

Self-Represented Litigant

HANDBOOK



This handbook is intended to be a resource to help you prepare for and put your best foot forward at your in-person or virtual hearing. This handbook is not legal advice. It is not an offer to provide legal services and does not establish an attorney-client relationship. This handbook is not intended to provide legal advice and is not intended to suggest a guaranteed outcome, as individual circumstances differ. Readers needing legal assistance should consult with an experienced lawyer to understand current laws and how they may affect your case.

Before Your Hearing

WHAT TO EXPECT

(The [People's Law Library](#) has resources to help you with each of these stages.)

These are the basic stages of a case:

- **Service of Process**—Service is the act of providing documents to the other people involved in a legal matter. The purpose is to make sure everyone who is involved in the case gets to know what is going on in the case and has a chance to respond. Service is required throughout every case, meaning you must provide copies of each document you file with the other parties.
- **Complaint**—This is the first document filed in any lawsuit. This document must explain who you are, who you are suing, why you are suing, and what you are asking for. There may be an official form you can use on the Maryland Judiciary's website for District Court. In a state Circuit Court, you may need to file a "Case Information Report" along with your complaint.
- **Response (Answer)**—This is the defendant's opportunity to respond. In District Court, this is called the Notice of Intention to Defend and is due within 15 days of receiving a summons. In Circuit Court, the Answer is usually due within 30 days of receiving a summons.
- **Scheduling Conference (For Family Law Cases)**—This is a meeting with the parties, their lawyers, and the judge where everyone sets a schedule for deadlines in the case.
- **Discovery**—This is the process for you to find out information from the other parties in the lawsuit to try to prove your case. This is where you ask for documents (requests for production), send written questions to the other party (interrogatories), and have question-and-answer sessions (depositions).
- **Pre-trial motions**—This is a written request to the judge to order another party to do something or resolve the case without having to go to trial (e.g., Motion to Dismiss).
- **Post-trial motions**—This can include a motion that will enforce the court's judgment (if you won) or one asking the judge for a new trial or to change their mind (if you lost).
- **Appeal(s)**—An appeal is asking a more senior court to overturn the trial court's decision.



HOW TO PREPARE

- Know the rules and laws that apply to your case. When making arguments, you want to include laws such as the statutes, regulations, and rules. It may be helpful to find other cases like yours where the judge ruled in a way you want your judge to rule. You can find the Maryland rules online [here](#).
- Keep track of deadlines with a calendar. Never miss a court hearing.
- Practice your arguments before you go to court. Make a list of all the important points and be prepared to give specific dates, times, and events that relate to your case.
- Be early:
 - Arrive at least 30 minutes before the time listed on your hearing notice.
 - Call the court in advance to confirm whether your hearing will be in-person or virtual.
 - Find childcare. The Courthouse is not an appropriate place for children.
- Turn off your phone. A bailiff may take your phone if it rings during court.

WHAT TO BRING AND WHAT TO WEAR

- If you plan to use documents during your hearing, print them out. A judge may not allow you to use your phone during court.
- Bring five copies of each document you want the Court to see.
- Be sure to present yourself in the best way possible, showing that you respect the Court and are taking your case seriously. A suit is best or an outfit for a job interview.
- Try to Avoid:
 - ✗ Clothing with inappropriate symbols, drugs or alcohol, violence, or swear words.
 - ✗ Clothing that is ripped, too tight, shows too much skin, or is see-through.
 - ✗ Pajamas.
 - ✗ Head coverings such as hats (unless you wear them for religious reasons)

During Your Hearing

DAY OF YOUR TRIAL (HEARING)

This is your opportunity to present your case to the court. It is best that you are prepared for this date. If you find for some reason that you are not prepared, you can ask the court to delay your trial. However, the judge does not have to delay your hearing, so it's best to show up for each hearing prepared with the assumption that the hearing in fact will go forward on that date.

