

COURT OBSERVATION

Every person must have his day in court, whether to prosecute and defend himself as to any disputes that may arise. This is a right that is guaranteed by the constitution and such right must be accorded to all.

In a court session that I attended, the physical appearance of the court is similar to other courts. When I first entered a court room, I expected it to be like the big courtrooms I see on TV. I was wrong. It was an average room that is quite unorganized with a lot of boxes where place at every corners probably because of the little space every court room has.

As I entered the court room I sat on the back, where the public sits, facing the judge bench at the other end of the room. One of the obvious truth about court proceedings is that no judges and lawyers are time-observant. Notice of hearing particularly state the time for the hearing to start but such was never followed by lawyers and judges. It can be easily forgiven for they are quite busy people.

One of the first things I noticed was that the atmosphere was somewhat similar to television courtrooms but that setting seemed more relaxed somehow and quieter. I was surprised how many visitors and observers there were, and was equally taken aback by the relative informality of the interactions between judge and attorney. I have seen in televisions how judges gets easily mad when lawyers are unprepared, when the spectators and the parties to a case are noisy, and when there is court impropriety. Surprisingly, the judges where very understanding. Although there was a judge, in one of my court observations that is very particular of proper court decorum. But such was one among the thousands.

It cannot be denied that I was disappointed on the court proceedings that I had witness. I always thought that lawyering is very tedious for I have to prepare a lot of pleadings, search and study to be able to defend and present effectively the case in court. It is a night of "burning candles" when you need to appear in court the next day. But such is not the reality among lawyers when appearing in court. A lot of lawyers are late, unprepared and worst missed out on court hearings successively. In fact, a lawyer was reprimanded and fined by a judge for not appearing thrice in court hearings which place the client's case in jeopardy even if such client is paying the lawyer generously.

The first arraignment that I ever attended, I noticed that after the first reading in english, the clerk of court relayed the same to the accused and translating it in Bisaya in a less formal and more conversational manner. I believe it is the most important part of court proceedings because it allows the

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David Kirk



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