

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In the Matter of:

**CODE OF CIVILITY FOR ALL  
PROCEEDINGS BEFORE JUDGE DANIEL R.  
DOMÍNGUEZ**

**STANDING ORDER<sup>1</sup>**

The following standards of civility were initially designed in 1996 by my esteemed colleague, United States District Judge Salvador E. Casellas “*to encourage all participants in cases before the Court to meet their legal and ethical obligations to each other, to litigants and to the system of justice, thereby achieving the twin goals of civility and professionalism, both of which are hallmarks of a learned profession dedicated to public service.*” The undersigned district judge hereby incorporates said standing order for all his civil and criminal cases, effective immediately, notwithstanding that the undersigned in all trials reminds the parties as to civility between counsel, which unfortunately is not always followed.

The aforementioned legal and ethical obligations of counsel extend to all those who form part of the plaintiff, prosecution and defense teams, which includes clients, investigators and experts, among others. In civil cases involving a government or corporate entity, this entails all individuals who as representatives participate in any manner in the matter before the Court, including in-house counsel even if not admitted to practice before this Court. In criminal cases, it includes the agents who assist in prosecuting the criminal conduct, as well as any individuals under their direction and supervision.

**Lawyers’ Duties to the Court**

1. We will speak and write civilly and respectfully in all communications with the Court, which

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<sup>1</sup> The instant Standing Order has been adapted, as necessary, from the Hon. Gustavo A. Gelpi’s recent *Standing Order* addressing the same situation.

includes judicial staff, special masters and monitors appointed by the Court.

2. We will be punctual and prepared for all court appearances so that all hearings, conferences, on-site inspections and trials may commence on time.
3. We will be considerate of the time constraints and pressures on the Court and court staff, special masters and monitors, inherent in their efforts to administer justice.
4. We will not engage in any conduct that brings disorder or disruption to the courtroom or any other place where Court-directed proceedings occur. We will advise our clients and witnesses appearing in court of the proper conduct expected and required there and, to the best of our ability, prevent our clients and witnesses from creating disorder or disruption.
5. We will not knowingly misrepresent, mischaracterize or misquote facts or authorities in any oral or written communication to the Court.
6. Before dates for hearings, trials or any other proceedings are set, or if that is not feasible, immediately after such date has been set, we will attempt to verify the availability of necessary participants and witnesses so we can promptly notify the Court and/or its staff of any likely problems.
7. We will act and speak civilly to court bailiffs, clerks, deputies, court reporters, court interpreters, assistants, law clerks, special masters and monitors with an awareness that they, too, are an integral part of the judicial system.
8. We will at all times abide by the American Bar Association's Model Rules of Professional Conduct, as well as in civil cases comply with Fed.R.Civ.P. 11, as well as avoid all vexatious litigation, see 28 U.S.C. § 1927.

#### **Court's Duties to Lawyers**

1. We will be courteous, respectful, and civil to lawyers, parties, and witnesses. We will maintain control of the proceedings, recognizing that judges, and all those under their direction, have both the obligation and the authority to insure that all proceedings are conducted in a civil manner.
2. We will be punctual in convening all hearings, meetings, and conferences; if delayed, we will notify counsel, if possible.
3. In scheduling all hearings, meetings and conferences, we will be considerate of time schedules of lawyers, parties, and witnesses.
4. We will make all reasonable efforts to decide promptly all matters presented to us for

decision or recommendation within the time frame authorized by the rules and regulations, with the exception of cases where the Court is awaiting a decision from an appellate court which may affect the outcome of the proceedings.

5. We will provide the issues in controversy deliberate, impartial, and studied analysis and consideration.
6. While endeavoring to resolve disputes efficiently, we will be considerate of the time constraints and pressures imposed on lawyers by the exigencies of federal practice.
7. We recognize that a lawyer has a right and a duty to present a cause fully and properly, to litigate zealously and intellectually aggressively, and that a litigant has a right to a fair and impartial hearing.
8. We will not impugn the integrity or professionalism of any lawyer on the basis of the clients whom or the causes which a lawyer represents.
9. We will not adopt procedures that needlessly increase litigation expense.
10. We will call to lawyers' attention uncivil conduct which we observe and the Court may discipline counsel away from the presence of the jury, if necessary.
11. We will at all times abide by the Code of Judicial Conduct.

This Standing Order shall be notified by the Clerk of Court to all members of the bar of this Court, as well as entered in all of the undersigned's pending and future civil and criminal cases.

**SO ORDERED.**

In San Juan, Puerto Rico this 4th day of August, 2017.

s/ Daniel R. Domínguez  
DANIEL R. DOMÍNGUEZ  
United States District Judge