



LEGAL BRIEF

HOW TO REPRESENT YOURSELF IN COURT

JANUARY 2016

PREPARED BY
NELLIS LAW CENTER, 4428 England Ave (Bldg 18), Nellis AFB, Nevada 89191-6505
702-652-5407, Appt. Line 702-652-7531

The following information was created by the Clark County Courts Civil Law Self-Help Center and is provided here as a courtesy. It can also be accessed online at <http://www.clarkcountycourts.us/CivilSHC/miscellaneous/self-representation.html>.

Forget the old adage that “a man who represents himself in court has a fool for a client.” Every day, ordinary citizens represent themselves in court. To strengthen your chances of winning your case, you should:

LEARN THE LAW AND RULES THAT APPLY TO YOUR CASE

Although you are representing yourself, you are still subject to nearly all of the same laws and rules of practice as attorneys. Understanding the law that applies to your case helps you understand what it is that you need to prove and allows you to focus on the issues at hand.

You can use this website to learn more about court forms and procedures. You can also take advantage of some of the legal resources available in Clark County including the free classes offered by the Legal Aid Center of Southern Nevada and UNLV School of Law.

You can also ask a lawyer to help you with certain parts of your case but still represent yourself. A lawyer can coach you, do research for you, and help you understand what your case involves.

DON'T GIVE UP WITHOUT UNDERSTANDING THE CONSEQUENCES

If you are being sued and don't believe that you have any defense, you may think there is no point in going to court. This can be dangerous, however, as you might not completely understand everything that can or will be ordered in your absence. It is best to get legal advice before deciding to give up.

GET TO THE COURTHOUSE EARLY

Your court hearing is not an appointment that you can simply reschedule if you miss it. If you need to change your court date for some reason, you will need to file legal documents requesting a different court date or get the other side to agree to the change.

If you miss your court date or are late, it is possible that the court will rule against you. Allow yourself plenty of time to get to court. Consider traffic, weather, parking, frequency of bus service and the amount of time it will take to pass through the court's metal detectors.

A good rule of thumb is to plan on arriving at the courtroom at least 20 minutes before your hearing time. Running late tends to make people anxious and distracted.

BRING YOUR FILES

You should have a file with copies of all papers you and the other side have filed with the court, or given to each other. Bring a notepad and pens for taking notes during the hearing.

BRING YOUR EVIDENCE AND WITNESSES

What you need to bring to court with you may depend on the nature of your hearing or trial. Witnesses may or may not be allowed to testify on your behalf depending on the type of hearing. It is worth checking with the Civil Law Self-Help Center to better understand the type of evidence that you need to bring with you.

If you are supposed to bring evidence and witnesses to the hearing, bring everything. Ask your witnesses to arrive early and dress nicely. If an important witness will not come voluntarily, you may get the court to issue a subpoena.

If you have documents or pictures, bring the original item and two (2) copies (original for the court, one copy for you, one copy for the other side.) Things that you may need to bring to court may include any contracts at issue, receipts, estimates, letters, bills, photographs, etc. Some documents can't be used as evidence unless the right person is in the courtroom to explain the document and answer questions about it. There are many rules about evidence and you may want to talk to a lawyer about what evidence you need and how to make sure your evidence can be considered by the judge or jury.

ARRANGE FOR AN INTERPRETER

In civil cases, the court is not obligated to provide an interpreter if you or your witnesses cannot speak English. The Nevada Supreme Court has held, however, that the court has the power to allow a volunteer interpreter and, when a volunteer is unavailable, to appoint one. To make sure that you or your witness are able to testify, you should make arrangements with the court's Office of Interpreter Services at least two (2) business days in advance of your hearing to arrange for an interpreter to attend your hearing.

DRESS APPROPRIATELY

Dress conservatively. You are not required to wear any particular type of outfit like a suit but you should refrain from wearing shorts, tank tops, halter-tops, or shirts that show your midriff. All hats and sunglasses must be taken off prior to entering the courtroom.

ARRANGE FOR CHILDCARE

Unless you are required to bring your children to court for some reason, make arrangements to have someone else watch them.

BRING AN OUTLINE OF WHAT YOU WANT TO SAY

Representing yourself in court can be a nerve-wracking experience. You do not want to read a prepared statement but an outline can be a useful tool to remind you of the main points that you want to cover.

PRACTICE YOUR ARGUMENT

You should be prepared to briefly and clearly describe your claims to the judge. Try practicing in front of a mirror or friends without reading from a prepared statement.

CONDUCT YOURSELF PROPERLY IN THE COURTROOM

Do not chew gum, eat, read a newspaper, sleep, listen to earphones, or have your cell phone turned on. During the hearing you should listen carefully and talk directly to the judge whom you should address as “Judge” or “Your Honor.”

During your hearing, avoid the temptation to speak directly the other side, argue with or interrupt them and keep your emotions in check. If the other side is making an argument that you disagree with or you feel that they are just plain lying, be sure to write down the point that you wish to make. You will have the opportunity to address this point with the Judge either when it is your turn to speak or after the other side has finished speaking.

UNDERSTAND WHAT JUST HAPPENED

Representing yourself in court can be an emotional experience but you do not want to leave the courtroom without understanding the outcome of the hearing or trial and what, if anything, you need to do next. For instance, will you need to attend another hearing? Do you need to prepare any written legal arguments or file any documents with the Court? Do you need to prepare an order or will the Judge do this?

THE INFORMATION CONTAINED IN THIS PAMPHLET IS OF A GENERAL NATURE AND IS PROVIDED FOR YOUR ASSISTANCE AND CONVENIENCE. IT IS NOT INTENDED AS LEGAL ADVICE AND IS NOT A SUBSTITUTE FOR LEGAL COUNSEL. IF YOU HAVE ANY QUESTIONS AS TO HOW THE LAW IN THIS AREA AFFECTS YOU OR YOUR LEGAL RIGHTS, CONTACT A CIVILIAN ATTORNEY OR THE NELLIS AIR FORCE BASE LEGAL OFFICE FOR AN APPOINTMENT WITH A LICENSED ATTORNEY.