

Courtroom Etiquette: Principles, Evolution, and Modern Practices for Advocates

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Abstract: *Courtroom etiquette goes far beyond being a set of old-fashioned formalities it is the very fabric that holds the dignity and credibility of legal proceedings together. This paper takes a thoughtful look into the evolving nature of courtroom decorum, starting with the symbolic power of traditional dress codes that still command respect in courts worldwide, from India's black coats and neckbands to the wigs and robes in the UK. It is evident that such symbols, while rooted in history, continue to influence how professionalism is perceived in modern legal spaces, including virtual hearings. More than attire, the discussion expands to the art of respectful addressing whether calling a judge "Your Lordship" or simply "Judge" and how these practices reflect shifting cultural and institutional values. That said, the paper does not shy away from critiquing how these traditions sometimes struggle to adapt to the demands of digital courtrooms, where maintaining order and professional conduct is increasingly challenging. Speaking etiquette and professional behaviour are examined not as rigid rules but as essential tools that promote fairness, prevent hostility, and keep the focus on legal merit rather than theatrics. This suggests that the true measure of courtroom professionalism lies in the ability to balance tradition with evolving expectations, whether it's standing to address the court or handling digital disruptions with grace. Taking this further, the paper highlights lesser-discussed but crucial aspects like punctuality, document management, and silent observance, which together create an environment where justice can thrive. Ultimately, this study reminds us that courtroom etiquette is not merely about following rules it is a shared commitment by all participants to uphold the spirit of justice with civility, integrity, and mutual respect, ensuring that courts remain spaces of reasoned argument and impartial decision-making in both physical & virtual settings.*

Keywords: courtroom etiquette, legal decorum, professional conduct, dress code, judicial respect

Dress Code

- Wear formal attire as per the court's dress code (black coat, white shirt, and neckband for advocates in India).
- Avoid casual or inappropriate clothing.

1. Introduction

Courtroom etiquette refers to the set of formal behaviours, decorum, and ethical standards expected of all participants in a judicial proceeding. It encompasses a wide range of conduct, including appropriate dress, respectful communication, professional demeanour, and adherence to procedural rules. Courtroom etiquette is not merely a matter of tradition; it is an essential component of maintaining the integrity and authority of the judicial system.

The significance of courtroom etiquette in legal proceedings cannot be overstated. It serves to uphold the solemnity of the judicial process, ensuring that all parties—judges, advocates, litigants, and observers—conduct themselves in a manner that fosters fairness, impartiality, and respect for the law. Proper decorum in the courtroom is crucial in preserving public confidence in the justice system and in reinforcing the principle that courts are venues of reasoned argument and legal deliberation rather than hostility and disorder.

This paper aims to provide an in-depth exploration of courtroom etiquette, highlighting its importance in legal practice, the expectations placed on legal professionals, and its impact on judicial outcomes. The discussion will cover the fundamental principles of courtroom behavior, advocate conduct, judicial decorum, cross-jurisdictional comparisons, and the evolving nature of etiquette in the digital era. By examining these aspects, this study will underscore why etiquette remains a cornerstone of effective and professional legal advocacy in modern courtrooms.

2. Evolution of the Dress Code in Courtrooms

The courtroom dress code has evolved over centuries, rooted in tradition and professional identity. Legal attire serves as a symbol of authority, neutrality, and respect for judicial proceedings. The origins of courtroom dress can be traced back to English common law traditions, where judges and lawyers wore robes and wigs to emphasize formality and hierarchy in legal settings.

In India, the dress code for advocates was influenced by British colonial rule. The Advocates Act of 1961 and the Bar Council of India Rules formalized the attire, requiring lawyers to wear a black coat, white shirt, and neckband. This attire signifies dignity, discipline, and the solemnity of the legal profession.

Different jurisdictions have adopted their own variations of legal dress codes. In the United States, attorneys typically wear formal business suits, while in the UK, barristers continue to don wigs and gowns in certain court settings. The shift towards virtual hearings and modern legal practices has led to some relaxation of dress codes, but maintaining professional appearance remains a fundamental expectation in all legal systems.

Dress Code in Courtrooms Today

- **Wear formal attire** as per the court's dress code (e.g., black coat, white shirt, and neckband for advocates in India).
- **Avoid casual or inappropriate clothing** such as jeans, t-shirts, or bright colors that may be deemed unprofessional.
- **Judges' attire** varies by jurisdiction but typically includes robes to signify authority and impartiality.
- **Impact of Virtual Hearings:** Some courts allow modified dress codes for remote appearances, but professionalism is still required.

Maintaining a strict dress code in courtrooms reinforces respect for legal proceedings and ensures that all participants adhere to the decorum expected in judicial settings.

1) Respectful Addressing:

- Address judges with appropriate honorifics such as "Your Lordship" or "Your Honor" depending on the jurisdiction.
- Address opposing counsel with respect.

Evolution of Respectful Addressing in Courtrooms

The manner in which legal professionals address judges and opposing counsel has undergone significant changes over time. Historically, courts followed rigid formalities in addressing judicial officers, reflecting the hierarchical and solemn nature of legal proceedings. The practice of addressing judges with honorifics such as "Your Lordship" in common law jurisdictions like India and the UK, and "Your Honor" in the United States, dates back centuries and symbolizes deference to the authority of the judiciary.

In early judicial systems, failure to address a judge appropriately was often seen as an act of disrespect and could even lead to charges of contempt of court. Over time, while formal address remains a key part of courtroom decorum, some jurisdictions have modernized these practices to promote accessibility. For instance, in certain courts in the UK and Australia, judges may prefer to be addressed simply as "Judge" rather than using traditional honorifics.

