

REPRESENTING YOURSELF IN A CIVIL CASE:

Things to Consider When Going to Court

TABLE OF CONTENTS

INTRODUCTION	1
I. ACCESS AND FAIRNESS	3
A. Will stereotypes or bias play a role in how I am treated in court?	3
B. If I have a disability, will accommodations be made for me?	3
C. If I need an interpreter, will one be provided?	3
II. DECIDING WHETHER TO REPRESENT YOURSELF	5
A. Do I have to have a lawyer or can I represent myself?	5
B. What should I consider before deciding to represent myself?	5
C. What if the other side has a lawyer and I don't?	6
D. Can I hire a lawyer to handle part of my case?	7
III. IF YOU DECIDE TO HIRE A LAWYER...	9
A. How do I find a lawyer?	9
B. How much will it cost to hire a lawyer?	9
C. What if I'd like to hire a lawyer but can't afford one?	11
D. Can I hire a lawyer to handle part of my case?	12
IV. WHO'S WHO IN THE COURTHOUSE	13
A. What is a "clerk?"	13

B. What is the role of the judge?	14
C. What does a lawyer do?	15
D. Who is responsible for court security?	15
E. Who records proceedings in court?	15
F. What is the role of the probation officer in a civil case?	16
G. What does a court interpreter do?	16
H. Are there other people involved in the court process?	16
V. GETTING READY FOR YOUR DAY IN COURT	17
A. How should I prepare for court?	17
B. How should I conduct myself in court?	17
VI. STARTING A CIVIL CASE	19
A. What is a civil case?	19
B. How do I start a civil case?	19
C. How much does it cost to file a civil case?	20
D. How do I “serve” the complaint?	21
E. If I get served with a complaint, what do I do?	21
VII. PROCEEDING WITH A CIVIL CASE	23
A. What is a case management conference?	23
B. What is discovery?	24
C. After discovery, what’s next?	25
D. Do most civil cases go to trial?	25
E. What is a pre-trial conference?	26

VIII. GOING TO TRIAL IN A CIVIL CASE	27
A. What is evidence?	27
B. What is testimony and how do I present it?	27
C. How can I get documents into evidence?	29
D. What kinds of decisions might the court make in my case?	29
E. How long will my case take?	30
F. What if my case is an emergency?	30
IX. AFTER THE COURT'S DECISION	33
A. How will the court's decision be enforced?	33
B. What if I am dissatisfied with court's decision?	34
C. How do I appeal the lower court's decision?	34
D. Will the appeal affect the judgment of the lower court?	35
E. Where can I get more information?	35
F. What if I want to appeal and the time has expired?	35
X. SETTLING YOUR CASE	37
A. Do some cases settle without going to trial?	37
B. What is alternative dispute resolution (ADR)?	38
C. Do I have to pay for alternative dispute resolution services?	38
D. Is court-connected dispute resolution a confidential process?	38

APPENDICES

<i>Appendix A: RESOURCES</i>	43
A. Trial Court Law Libraries	44
B. Bar Associations	48
C. Trial Court and Government Websites	51
D. Organizations Providing General Civil Legal Assistance	53
E. Organizations Providing Topic-Specific or Group-Specific Civil Legal Assistance	65
F. Organizations Providing Referral or Consultation Services	78
<i>Appendix B: GLOSSARY OF LEGAL TERMS</i>	81