

MARIN COUNTY SHERIFF'S OFFICE
COURT SERVICES DIVISION POLICY AND PROCEDURE MANUEL

CHAPTER 2 - ORGANIZATIONAL PLAN/TRAINING PROGRAM

CRT 02-01
PAGE 1 of 4

DATE
June 1, 2001

BAILIFF

POLICY

It is the policy of the Marin County Sheriff's Office to define duties and provide guidelines for the position of the bailiff.

PROCEDURE

The function of a bailiff is to maintain order in the courtroom and ensure the proper conduct and safety of those attending the court. The bailiff is responsible for coordinating the daily security operations within the courtroom.

The bailiff assignment shall be based on experience and demonstrated ability. As an officer of the court, the bailiff shall comply with all lawful orders made by the court. Though assigned to a bailiff position, the deputy is governed by the Sheriff's policies and procedures. The bailiff shall maintain custody and control of all jail inmates assigned to the court.

A bailiff shall be assigned to all criminal and family law courts. Based on the nature of the proceeding and potential need for security, the court may request that a bailiff be assigned to civil or other hearings.

Reporting for duty assignment

Uniform assignments shall be the regular uniform of a deputy and worn in the manner prescribed by the Sheriff.

Civilian attire, when authorized, shall comply with department standards.

Initial duties

Search of courtroom

The bailiff will make a physical check of his/her assigned court room and surrounding area prior to the beginning of the morning and afternoon session and at the end of their shift. Areas to be searched will include, but will not be limited to, the court holding cell (if so equipped), spectator seating, prisoner seating, jury box, jury deliberating room, and judge's chambers (with consent of the judge).

Bailiffs will be alert at all times for weapons or contraband within the courtroom and facility.

Bailiffs discovering weapons or contraband will be responsible for reporting and

disposition of the item(s) in accordance with departmental procedures.

Structural deficiencies, such as broken chairs, door locks, etc., will be reported by the bailiff making the discovery to the maintenance department and his/her supervisor.

Check the following court equipment and supplies:

Microphone system

Judge's bench

Witness stand

Jury box

Lights and phones

The bailiff shall be familiar with the security system within the courtroom specifically, and the facility in general.

The judges and court staff shall be made aware of alarm locations within the courtroom and how the alarm is activated. Judges and staff shall be instructed as to when and under what circumstances the alarms are to be activated, and what to do if the alarm is intentionally or accidentally set off.

The bailiff shall check regularly to determine if the security systems and television camera are operational, report malfunctions immediately, and confirm that repair has been completed. The bailiff should occasionally refresh court staff members as to the preferred alarm responses in accordance with current policies and procedures.

Conduct review of court calendar and where appropriate provide security and control of prisoners attending court.

The bailiff will be responsible for advising the security deputy of court orders regarding the special movement and handling of in-custody defendant(s) or witness(s).

Special security needs will be communicated to the appropriate supervisor.

The bailiff shall be responsible for appropriate notification to court movement officers of any change in status of an in-custody defendant. These may include classification changes, court assignment, bail/O.R., or any other changes pertinent to court security.

Calling court to order

The bailiff will announce the opening of court and call the court to order on all matters under its direction.

The bailiff shall confer with the judge as to specific courtroom rules and operation on a daily basis and shall discuss special concerns with the judge.

The bailiff shall consult with the judge on the opening and introduction of the

court by the bailiff.

The bailiff will announce court protocol and security rules.

This will include general rules and regulations of conduct to those people attending court in order to maintain security and court rules established by the judge. (166 P.C.)

Court rules applying to specific proceedings may be announced at this time, such as direction of witnesses, victims, secluded hearing, etc.

Communication between prisoners and spectators is prohibited. (4570 P.C.)

Maintain security in the courtroom

Persons disturbing the operation of the court will be admonished by the bailiff in a courteous but firm manner. Further issues should be brought to the attention of the judge and the course of the action agreed upon by the judge and bailiff.

The bailiff provides a security liaison between the court and defendants, spectators, and all others that come before the court.

The bailiff shall maintain custody and control of jail inmates assigned to the court.

The bailiff coordinates attorney interviews involving in-custody defendants.

The bailiff shall take into custody and process remands.

Prior to the start of proceedings the bailiff should confer with the court regarding potential remands.

The bailiff will identify who is to be remanded and coordinate the processing of the remand with the security deputy.

The bailiff shall immediately notify the judge of any media requests to introduce or allow any video and/or audio recording device(s) into the courtroom.

Assistance to court

The bailiff directs witnesses to be seated in the courtroom.

The bailiff is responsible for ensuring compliance with special orders from the court.

The bailiff will ensure that witnesses excluded from the proceedings remain outside the courtroom.

The bailiff is responsible for control of the jury. (Ref. Jury Trial Policy 05-01)

Security and handling of court exhibits

Although the clerk is responsible for safeguarding evidence introduced during the proceedings, the bailiff is responsible for security of weapons in the courtroom.

The bailiff will inspect firearms that are introduced as evidence to make sure they are unloaded and secure.

Knives, ammunition, and any other item(s) that could be used as weapons should be rendered inoperative and made inaccessible as practical. All potential weapons will be kept out of the reach of the defendant.

Refer to Superior Court Order 92-03 regarding dangerous or toxic exhibits.

The bailiff will take control of any court papers that are the responsibility of court security and deliver them as needed. When applicable, the bailiff will provide the in-custody defendant with a copy of appropriate court papers.

The bailiff shall be familiar with emergency operations and proceed as directed by this manual or other departmental policies.

Completion of shift

The bailiff will advise a supervisor or designee when their presence is not required in the assigned court.

When the bailiff is aware that the court proceedings will extend past the normal end of shift, the bailiff will notify his/her supervisor or designee.

The bailiff will inspect and secure the court and adjacent areas of responsibility.

RELATED STANDARDS:

Uniform Local Rules of the Marin County Superior Court

AFFECTED DIVISIONS:

None

DATE OF REVISIONS:

None

By order of

TIMOTHY J. LITTLE
CAPTAIN