

After Your Day in Court

Either in court that day, or possibly at a later date, the judge will issue a "judgment" or "ruling" which explains the next steps or resolution of the case. It is unlikely that you will get everything you want, whether you represent yourself or have an attorney.

Once the court has made a ruling, that is the end of your case. You may have an opportunity to appeal the judge's decision, but not on the date you receive the judgment. If you are still in the courtroom and the judge gives a ruling you do not agree with, you should not continue to persuade or argue with the court or anyone else in the case. Doing so could get you fined or put in jail.

If you receive a money judgment, talk to the court about your options for payment if you think it may be difficult to collect from the other party.

How Do I Find a Lawyer?

The "Lawyer Referral Service" can help connect you with an attorney in your area. They can supply you with the names of lawyers in your area willing to handle your particular type of case, and sometimes consult with you at a reduced fee.

- Baton Rouge area: (225) 344-9926
- Lafayette area: www.lafayettebar.org
- New Orleans area: (504) 561-8828
- Shreveport area: www.shreveportbar.com

If you cannot afford an attorney, there are three Legal Service Corporations (LSCs) in Louisiana who provide civil legal assistance for low-income Louisiana citizens. For assistance locating an office near you, call the Louisiana Civil Justice Center at 1-800-310-7029.

If your legal issue is a criminal matter, check with your local public defender office. You may be able to have a lawyer appointed to your case.

Other Helpful Hints

- ▶ The proper way to address the judge is "Your Honor."
- ▶ Speak directly to the judge only when asked, and never to the other party in the case. Do not argue, roll your eyes, or make faces while the judge or the other party is speaking.
- ▶ People who do not understand English should contact the court ahead of time so arrangements may be made. People who cannot see, hear, walk, or have other physical issues that affect their ability to get to the courtroom or participate, should contact the court ahead of time to see what arrangements can be made to resolve the issue.
- ▶ Turn cell phones and other electronic devices to "off" or vibrate mode. You may be asked to leave them outside.
- ▶ Do not bring guns, knives, or any type of weapon to court.
- ▶ Do not talk, chew gum, eat, drink, read the paper, listen to music, or do anything distracting. Food and/or drinks are not allowed in the courthouse. If you have children with you, they must remain quiet. Some courts do not allow children in court so you may need to make arrangements for child care ahead of time.
- ▶ If the court allows children, they must remain quiet when court is in session.
- ▶ Legal problems are upsetting, but try to stay calm and have patience.

Where Can I find Legal Information?

For additional resources and information visit:
www.LSBA.org/goto/SRL
and www.LouisianaLawHelp.org

You can also find information at:

- ▶ The Louisiana Civil Justice Center - (800) 310-7029
- ▶ Your Local Library
- ▶ Clerk of Court's office

This brochure is produced by the

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Access to Justice

Self-Represented Litigation Subcommittee



This document is strictly for informational purposes and does not include legal advice.

**REPRESENTING
YOURSELF
IN COURT**
*Your Rights
and Responsibilities*



Who is a Self-Represented Litigant?

A person who goes to court without being represented by a lawyer is called “*self-represented*” or “*pro se*.” *Pro se* is a Latin term that means “*for oneself*.”

Do I Need A Lawyer?

It is always a good idea to have a lawyer help you with your case. You may need a lawyer if you have a complicated case, or a case that may become more complicated in the future. It is important to remember that the judge and court staff cannot give you legal advice. If you cannot afford an attorney, local legal aid or *pro bono* organizations may be able to represent you. Not everyone qualifies for these services, and attorneys are not always available as a result of limited resources. For help finding an attorney in your area, call the Louisiana State Bar Association at 1-800-421-5722 or visit www.LSBA.org/goto/SRL.

Can I Represent Myself?

You have a right to represent yourself (appear “*pro se*”). It can be very hard to represent yourself because you must follow all court rules and should not expect any assistance from the court.

Knowing Your Case

Get Organized and Gather Your Materials. Collect all materials related to your case. Write down names, addresses, phone numbers and details about the people and events in your case. Keep a journal of past and upcoming events and deadlines related to your case. Keeping dates and events in one place will make them easier to find and talk about in court. Organize your documents. Keep original documents safe so that you can bring them to court. It is a good idea to make copies of all documents, so if the judge wants to keep one,

you will still have the original and another copy for your records. If you use a document at a court hearing, you may also need a copy to give to the other “*party*” (person) in the case.

