

**STATEMENT REGARDING COURTROOM OPPORTUNITIES
FOR NEWER LAWYERS**

MARK R. HORNAK, UNITED STATES DISTRICT JUDGE

Courtroom opportunities for relatively new attorneys, particularly those who practice at larger firms or in more complex areas of the law, have declined precipitously in recent years.

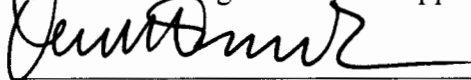
I encourage the active participation of such attorneys in all court proceedings. Based on my experience, these newer lawyers are more than up to the task, and they can effectively handle not only relatively routine matters (such as discovery motions), but also, where appropriate, more complex matters (such as motions for summary judgment or the examination of witnesses at trial).

In an effort to increase advocacy opportunities for newer lawyers, with notice in advance, the Court will consider relaxing the usual requirement that only a single lawyer may present an argument, and will allow a more experienced lawyer to “back up” a newer lawyer in the examination of witnesses so long as doing so will not unduly prolong the proceeding, not prejudice the opposing party, and not result in undue “double dipping”. Such new lawyers who actively participate in evidentiary hearings, including examining a witness at trial, should be accompanied and supervised by a more experienced attorney. The Court will regulate the proceedings to make sure that in the end, all sides of an issue get a fair shake.

Of course, even relatively inexperienced attorneys will be held to the same professional standards with regard to any matter as to which experience is largely irrelevant. In particular, all attorneys appearing in court are expected to be appropriately prepared, regardless of experience. For example, any attorney who is arguing a motion for summary judgment is expected to be thoroughly familiar with the factual record and the applicable law. In short, all lawyers need to know and understand the “rules of the road”.

Further, 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 must have the full authority to propose and agree to a discovery or trial schedule and any other matters reasonably likely to arise at the conference, to address and argue any then-pending motion, and to discuss the status of any settlement discussions.

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



Mark R. Hornak
United States District Judge

Dated: December, 2016