

# PRINCIPLES OF PROFESSIONALISM FOR DELAWARE JUDGES

## PREAMBLE

The following Principles, which were adopted by the Delaware Supreme Court effective November 1, 2003, are designed to encourage judges, including judicial commissioners, to meet their obligation to be civil and respectful to all persons with whom they deal in an official capacity and to require similar conduct from others under their control. These Principles are not intended to alter the Code of Judicial Conduct or judges' obligations thereunder, or to create additional standards under which judges may be disciplined. They should, however, be followed by all judges of the State of Delaware.

## PRINCIPLES

1. A judge should be courteous, respectful and civil to lawyers, parties, witnesses, court personnel, and all other participants in the legal process.
2. A judge should maintain control of the proceedings, recognizing that judges have both the obligation and the authority to ensure that all proceedings are conducted in a civil and respectful manner by counsel and the parties.
3. A judge should be considerate of the time schedules of lawyers, parties, and witnesses, and the expenses attendant to litigation, in scheduling trials, hearings, meetings and conferences.
4. A judge should be punctual in convening trials, hearings, meetings and conferences and notify counsel or *pro se* parties promptly if the judge becomes aware that a matter will not begin when scheduled.
5. While endeavoring to resolve disputes efficiently, a judge should be considerate of the time constraints and pressures imposed on lawyers, parties or other participants in the legal process.
6. A judge should allow a lawyer or *pro se* party to present a cause properly and to make a complete and accurate record, free from unreasonable or unnecessary judicial interruption.
7. To the extent possible, a judge should give all issues in controversy deliberate, informed, impartial and studied analysis and consideration and explain, when necessary, the reasons for the decisions of the court.
8. A judge should make all reasonable efforts to decide promptly all matters presented for decision.

9. A judge should not employ hostile, demeaning or humiliating language in opinions or in written or oral communications with other judges, lawyers, parties, witnesses or court personnel.

10. A judge should work in cooperation with other judges in this and other jurisdictions on matters relating to the availability of lawyers, parties, witnesses or court resources. A judge should not knowingly create a scheduling conflict with another judge's judicial proceeding.

11. A judge should ensure that court personnel act civilly and respectfully toward each other and toward judges, lawyers, parties, witnesses and all other participants in the legal process.

12. A judge should not impugn the integrity or professionalism of any lawyer on the basis of the lawyer's clients or cause.

13. A judge should avoid procedures that needlessly increase litigation expenses and discourage unnecessary litigation expenses.

14. A judge should refer to counsel by surname preceded by the preferred title (Mr., Mrs., Ms. or Miss), or by the professional title of attorney or counselor while in the courtroom. In any proceeding a judge should refer to all counsel in a like manner.

15. A judge should be courteous and respectful in opinions, ever mindful that a position articulated by another judge is the result of that judge's earnest effort to interpret the law and the facts correctly. A judge should endeavor to work with other judges to foster a spirit of cooperation in the mutual goal of enhancing the administration of justice.