

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STANDING ORDER REGARDING
COURTROOM OPPORTUNITIES FOR RELATIVELY INEXPERIENCED ATTORNEYS

JOUN, D.J.

Courtroom opportunities for relatively inexperienced attorneys, particularly those who practice at larger law firms, have declined precipitously. In 2005, Judge Saylor issued a standing order governing practice in his session which remains in effect and specifically encourages participation of relatively inexperienced attorneys in all court proceedings. Other judges have followed suit, issuing standing orders modeled on Judge Saylor's Order. Recognizing the importance of the development of future generations of practitioners through courtroom opportunities, I now join my colleagues.

I strongly encourage the participation of relatively inexperienced attorneys in all court proceedings, including initial scheduling conferences, status conferences, hearings on discovery as well as dispositive motions, and examination of witnesses at evidentiary hearings and trials. In addition, I strongly encourage the participation in court of an attorney who wrote the substantial majority of a party's briefing relating to the relevant proceeding before the Court. The following cautions regarding professionalism, authority, and supervision shall apply.

First, all attorneys appearing in this court, including those who are relatively inexperienced, will be held to the highest professional standards. In particular, all attorneys appearing in court, regardless of experience, are expected to be appropriately prepared. For example, any attorney who is arguing a motion is expected to be thoroughly familiar with the factual record and applicable law pertinent to that motion.

Second, all attorneys appearing in court should have a degree of authority commensurate with the proceeding that they are assigned to handle. For example, an attorney appearing at a scheduling conference ordinarily should have the authority to propose and agree to a discovery schedule and any other matters reasonably likely to arise at the conference.

Third, relatively inexperienced attorneys who seek to participate in evidentiary hearings of substantial complexity, such as examining a witness at trial, should be accompanied and supervised by a more experienced attorney, unless leave of Court is granted otherwise.

Counsel are encouraged to seek additional guidance from the Court concerning the scope or application of this policy in particular cases.

Dated: August 31, 2023

SO ORDERED.

/s/ Myong J. Joun
United States District Judge