It is important to note that, although you do not have legal training, you will be held to the same standard and expected to follow the same rules of evidence as lawyers. The judge is not allowed to help you or treat you differently because you do not have a lawyer.

Be patient. You should expect to be there for several hours as other cases may be scheduled at the same time as yours. Clear your schedule and make sure you are available all day for your case, if necessary.

Take notes during your trial. Write down any additional court dates that are scheduled, as well any orders or rulings the judge makes. Do not be afraid to ask questions. If you do not understand something, ask that it be explained to you.

Make sure that the court has your most up-to-date contact information including your mailing address, phone number, and email address. This ensures that any documents or notices that the court sends out will reach you.

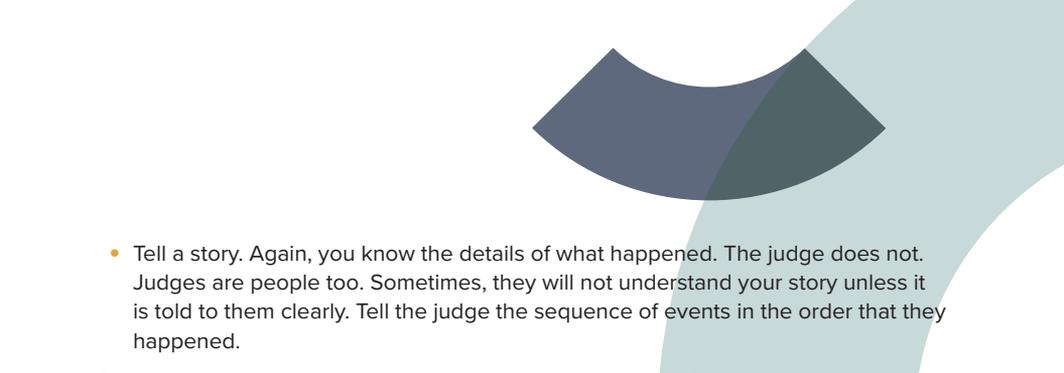
INTRODUCING EVIDENCE

During your trial, you will need to introduce evidence for the judge to consider. The judge can only consider evidence that is brought to them during trial. There are two main types of evidence, live testimony and physical evidence.

Live testimony is when witnesses talk directly to the jury or judge after they take an oath to be honest. The witness must talk about issues that have to do with the case, they can talk about things they know personally (things they saw, heard, or did), not things they heard someone else say. It is best that you talk to your witnesses before the day of the hearing about what they will say, practice the questions you will ask them, but do not tell them what answers they should give. Focus your questions on the important issues about the case.

If you decide to testify on your own behalf, you are also a witness introducing live testimony. When you are telling the judge what happened:

- Remember relevance. Because you know the facts so well, it is sometimes easy to get off track. The judge needs to know the facts that prove that you are entitled to a judgment on your behalf. Make sure that those are the details that the judge hears.
- Stick to facts. This is a personal issue for you. It is easy to start talking about emotions, accusations, or why you think the other side did what they did. The judge can only consider facts when making a ruling.

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- Tell a story. Again, you know the details of what happened. The judge does not. Judges are people too. Sometimes, they will not understand your story unless it is told to them clearly. Tell the judge the sequence of events in the order that they happened.

Physical evidence means documents, items, photographs, videos and other things that can be given to the judge to review. Before you show the judge your evidence, you must show the other party and tell the judge you would like it to be added to the official record for the case. The other party may object to you using a specific document or exhibit during trial. Be prepared to explain why you should be able to show the jury or judge the document or exhibit. Generally, you will have to show documents or exhibits to a witness who will be able to tell the jury or judge what the item is and explain what it has to do with your case.

