

Some Things You Should Know About Representing Yourself In Court

*Provided as a customer service by the Trial Court Coordination Council and
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You have a right to represent yourself (this is called appearing “pro se” – pronounced “pro SAY”) in your legal case. You will be expected to know and follow the court rules. Legal processes can be confusing and the clerks cannot give you legal advice. If you do not comply with the rules that apply in your case, you could be fined, you might have to pay for the other side’s legal costs, or you could be found in contempt of court.

It is your decision whether to represent yourself. Before you do, ask yourself if you would do better to consult with someone who knows the law, who can give you advice about what to do and how to do it, and who can advise you on your chances of getting the results you want. Consider contacting the King County Bar Association about obtaining legal services by calling (206) 267-7100 or <http://www.kcba.org> on the web.

Remember, what you see on TV and in the movies is not real, even when it is called “Reality TV.” You need to dress and behave appropriately when dealing with a court.

The court operates primarily in English. If you need interpreter assistance, call the court ahead of time to find out what arrangements can be made.

ALTERNATIVE DISPUTE RESOLUTION (ADR)

Coming to court and asking a judge, commissioner, or magistrate to make decisions about your life— this is called litigation—is just one of many ways to resolve disputes. It is not the only way. Alternative Dispute Resolution (ADR) can often be less expensive and less time-consuming. ADR is a less formal way to resolve a dispute and usually involves the assistance of a neutral third party or mediator.

ADR may also give you more control over your life. Since you and the other party know your lives/children/the facts of your case better than anyone else, you can be creative and flexible in reaching your own agreements. The court must only do what the law allows. For more information on ADR, see the Dispute Resolution Washington Web site at: <http://www.adr-wa.com/home-drPub.htm>

GOING TO COURT

If you file a law suit against someone, filing your summons, motion, or petition is just a first step. If you have a case brought against you, you may need to file responsive papers with the court and the other side. In either instance, you may need to schedule and attend a hearing or conference. You may be expected to try to resolve the problem without the court. As the case moves forward, you may need to file additional documents.

You will need to fill out forms and file documents. You can download many required forms from the Washington Administrative Office of the Courts (AOC) at: <http://www.courts.wa.gov/forms/> on the web. You can pick up, copy, or purchase some forms from the court or court clerk’s office where your case will be handled. Read all the court handouts, form instructions, and other papers carefully. You need to know all of the details that may affect your case. Be advised that there may be a fee to file certain documents.

When you file documents with the court or clerk’s office:

- It is your responsibility to know what you want to file and why.

- You can handwrite or type, but the documents you turn in must be complete, legible, and comply with court rules. When completing a multi-part form, remember to use a ballpoint pen and press firmly.
- By law, the court staff cannot fill out forms for you nor can they tell you how to fill them out. (To do so is considered giving legal advice, which is against the law for non-attorneys).
- Keep your composure even if you become stressed about court processes.
- You communicate about your case with the court, the judge, commissioner, or magistrate through the documents you file. Direct contact, outside of a formal hearing or trial, with the judge, commissioner, or magistrate is not allowed.

Know your case number. Be sure to have your case number available; you will be asked for it every time you contact the court.

Give everyone who is involved in the case copies of every document you file with the court or clerk's office. You must also submit a completed form to the court that tells when and how you served each party or attorney. Keep a "date-stamped" copy of everything you file with the court, to show when you filed the original. Study the rules of the court to learn how to request or schedule hearings and conferences.

Be organized. What do you want? Why should you get it? Make notes that will help you tell the court your answers to these questions quickly and clearly. Be as clear as you can. Speak up. Respond to questions as indicated by the court. A court has limited time to hear any matter and the judicial officer must stick to a schedule. Practice your presentation with friends and family.

Be prepared. Visit the courthouse and take a look at the courtroom ahead of time. This may help you feel comfortable with the location and setup. You could also observe a hearing or trial in a similar type of case. Organize and have adequate copies of needed documents and evidence. Be sure your witnesses are ready to be at the right place at the right time. Be prepared with your questions for the witnesses.

