened using a metal detector. Personal items, such as briefcases, backpacks, and purses will be inspected by security personnel. ***Please do not bring any unnecessary materials with you to oral arguments. If backpacks/purses are indispensable, they will be searched and you will be asked to leave backpacks in the hallway. Cameras and recording devices are not allowed.***

## Entering/Exiting/Movement in the Courtroom.

Entering and exiting the courtroom is limited to the following time periods:

- Before and after the court session.
- When a recess is taken by the court.
- Between cases when attorneys are changing places.

## Courtroom Decorum.

Movement within the courtroom is restricted. Individuals observing court must remain in their seats at all times but may move between cases. Exceptions can be made with prior permission.

## Entrance/Exit of Justices.

When judges and justices enter and exit the room, the court bailiff will say, "All rise." Individuals should stand until the Chief Judge or Chief Justice invites the audience to be seated. When judges exit the courtroom (either after the argument session or after the question/answer period), the bailiff will again say "all rise" and audience is to stand until all judges have left the room. It is best to watch the bailiff for visual clues – when the bailiff stands, the audience stands. When the bailiff starts packing to leave the room, the audience may leave.

## Restrictions.

- If cellular phones are brought into the courtroom, they shall be turned completely off with no camera, recording, talking ability.
- No food or drinks are to be taken into the courtroom
- Hats and caps shall be removed
- Silence shall be maintained at all times during the court session
- No photographs or recordings (cellular phones or otherwise) are allowed without explicit permission of the Court Clerk or the Court Public Information Officer

## Speaking with the Court during Q & A.

When speaking to the court, refer to individuals as "Judge", "Justice" or, collectively, as "the court". Addressing the court using the phrases like "you guys" or "you all" is not appropriate.

Specific questions about the cases argued during the session cannot be answered. To clarify, judges are bound by a code of conduct and are not allowed to answer questions on anything other than procedural matters. If judges answer questions for about a pending case, it may give the impression that the judge has made up his/her mind on certain aspects of the case, which undermines the public trust in our system of justice.

The position of a judge is to serve as a neutral fact finder, not an advocate for one position or another -- a judge must not 'pre-judge' or offer thoughts or feelings on any case other than through a formal opinion.

## **Nebraska Supreme Court Policy for Audio/Video Files Available over the Internet.**

### **Audio files/Video recording**

The Nebraska Supreme Court and Court of Appeals make digital audio files of appellate court proceedings available to the public over the Internet through the Judicial Branch Web site, [www.supremecourt.ne.gov](http://www.supremecourt.ne.gov). Audio files of all appellate court proceedings held in the Supreme Court and Court of Appeals courtrooms are uploaded to the Web site, unless otherwise specified by the Court. Whenever possible, oral arguments of the Nebraska Supreme Court and Court of Appeals are televised live from the Supreme Court and Court of Appeals courtrooms.

### **Attorneys and Confidential Information**

If otherwise confidential information is stated on the record in open court, it will become publicly available through the audio files and live televising of the arguments of the Court. Attorneys and parties are solely responsible for guaranteeing that confidential information be protected. Attorneys are to avoid stating confidential or sensitive information during court.

***If auxiliary aids or reasonable accommodations are needed for attendance at a hearing, please call the State Court Administrator's Office, (402) 471-3730, or for people with hearing impairments, please call the Nebraska Relay System, (800) 833-7352 TDD or (800) 833-0920 Voice. Advance notice of seven days is needed when requesting an interpreter.***