OBJECTIONS

An objection is when you believe something said by the witness, a document, or other evidence should not be allowed into evidence or considered by the judge or jury because it violates one of the rules of evidence or some other law. To prevent the jury or judge from using the testimony or evidence in their final decision, you must object. To object, stand when the witness is speaking or when the other party begins to show the evidence to the jury or judge and firmly say that you object to the question or evidence and why. Wait for the judge to call on you, then explain clearly why you think the evidence should not be used in the final decision. These are some of the common reasons for objecting:

- Relevance: the evidence has nothing to do with your case.
- Hearsay: if the witness says someone told them that something happened, that evidence is hearsay because the witness did not see it themselves. (This is a complicated rule with lots of exceptions, so be careful using it.)
- Lack of personal knowledge: witnesses can only speak about things they know, like something they saw, heard, said, or read. For example, a witness can speak about something they saw another person do, but they cannot speak about why that person did it, because they do not know what that person thought when they said it.

When objecting, be sure to face the judge. Direct your arguments to the judge only. Do not argue back and forth with the other party. Let the other party answer the judge and you can ask to respond if you have anything additional to add. After you object and the other party explained why the testimony or evidence should or should not be used in the jury or judge's final decision, the judge will either sustain the objection (the judge agrees with the objection) or overrule it (the judge disagrees with it). If the judge sustains it, the other party should move on to something else. Just as you can object, the other party can as well, so be ready to explain why what the witness said or the evidence has something to do with your case.

REMEMBER TO ALWAYS BE RESPECTFUL

Remember everything is recorded.

Evidence should be able to be given to the judge. Print copies from your phone.

Speaking over people is rude. Do not do it.

Prepare questions for the other party.

Everyone needs space. Do not approach anyone without asking for permission from the judge.

Clearly state what you want.

To address the judge, say “Your Honor”.

Find and bring witnesses that can help you with your case.

Understand the procedure of the trial. The Plaintiff goes first and then the Defendant. There will be an opening statement, listening to the witnesses, and then a closing argument.

Listen when the judge is speaking.

After Your Hearing

Follow up on anything the judge told you to do. If the judge ordered you to file more documents, pay a fee, or do anything else, make sure to do it by the deadline (if there is one) or ask the court for an extension.

If the judge doesn't decide on your case right after your trial, you should receive their decision later in the mail. This is one of the reasons why you need to keep the court up-to-date on your address and contact information.

If you have questions about any follow-up you need to do or would like an update on the status of your case, contact the Clerk's office. Be sure to have your case number handy.

If you lose your case and disagree with the judge's decision, you usually have 30 days to appeal the decision to the Circuit Court (if your case was in the District Court) or the Court of Special Appeals (if your case was in the Circuit Court). Certain types of cases (such as landlord/tenant cases) have shorter appeal deadlines. Look up the rules on your type of case or consult with an attorney to find out what your appeal timeline is. Remember that, if you do not appeal in time, you could lose your right to appeal.

- In order to start an appeal in a District Court case, the dissatisfied party must file a [Notice of Appeal, Form DC/CV 37](#) (titled "Civil Appeal/Request For Transcript"), within 30 days after the date on the judge's decision.
- The party wishing to appeal, known as the appellant, files this notice of appeal with the District Court and also pays filing fees and a deposit for a transcript of the case, if one is necessary.
- As with every court filing, the party that files the appeal must make sure the other party is served properly with the Notice of Appeal. The appellant must pay filing fees to both the District Court and to the Circuit Court (however, if you are unable to afford those fees, see below for how to file fee waiver documentation). Transcript preparation may be a significant expense (see the [District Court's Guide to Appeal Fees](#)).
- Not every case appealed from District Court to Circuit Court requires a transcript. If your case does require a transcript, it is important to order one. The purpose of the transcript is to provide the Circuit Court with all of the information about what happened in the District Court.
- If you cannot afford the costs to file an appeal, you can request a fee waiver.
- Resource: <https://mdcourts.gov/legalhelp/appealscosa>

VIRTUAL HEARINGS

(<https://www.mdcourts.gov/legalhelp/remotehearing>)