Arrive early, with everything you need. Allow enough time for traffic and unexpected events. If you are not on time, your case might be dismissed; you might be declared the loser by default, or worse. Also, it could be a long time before you might have another chance to tell the court about your case.

HELP YOURSELF

Court staff is not allowed to give you legal advice, even though they can and will answer certain kinds of questions about forms, rules, or procedures.

Laws are found in the Revised Code of Washington (RCW) and are available in print in the reference section of any public library, at a Law Library, or at <http://www.leg.wa.gov/rcw/index.cfm> on the web. Washington Court Rules can be found at http://www.courts.wa.gov/court_rules/ and information about specific types of cases are available at <http://www.courts.wa.gov/selfhelp/> on the web.

Check with the court for their specific rules and filing requirements.

COURT ETIQUETTE

Certain behaviors are required while you are in court:

- Turn off all cell phones, pagers or electronic devices before entering the courtroom.
- Throw away gum, food, and drinks before you enter the courtroom.
- Do not smoke in court buildings.
- Follow posted instructions.
- Enter and leave the courtroom quietly, so you do not disturb others.
- Stand when the judge, commissioner, or magistrate enters or leaves the courtroom.
- Stand, make eye contact, and speak up when you address the judge, commissioner, or magistrate.
- Address the judge, commissioner, or magistrate as "Your Honor."

- Address others as “Mr.” or “Ms.” or ma’am or sir. Avoid rude behaviors like yelling, cursing, or cutting someone else off while they are speaking.
- Speak clearly and slowly. Since your words are being transcribed or recorded, if you mumble, speak too quickly, softly, or answer only by moving your head, the record may not be accurate.
- Listen carefully to what each person says in the courtroom and wait to speak until it is your turn.

CHILDREN IN THE COURTROOM

Please try not to bring children to the courtroom, unless they have been ordered to be present. Children in a courtroom may see and hear things that are hurtful or confusing for them. A courthouse is likely to be quite boring for children.

If you feel you have no other option, bring a responsible adult who is not part of the court proceedings to watch the children while you are in court. You may be able to make arrangements for courthouse childcare at the Regional Justice Center in Kent and at the Seattle Justice Center in Seattle. Call ahead for details. The King County Courthouse does *not* have childcare or a play area for children.

A WORD ABOUT CLOTHING

It is important to be clean and dress appropriately, to show respect for the court. If you are dressed improperly, the court could require that you leave; you would have to try to arrange a future appearance.

WHEN IT’S ALL OVER

Please remember that the court is not allowed to be on any one party’s side, but must give everyone a chance to tell his or her side of the story. Few people are ever completely happy with the outcome of a court case, regardless of who appears to have “won.” The laws may require a judge, commissioner, or magistrate to rule in a way that you do not agree with.

Once the court has made a final ruling, your case is done.* Continuing to try to persuade the court, or others in the case, will not help you. Sometimes people are fined or jailed due to outbursts or other negative behavior. Regardless of the outcome, continue to treat all of the other people in the case, the court, the clerk’s office, and staff with respect.

As a self-represented litigant, you are responsible for making your case, complying with laws and rules, filing the right things at the right times, and following court procedures. You get to make your case before an impartial judicial officer or jury, with decisions made under the rule of law. With or without an attorney, you exercise a precious right that the courts exist to maintain and protect.

King County Superior Court King County Courthouse 516 3 rd Ave. Seattle, WA (206) 296-9300 Forms & paperwork: E-609	King County District Court King County Courthouse 516 3 rd Ave. Seattle, WA (206) 205-9200 Forms & paperwork: E-327	Seattle Municipal Court Seattle Justice Center 600 5 th Ave. Seattle, WA (206) 684-5600 Forms & paperwork: 1 st Floor
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* In some circumstances, you may be able to appeal a decision of the court. You can research statutes and rules to learn whether an appeal is possible and, if so, how it is done.