If You Are Delivered or “Served” With Court Papers, Read Them Right Away! They often include dates important to your case, such as when you have to file papers or go to court. Read the papers carefully, because you may need to respond.

Know the Law and Your Case. If you do not have a lawyer, you will need to learn about the law and court rules. Your research should include the law of your case, court procedure, and rules of professional conduct. You may be able to sit in court and watch how it works before your court date. You may also be able to review someone else’s previously filed case that has the same issue(s) as yours. Ask someone in the “*Clerk of Court*” office for help with this.

Explore Other Options. You may be able to solve your problem without having to go to court. For example, if your issue can be resolved through a discussion with the opposing party and does not require a judgment, then Alternative Dispute Resolution (ADR) may offer a fair resolution. Sometimes the court will order you to try ADR before litigating your case.

Depending on what parish you live in, there are different services that can help you. To find services in your area, visit www.LSBA.org/goto/SRL.

Preparing For Court

Complete the Court Forms and Documents. Cases are started by filing a petition or motion that clearly states the issue of the case and the judgment the person filing the case is looking for.

If someone has filed a suit against you, you may be required to respond to the lawsuit and/or file papers with the court. Legal forms and documents can

be complicated. It is best to have a lawyer help you. You can also ask the Clerk of Court’s office if there are any forms you can fill out to help you with your case. Visit www.LSBA.org/goto/SRL to see what assistance is available online and in your parish.

Filing Court Forms and Documents. Filing court documents costs money. If you do not have money to file, you can ask for a court order to let you file papers without paying in advance. To do so, you need to file a form called “*In Forma Pauperis Application*,” or “*IFP*” for short. This document will outline your financial situation so that a judge can decide whether to delay the filing fees. If the Judge approves your application, the case can proceed but you will still need to pay court fees at a later date. If the request is denied, you will have to pay court fees when you file the first petition or motion. You may need someone who knows you well to sign the form and indicate they believe you will have difficulty paying the court fees.

You can complete the “*IFP*” form online at the Louisiana Supreme Court’s website:

<http://www.lasc.org/rules/dist.ct/COURTRULESAPPENDIX8.0.pdf>

Do I Need Witnesses? Witnesses can testify about facts to help tell your story. They should have seen or heard the evidence themselves. If you have a witness who can support your case, you should bring that person with you to court. A statement in writing from a witness cannot be used as evidence unless it can be verified by the court.

Going To Court

What Should I Wear to Court? Courthouses are a business environment. Dress in a way that shows respect for the court. You should avoid wearing shorts, tank tops, flip-flop sandals, hair styling tools, and anything inappropriate.

When Should I Arrive at Court? Arrive at the courthouse at least 30 minutes before your scheduled court appearance. It is very important

that you allow time to park and find your courtroom. If you miss your hearing, the judge can still make important decisions about your case without you there.

What about Court Security? Upon entering the courthouse, you will be expected to pass through a metal detector. Any metal object on your body must be removed and inspected. You may be required to leave your cell phone outside of the courthouse. Some courthouses may require you to show ID. If you do not have an ID, you should contact the court ahead of time.

How Do I Find the Correct Courtroom? Most courts post a list of cases in the lobby of the courthouse. If you need help locating your name, ask a court employee for assistance. Contact the clerk or the bailiff in the courtroom to let them know you have arrived and to make sure you are in the correct courtroom. Let them know if you need to leave the courtroom for any reason.

What Materials Should I Bring? Bring copies of all papers you have filed with the court. Also bring any papers that have been sent to you that are related to the case. The court will not have these documents for you. Bring copies of papers, photos, receipts, contracts, letters and so on that support your case. Organize your evidence so that it is easy for the judge to understand your side of the story.

How Long Will I Have to Wait? You will have to wait for your case to be called. The amount of time you wait may depend on the number of other people in court that day, and the order in which the judge calls cases. For some cases, you may need to plan on being there all day.

Can I Bring Children to Court? Some courts do not allow children in the courtroom. Make sure to schedule enough time away from work or for child care so that you will not miss your court appearance. If you think this will be a problem, you should contact the court before the date of your appearance.