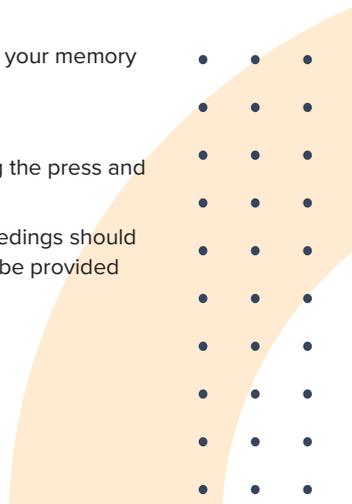
Etiquette for a virtual hearing:

- Be on time. It is a good idea to log in at least 5 minutes before your hearing is scheduled to begin.
- Dress professionally. It shows that you take your case seriously, and it helps the judge and other participants to take it as seriously as you do.
- Test your technology prior to the start of the hearing. Make sure you are familiar with the online platform (e.g. Zoom), including how to share documents or photographs if necessary. Test your microphone and your video to make sure it works.
- Find a quiet place, with a quiet background.
 - If you expect noise, let the judge know up front.
 - Make sure that there are no pets, children, or other people coming into the room during your hearing.
- If you cannot be on a computer, you should not be walking or driving during the hearing.
- If you know that you have difficulty with your internet connection, let the judge know at the beginning of your hearing. If your connection drops, attempt to re-connect. Make sure you have the telephone number to participate via phone as a backup option.
- Be sure to mute your phone or computer when you are not talking.
- Your camera needs to be on for the duration of your hearing.
- Check whether the court requires you to submit evidence in advance. You can find this out by checking your hearing notice or calling the Clerk's office. The Clerk's office can also help you if you need it.
- If you are a witness testifying, you cannot ask anyone else who may be near you to give you answers to questions.
- If you are a witness testifying, you should still answer from your memory and not any notes in front of you that may be off camera.

Can the public watch remote hearings?

All courts provide access to *most* remote hearings by allowing the press and public to listen to the hearing.

- **Members of the press** who wish to listen to remote proceedings should contact the court. Credentialed members of the press will be provided Zoom for Government meeting information.



- **Victims** who wish to be present during a virtual proceeding should contact the State's Attorney's Office.
- **Other members of the public** who wish to be present should contact the court clerk in writing within forty-eight hours before the scheduled hearing. The judge can decide whether or not to allow other members of the public to watch.

Are hearings recorded?

Yes. Like in-person hearings, remote hearings are on the record. This means the court will make a recording of the hearing. Only the court can record the hearing. Do not make your own audio or video recording of the hearing.

TIPS FROM THE BENCH

1. Remember that this is a formal proceeding, so please remember to be courteous to each other.
2. Please do not speak when someone else is speaking.
3. Do not yell out if you disagree with what has been said. You can let your lawyer know that you would like to speak with them, and the court can place you into a "breakout room" so that your conversation is not recorded, or a part of the proceeding.
4. Please wear appropriate clothing. Do not wear pajamas, shower caps, or revealing clothing.
5. Please participate in an appropriate space. It is unprofessional to participate in a formal proceeding in bed, or in a noisy environment. You should be in a quiet space, without distraction.
6. Limit interference from people who are not a part of the hearing. Please refrain from interacting with other people while you are participating in the hearing. It will appear that you are not serious about the proceeding. It is inappropriate to eat, drink, or smoke during a virtual hearing, just as it would be during an in-person hearing.
7. Remember that the proceeding is being recorded. Please speak slowly and clearly. If a language interpreter is being utilized during your proceeding, please wait for them to finish the interpretation before continuing to speak.
8. Do not curse or disconnect the phone during the hearing.
9. Please make sure that you have adequate internet capabilities prior to logging onto the hearing. If you do not have the access to a computer, inform the Court or your attorney so that provisions can be made.
10. Test your technology well in advance of the hearing so that you are familiar with the platform and can anticipate any issues. Log on to the hearing at least 5 minutes prior to the scheduled start time.