Addressing opposing counsel has also evolved. Earlier, adversarial legal systems encouraged highly formalized and rigid interactions between lawyers. Today, while professionalism remains paramount, there is an increasing emphasis on maintaining a respectful and collegial tone in legal proceedings.

Respectful Addressing in Courtrooms Today

- a) **Addressing Judges:** Use appropriate honorifics based on jurisdiction, such as:
- "Your Lordship" (India, UK's higher courts)
 - "Your Honor" (USA, lower UK courts, and other common law jurisdictions)
 - "Madam Justice" or "Mr. Justice" (Canada, certain Commonwealth courts)
 - "Judge" (some modern courts to reduce formality)

b) Addressing Opposing Counsel:

- Use respectful language, avoiding personal attacks or inflammatory statements.
- Refer to them as "Learned Counsel" or "My Friend" in formal proceedings.
- Maintain a professional demeanor even in contentious cases.

While legal traditions continue to adapt, respectful addressing remains fundamental to preserving courtroom decorum, ensuring professionalism, and upholding the dignity of legal institutions.

2) Speaking Etiquette:

- Speak only when permitted by the judge.
- Stand up when addressing the court.
- Do not interrupt the judge or opposing counsel.

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Evolution of Speaking Etiquette in Courtrooms

The rules regarding speaking in court have evolved to maintain order, respect, and the structured nature of legal proceedings. In ancient times, legal arguments were often presented in a rigid, hierarchical format, with strict protocols on when and how advocates could speak. The concept of waiting for the judge's permission to speak was deeply ingrained in early court systems to ensure that proceedings remained orderly and that no party dominated the discourse unfairly.

Over time, different legal systems developed their own speaking protocols. In common law courts, adversarial

proceedings required strict turn-taking, with interruptions considered highly improper. In inquisitorial systems, as seen in many European countries, judges played a more active role in questioning and directing the flow of discussion.

With the advent of modern legal systems and technological advancements, courtroom speech etiquette has had to adapt. Virtual hearings, for example, have introduced new challenges, such as ensuring all participants wait their turn to speak without talking over one another due to delays or connectivity issues.

Speaking Etiquette in Courtrooms Today

- **Speak only when permitted by the judge** to maintain order and ensure fairness.
- **Stand up when addressing the court** as a sign of respect for the judiciary.
- **Do not interrupt the judge or opposing counsel**; wait for your turn to present arguments or objections.
- **Use a measured, respectful tone** even in heated legal disputes.
- **Acknowledge the court before and after speaking** by phrases such as "With your permission, Your Honor" or "May it please the court."

Strict adherence to speaking etiquette ensures that courtroom proceedings remain professional, efficient, and respectful to all participants.

3) Professional Conduct:

- Maintain a composed and respectful demeanor.
- Avoid personal attacks or emotional arguments.
- Stick to legal arguments and case facts.

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Evolution of Professional Conduct in Courtrooms

Historically, lawyers were expected to conduct themselves with the utmost decorum, reflecting the solemnity of legal proceedings. Early legal systems emphasized rigid professional behavior, with advocates adhering strictly to formal codes of conduct. Personal attacks, emotional arguments, or disrespectful conduct were seen as violations of professional ethics and could lead to severe disciplinary actions.

Over time, legal advocacy has evolved to balance zealous representation with ethical responsibilities. While adversarial tactics have always been part of litigation, modern legal standards stress professionalism, civility, and adherence to ethical guidelines. Today, professional conduct in courtrooms is regulated by bar associations and legal councils, ensuring that lawyers maintain composure, avoid personal conflicts, and present arguments based on legal merits rather than emotion.

Professional Conduct in Courtrooms Today

- **Maintain a composed and respectful demeanor** to uphold the dignity of the legal profession.
- **Avoid personal attacks or emotional arguments** to ensure legal disputes remain objective and fair.
- **Stick to legal arguments and case facts** rather than resorting to rhetoric or theatrics.

4) Courtroom Decorum:

- Keep mobile phones switched off or on silent mode.
- Avoid unnecessary movements or gestures.
- Refrain from engaging in private discussions inside the courtroom.

5) Submission of Documents:

- Present documents in an orderly and professional manner.
- Hand over documents to the court through the proper procedure, not directly to the judge.

6) Punctuality:

- Arrive on time for court proceedings.
- Be prepared with all necessary documents and arguments.

7) Respect for Judicial Authority:

- Accept the judge's ruling with grace, even if unfavourable.
- Avoid arguing with or questioning the judge's authority.

3. Conclusion

- In conclusion, courtroom etiquette plays an indispensable role in shaping the integrity, professionalism, and authority of the judicial process. As this study underscores, fundamental elements such as dress code, respectful addressing, speaking manners, and professional conduct contribute to maintaining decorum, order, and respect within the court. These protocols not only uphold the dignity of the judiciary but also foster an environment conducive to fair and impartial justice.
- The evolution of courtroom etiquette reflects broader legal, social, and technological changes. From traditional attire and formal language rooted in colonial history to contemporary adaptations for virtual hearings, these shifts

demonstrate the legal community's commitment to balancing tradition with practicality. Maintaining professionalism through punctuality, document management, and respect for judicial authority remains essential, especially as courts increasingly navigate the challenges of modern communication and hybrid proceedings.

- Ultimately, adherence to courtroom etiquette is a shared responsibility among advocates, judges, and litigants. It ensures that legal proceedings uphold their solemnity and fairness, reinforcing public confidence in the justice system. As the legal landscape continues to evolve, so too must the principles of decorum, emphasizing civility, integrity, and respect—cornerstones of effective advocacy and the rule of law.

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