

## **DIRECT CONTEMPT**

### **10 Step Program**

Identify on the record yourself and the cause being heard.

Describe what happened (read back any derogatory comments)

Describe where it happened.

Find whether the conduct was done in defiance or disrespect of the Court or against the dignity of the Court or against the law, or interrupted the proceedings.

Describe the resulting disturbance to the Court's business.

Provide the person an opportunity to explain, apologize or purge.

Make findings to support a finding of Contempt; i.e. evidence.

Immediately announce your judgment.

Make sure there is a written record.

Enter the order in a new Misc. Cause—it can be appealed.

## **EXAMPLES**

### **Drunk in Court:**

-Proceedings are interrupted and cannot be held because party, witness, etc. is legally intoxicated.

### **Swearing at the Court:**

-Proceedings are in defiance and disrespect of the Court.

### **Interrupting the Proceedings:**

-Shouting out, getting mad, swearing, etc.

### **Intimidating a Witness:**

-gestures, threats, etc., in the Courtroom.

## **REMEMBER!!!!!!**

· Sentence is immediate

· Sentences longer than 180 days may require a jury trial—make it less than 180 days

· **Direct Contempt**, a trip to jail from the Courtroom, can never, ever, never be for a party not doing something you ordered them to do outside of the Courtroom, *e.g.* remain drug free, go to counseling, etc. Those are indirect contempt and require notice, hearing and counsel if they ask and are indigent.