Resources

- <https://www.mdcourts.gov/legalhelp/remotehearing>
- <https://www.mdcourts.gov/video/selfhelp/tips-your-day-court>
- <https://www.peoples-law.org/index.php/cat/how-do-i>
- https://www.mcleancountyil.gov/DocumentCenter/View/18388/Zoom-Instructions-for-Phone-and-Computer?fbclid=IwAR3KMR9J6w5yglp6ARNdAnWv3P3_ESK-cuD9FKHzSzXPvjOYHLTgMnq0MSME
- <https://www.mdcourts.gov/legalhelp/remotehearing>
- <https://www.mdcourts.gov/video/selfhelp/tips-your-day-court>
- https://www.mcleancountyil.gov/DocumentCenter/View/18388/Zoom-Instructions-for-Phone-and-Computer?fbclid=IwAR3KMR9J6w5yglp6ARNdAnWv3P3_ESK-cuD9FKHzSzXPvjOYHLTgMnq0MSME

FIND LEGAL HELP

- Allegany Law Foundation: <http://www.alleganylaw.com/>
- Asian Pacific American Legal Resource Center: <http://www.apalrc.org/>
- Ayuda: <https://www.ayuda.com/>
- Baltimore Bar Foundation Senior Legal Services: <http://baltimoreseniorlegalservices.org/>
- CASA de Maryland: <https://wearecasa.org/>
- Catholic Charities Baltimore Immigration Legal Services: <https://www.catholiccharities-md.org/services/esperanza-center/legal-services/>
- Catholic Charities DC Immigration Legal Services: <https://www.catholiccharitiesdc.org/ils/>
- Citizens Assisting and Sheltering the Abused (CASA Inc.): <http://www.casainc.org/>
- Community Law Center: <http://communitylaw.org/>
- Community Legal Services of Prince George's County: <https://www.clspgc.org/>
- Disability Rights Maryland: <https://disabilityrightsmd.org/>
- FreeState Justice: <https://freestate-justice.org/>

- Harford County Bar Foundation: <https://www.harfordcountybarfoundation.org/>
- Heartly House: <https://www.heartlyhouse.org/>
- Homeless Persons Representation Project: <http://hprplaw.org/>
- HopeWorks of Howard County: <https://wearehopeworks.org>
- House of Ruth Maryland: <https://hruth.org/>
- Life Crisis Center: <http://www.lifecrisiscenter.org/>
- Maryland Crime Victims' Resource Center: <https://www.mdcrimevictims.org/>
- Maryland Legal Aid: <https://www.mdlab.org/>
- Maryland Volunteer Lawyers Service: <https://mvslaw.org/>
- Mid-Shore Council on Family Violence: <http://mscfv.org/>
- Mid-Shore Pro Bono: <http://midshoreprobono.org/>
- Montgomery County Bar Foundation: <https://www.barmont.org/page/208>
- Pro Bono Resource Center of Maryland: <https://probonomd.org/>
- Public Justice Center: <http://www.publicjustice.org/>
- SARC (Sexual Assault/Spouse Abuse Resource Center): <https://www.sarc-maryland.org/>
- Sexual Assault Legal Institute: <https://mcasa.org/survivors/Sali>
- Southern Maryland Center for Family Advocacy: <http://www.smcfa.net/>
- St. Ambrose Housing Aid Center: <https://www.stambros.org/>
- Tahirih Justice Center: <https://www.tahirih.org/locations/baltimore/>
- University of Maryland School of Law Medical-Legal Partnership Clinic: <https://www.law.umaryland.edu/Programs-and-Impact/Clinical-Law/Clinics/Medical-Legal/>
- Whitman-Walker Health: <https://www.whitman-walker.org/>
- Women's Law Center of Maryland: <http://www.wlcmd.org/>

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