



Preparing for Your Court Hearing

- What is a hearing?** A hearing when the parties to a case must appear in court to make an argument about an issue or for the court to decide what the next step will be. It is often scheduled for a limited in time.

- Know where you are going.** Check your hearing notice for the right day and time. If you have not been to the courthouse before, take a practice run. Go through security. Check for the screens that will show you where to go on the day of your hearing.

- Be on time.** Arrive at the courtroom 10 minutes before your scheduled hearing. Check in with the clerk so they know you are there and ready. Take a seat. Take a breath. Remember you will need to allow time for traffic, parking and going through security.

- Dress nice.** Not everyone has a suit or “church clothes” any more but dress as nicely as you can to show your respect for the judge and the court. Avoid jeans if you can, flip flops, tank tops. How you dress will show that you know this is important to you.

- Bring your paperwork.** Whether you filed the motion or case or you are responding to a motion or case, there is paperwork you created or received about this hearing. Bring it with you. Bring any other paperwork you may need or want. If there is something you want to show the court, be sure you bring a copy for you, a copy for the other side and a copy for the court.

- Prepare your presentation before you get to court.** You may only have a few minutes to “present your case.” Either you are asking the court to do something or, if you are on the other side, object to what the court is being asked to do. Although you may have been before this judge before and they have your file, they may not remember you or what has happened in the past. Prepare a few sentences – make notes – to clearly tell the court:
 - I am here today to ask the court to (object to) ...
 - The court should do this (not do this) because ...
 - This has become an issue for the court because ... (a little background)

Use waiting time to your advantage. Courts are busy places. Often many hearings are scheduled to begin at the same time. You may have to sit through other hearings before it is your turn. Use this time well. Breathe. Get comfortable in the room to shake off jitters. Watch how other hearings are handled. See how the judge likes things done and what frustrates them. Then when it is your turn, you will be ready.

Find out if you can agree on a solution. Take a moment to check in with the other side. Is there a way to resolve this by agreement? Often having to come to court makes others more reasonable. A solution everyone agrees on is often better than one decided by the court. If you reach an agreement on everything or just some things, tell the judge when it is your turn so the agreement can be part of the court decision and everyone is clear on what is expected.

Act appropriately in the courtroom. When your case is called, step forward to the tables in front of the judge. Listen closely to the judge who will tell you when it is your turn. When it is your turn, speak clearly and state the case you prepared. The judge may ask you additional questions. Answer them directly and clearly. Address the judge as “Judge” or “Your Honor.” Talk only to the judge; don’t talk to or argue with the other party. Don’t talk when someone else is talking.

Keep your emotions in check. Anything that brings you to court is an important issue in your life and so is emotional. You may have had months or years of conflict with the other party. This is a moment to be as calm and rational as you can so you can be clearly understood and be able to persuade the court.

Listen to the judge. Many things can happen as a result of a hearing. The judge may make a decision that day. The judge may schedule another hearing to get more information before deciding. For family issues, the judge may ask the Friend of the Court to do some investigation. Before you leave the courtroom, be sure you understand what you are expected to do next and what will happen next. If you are confused or need more information, politely ask the judge to explain.

Prepare a written order. If you filed the motion or case or if the judge rules in your favor, you will need to take what the judge told you was being ordered and prepare a written order for the judge to sign. The Legal Assistance Center on the 5th Floor can help you prepare the order.

Be prepared. Be heard. When you prepare and understand how to handle yourself in court you increase your chances for success.