

Bailiff Overview

10004.1 GENERAL DUTIES

- (a) The following are general duties of a bailiff. Specific courts and individual judges may have different requirements.
 - 1. The security and protection of the judge and any persons in court.
 - 2. The security and care of juries.
 - 3. Ordering, transporting and security of custodies.
 - 4. Maintaining order during court sessions.
 - 5. Opening and adjourning court.
 - 6. Serving process when required.
 - 7. Inspecting courtroom and jury room for proper and necessary equipment.
 - 8. Responding to emergencies in court and within the courthouse.
 - 9. Rendering assistance to the public, court employees, court attachés, and co-workers.

10004.2 CASE ASSESSMENT

- (a) A bailiff shall be familiar with the type of case before the court, the type of crime and/or circumstances and the individuals involved.
- (b) Bailiffs working in courts handling criminal defendants should be aware of any case that would require additional security.
 - 1. Sources of information might include the investigating officer, prosecutor, or defense counsel.
 - 2. While there may be no immediate threat or problem, the bailiff should be alert for a potential problem during or after the case.
 - 3. Such awareness will assist in deciding the need for additional security for returning cases.
- (c) The bailiff shall advise a supervisor of possible future high security cases.
 - 1. The notation should include the defendant's name, charges, prosecutor's name, return date, and a brief description of the potential situation (e.g., witness problems, intimidation, gang related, emotionally charged, etc.).

10004.3 SUPERVISOR NOTIFICATION

- (a) A bailiff shall notify their supervisor when:
 - 1. Any unusual or hazardous situations or any potential problems exist.
 - 2. There is an emergency or unusual incident.

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3. When available for reassignment.
4. When their assigned court will be out of session at any time.

10004.4 PROHIBITIONS

- (a) Bailiffs are prohibited from:
 1. Reading newspapers, magazines, working crossword or other puzzles or engaging in personal activities (using personal electronics, etc.) or other non-court related material when in view of the public.
 2. Eating food or drinking beverages in a courtroom when it is open to the public.
 3. Using county communications equipment for personal, social, or unofficial business. This includes telephones, computers, fax machines and radios.

10004.5 CONTROL OF SPECTATORS AND AUDIENCE

- (a) The bailiff is responsible for the control of all spectators in the courtroom.
- (b) All spectators entering the courtroom shall do so in a quiet, orderly fashion.
- (c) Before opening court, bailiffs will advise all spectators that there shall be no talking, eating, drinking, chewing gum or tobacco, smoking, or reading while court is in session (unless the judge directs otherwise).
 1. Anyone who is disruptive, disrespectful to the court, or fails to follow the direction of the bailiff shall be removed from the courtroom in lieu of arrest for C.P.C. 166 (a) [1] and not allowed to reenter without the permission of the judge.
- (d) Attorneys should interview their clients and witnesses outside of the courtroom unless there is a designated interview area in the courtroom.
- (e) A bailiff has the right to perform a pat-down search of any individual or group who wishes to enter the courtroom.
 1. If a search is to be performed, it is advisable to obtain back up officers.
 2. Searches should be conducted by a person who is the same sex as the person being searched.
 3. Call for a supervisor's assistance if a spectator refuses to comply.
- (f) The bailiff shall immediately advise parents or custodians of small children to remove the children from the courtroom if they become restless or noisy.
 1. If the parent or custodian of the child must be present in the courtroom and cannot take the child into the hallway, the bailiff shall confer with the judge as to their preference, keeping the security needs for the court in mind.
 - i. Options may include; obtaining assistance from the prosecuting or defense attorney's staff; or utilizing the on-site child care facility at the courthouse.
 - ii. All minor children are excluded from family law courtrooms when court is in session (unless a particular judge makes an exception).

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- (g) Bailiffs shall discuss individual public dress code wishes with their judge.
 - 1. Clothing that may be of special note, such as gang "colors" or clothing that could easily conceal a weapon should be of concern to the bailiff.