

San Bernardino County Sheriff's Department  
Courtroom Procedures  
Outline

I. Introduction & Overview

- A. Instructors
- B. Facilities
- C. Students
- D. Course outline and expectations

II. Courtroom Personnel

- A. Judge
  - 1. Controls the courtroom
  - 2. Rules on points of law
  - 3. Rules on objections
- B. Attorneys
  - 1. Deputy District Attorney
  - 2. Public Defender
  - 3. Private counsel
- C. Court Reporter / Stenographer
  - 1. Records all official action in the courtroom
  - 2. Cannot record nods or head shakes
- D. Court Clerk
  - 1. Swears in witnesses
  - 2. Marks court exhibits
  - 3. Secretary to Judge
- E. Bailiff
  - 1. Sworn officer
  - 2. Liaison to jury
  - 3. Escorts defendant in and out of courtroom
- F. Jurors / alternates
- G. Gallery

III. Pre-trial preparation

- A. Make an appointment to meet with the attorney who subpoenaed you
  - 1. Go over testimony
  - 2. Look at photos
  - 3. Suggest questions / advise if question is too limiting
  - 4. Should there be a meeting with all involved
- B. Earmark reports / files for detailed information
  - 1. Don't try to memorize every detail
  - 2. You can refer to report (ask permission first)
- C. Practice explaining techniques and procedures to friends, family, or co-workers
- D. Prepare exhibits to explain complicated processes
  - 1. Try to avoid live reconstructions
  - 2. Practice beforehand if unavoidable
  - 3. Be prepared to explain failure

IV. Appearance / Dress

- A. Professional business attire

1. No badges or uniforms
  2. Want to give the impression of neutrality
  - B. Neat / clean hair
  - C. Conservative jewelry
  - D. First impressions count - as you walk in the jurors are drawing conclusions about your believability – just from the way you look
- V. Waiting your turn
- A. Typically not allowed in courtroom until called
  - B. Be aware of other people in the same area
    1. Friends & family of victim / defendant
    2. Reporters
    3. Jurors
    4. “Spies” placed by attorneys
  - C. Talk quietly and conservatively to people you know
    1. Don’t discuss case or testimony
    2. Avoid bad language
    3. Don’t be loud or boisterous
- VI. Testimony
- A. Bailiff calls the witness
    1. Enter between jury and prosecutor’s desk
    2. Stand in front of witness box until you are sworn in
  - B. Get comfortable
    1. Face the jury
    2. Adjust the microphone
    3. Sit up straight
    4. Leave cell phones OFF (or on airplane mode)
  - C. Direct Testimony
    1. Question you should expect
    2. Will typically stand near the jury box to direct your attention there
    3. Will give you plenty of time to answer
    4. Gets to re-question to “clear up” any doubt posed by opposition
  - D. Cross-examination
    1. Will stand or sit at their desk
    2. Opposing attorney can only ask questions about the same topics
    3. May ask 2<sup>nd</sup> question before you finish answering the first
    4. May ask the same questions different ways
  - E. Answering questions
    1. Don’t rush to answer – make sure question is concluded
    2. Formulate answer in head before speaking
    3. Stop speaking when you are finished
  - F. Objections
    1. Stop speaking immediately
    2. “Overruled” means you may continue
    3. “Sustained” means another questions must be asked
  - G. Opening questions – be prepared for:
    1. Describe employment history
    2. Describe job duties

3. Describe education / training

H. Drawing

1. You may be asked to draw or write something out
2. Turn your back to the jury and COMPLETE the task
3. Then turn and speak about it
4. Silence feels long but jury is watching what you are doing, not waiting

I. Do:

1. Always act professional
2. Answer simply “yes” or “no”
3. Ask questions to be repeated if necessary
4. State that you can’t answer simply “yes” or “no” if appropriate
5. Avoid answering hypothetical questions
6. Keep speaking volume high
7. Make eye contact with jurors

J. Don’t:

1. Be afraid to say “I don’t know” or “I don’t remember”
2. Rush to answer
3. Cross your arms
4. Joke
5. Scan yours eyes quickly through the jurors
6. Lose your temper or get mad
7. NEVER LIE

VI. Mock Court – practical exercise

When students enroll in class they will be asked to submit a sample of their work (dispatch call printout, x-ray, report, etc.) for instructors to review and “prepare their case”. Classroom will be organized into a courtroom like setting and students will be called to the “witness stand” and have to “testify” on the work they provided. Instructors and other role-players will be in the positions of courtroom personnel.

Each student will received immediate verbal evaluation / feedback from classroom staff and student “jurors”.