Letter To *Balance* Contributor

Dear Ms Manners

I enjoyed reading your remarks contained in Balance of November 1997. I am sure you are quite right when you say that people should not introduce themselves by providing a title. Interestingly enough, Americans always seem to do so. You will see this from films and books which I assume reflect what occurs in social intercourse generally.

In Australia it's much more common to introduce yourself by providing your first given name and then your surname. This is whether the contact is over the telephone or in person. In a court situation, obviously enough, a surname is sufficient.

However, I do take issue with you in respect of the provision of the name to a court at all unless specifically asked for it. I believe that the practitioner is entitled to assume that the court will identify him or her and provide the necessary identification of name for the record in response to the practitioner's announcement of the appearance.

Thus:

N D Plume: *...If the court pleases, I appear for the plaintiff.*
The Court: *Thank you Mr Plume...*

Announcement and identification is therefore complete.

How is this achieved?

If the practitioner is not well-known to the court, then the Associate or Orderly should be given the practitioner's name and it should be handed up onto the Bench in big letters so that there can't be any doubt about it. The note might read:

The practitioner for the plaintiff in the matter of Smith and Jones is Mr Plume....

There is a protocol which exists in other jurisdictions where if the practitioner is not known to the tribunal then a short visit is made to the judicial chambers prior to the commencement of the court for an introduction. This is often done in the Supreme Court of the Northern Territory when interstate practitioners come here for the first time.

Why should this be done, you may ask?

The reason is, excuse the pun, for appearance's sake. When the practitioner stands up to announce an appearance in the court it gives his or her client sitting behind them a feeling of relative comfort to know that their representative is *known* to the court and, at least on the face of it, is not there for the first time.

The court needs to play its own part in this process and render to the practitioner the recognition to which they are entitled.

I am sure you will agree that if you go into any of the Territory courts and see the *regulars* appearing they will not be giving their names to the court *for the sake of the record* or for any other reason.

It's a little matter of ego, perhaps, but I think justified. There is, of course, nothing sweeter to any of us than the sound of our own name! Let somebody else say it for you!

Yours sincerely
N D Plume