

**STANDING ORDER RE:
COURTROOM OPPORTUNITIES FOR
NEWER ATTORNEYS IN CIVIL CASES**

The United States District Court for the Southern District of Ohio is a teaching court. Opportunities to train newer attorneys (in practice six years or less) in oral advocacy and trial practice have become increasingly rare because of the declining number of civil trials. As a result, newer attorneys are often silent participants during oral argument, evidentiary hearings and trial. The purpose of this Order is to provide newer attorneys with opportunities to be more active in the courtroom. The participation of newer attorneys in all proceedings – including, but not limited to, preliminary and final pretrial conferences, oral argument on discovery disputes and motions, and the presentation of evidence during hearings or trial – is strongly encouraged.

To that end, Judge Gentry encourages newer attorneys on a client’s legal team in civil cases to argue motions they have helped prepare, and to question witnesses with whom they have worked. Newer attorneys who are familiar with the matter under consideration, but who have little experience arguing before or presenting evidence to a court, should have a speaking role if possible. Judge Gentry is amenable to permitting multiple lawyers to argue or present evidence on behalf of their client if this accommodation helps to create opportunities for newer attorneys. Of course, the Court recognizes that the ultimate decision of who will advocate in the courtroom will be made by the client and the lead trial attorney, not the Court.

Judge Gentry adopts the following procedures relating to advocacy by newer attorneys, and strongly encourages members of the federal bar to take advantage of these opportunities.

After a civil motion is fully briefed, or after an informal discovery dispute has been brought to the attention of the Court, any party may alert the Court by a docketed Notice that, if oral argument is granted, a newer attorney (who has been in practice six years or less) shall argue the motion or discovery dispute, or a portion thereof. The Court will permit more experienced counsel of record to provide assistance to the newer attorney during the argument. The Court will also, upon request, permit multiple counsel to argue on behalf of their client.

Similarly, prior to an evidentiary hearing or trial, any party may alert the Court by a docketed Notice that a newer attorney shall present evidence or examine witnesses. The Court will permit more experienced counsel of record to provide assistance to the newer attorney during the hearing or trial. The Court will also permit multiple counsel to present evidence on behalf of the client, to examine witnesses, and to make or respond to objections.

IT IS SO ORDERED.

/s/ Caroline H. Gentry
Caroline H. Gentry
U.S. Magistrate Judge