

## **Basic Information for Self-Represented Litigants**

1. If you have decided to represent yourself in a case, it is important for you to know that you are about to enter into a process that can be very complicated or confusing. If your case involves children, real estate (land, buildings, a home or anything attached to the land), a pension or retirement account, important heirlooms or keepsakes, property you own separately from your husband or wife, or large debts, you should seriously consider visiting with an attorney about your case. If there is a lawyer on the other side, he/she cannot give you legal advice, and that lawyer is prohibited from representing both sides.
2. By representing yourself, you are acting as your own attorney. You will be expected to know and follow the law and court rules just as any attorney, including the Texas Rules of Evidence, Texas Rules of Civil Procedure, the Court's Local Rules, and the Lawyer's Creed. If you do not follow the rules, you may permanently lose important rights.
3. The Judge, the Court's staff (i.e.—the Court Administrator, County Clerk, Court Reporter, Bailiff) and opposing counsel cannot give you legal advice. That means they cannot tell you what you should do or say in your case or how the law applies to your case.
4. Do not attempt to communicate directly or through another person to the judge outside of the courtroom. That means you should not call the judge on the phone, leave messages, send a letter, fax or email message or talk to the judge face-to-face. The only time you may communicate with the judge is if everyone involved in the case is present. Also, you may write something to the judge if you send a copy of it to everyone else in the case (see paragraph 5 and 7 below). Any communication that does not include everyone else in the case is called an *ex parte* communication and is not allowed. The Court will return any *ex parte* communication to you unread and will notify the other side of your attempt to communicate with the judge.
5. A formal pleading, answer, motion or other paper where you ask the Court to take some action is not a prohibited communication, but still should not be sent to the Court. You must file those papers with the Clerk's office with a true and correct copy of the papers sent to the opposing party's attorney, if he/she has one, or to the opposing party if he/she does not have a lawyer. You must also attach a separate page of paper to every document you file with a statement that tells the Court you have

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mailed a true and correct copy of the paperwork to the lawyer on the other side, or to the other party if they do not have a lawyer. You must sign the statement.

6. Give the Clerk a current mailing address and telephone number where you can be reached and, unless your case involves a protective order, you must provide a copy of that information to the lawyer or party on the other side. If you change your address or phone number while the case is pending, you must give the Clerk and the other side notice of the new address or phone. If you move and you do not get your mail, you may permanently lose important rights. Once you file your pleadings in the case, you should send a written request for a hearing with the Court's Administrator who will then notify you by mail or email of the hearing date.
7. Any requests to the Court must be made in writing with the signed statement attached that you have sent a copy to the opposing party.
8. You must give notice to the opposing attorney or party of any court setting or order that you have obtained. You must file a copy with the Court of such notice to opposing attorney or party.
9. If you get notice that a hearing has been scheduled, you must be prepared to present your evidence and witnesses.
10. **How to Get Ready for Court** - You should go to court yourself and watch other cases before yours comes up. If you do this, you'll see how the Court works, where everybody sits and what they do and say. Plan to do this a few days or weeks before you have to go to court.
11. **The Hearing** - At the hearing, the judge will hear your case. Each party will have a chance to tell his or her side of the story. It's important to bring your paperwork and your evidence such as photos, witnesses, bills, receipts, contracts, or anything else that will prove your case.
12. **How to Dress** - Dress as though you were going to an important job interview. Be neat and clean. Do not wear shorts, tank tops, halter tops, sandals/flip flops, hats, or other casual clothing. The Court

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will order you removed from the courtroom if you violate court dress code. If you are not in the courtroom, you may lose your case.

13. **Timeliness** - Always get to court on time. Plan to be at the courtroom at least thirty minutes early. Remember that you will need to locate parking, clear the security check, and find the proper courtroom.
14. **Courtroom Demeanor** - You and your witnesses should be quiet in court. Court is not like you may have seen on T.V. You will be expected to be respectful of the opposing party, the opposing party's attorney, the judge and the Court's staff *at all times!*
  - Don't smoke or chew gum.
  - Turn your off your cell phone, pagers or other audible devices when you are in the courtroom.
  - Do not go in and out of the courtroom while waiting for your case to be called.
  - Do not bring children to court unless the child has been subpoenaed.
  - During your case, speak clearly and loudly enough to be heard, and stay calm.
  - Stand when speaking to the Judge.
  - Call the Judge, "*Your Honor.*"
  - Do not interrupt the judge, the attorneys or any other party in the courtroom.
  - At all times you should control your emotions and pay attention, whether you are in the audience, appearing as a witness or appearing as a party.
  - You should never speak, even in a whisper, with friends or other audience members while court is in session.
15. If you break any of these rules, the judge may find that you are in contempt of court and punish you. Depending on what you did, the judge may put you in jail, order you to pay a fine, have you removed from the courtroom or enter an order in favor of the opposing party.