

TERMS TO KNOW

Plaintiff – Person starting lawsuit

Defendant – Person defending lawsuit

Evidence - Proof provided in court to help your case (testimony, receipts, etc.) Statements by lawyers are not evidence. Non-testimony statements made by an individual without an attorney are not evidence.

Testimony - Statements made by witnesses under oath

Direct Examination - Questioning of your own witness

Cross examination - Questioning of the other side's witness

Redirect examination – Re-questioning of your witness after cross examination

Oath – Swearing to tell the truth

Hearsay – Evidence not seen or heard first hand by the witness. For example: Your witness cannot testify to what their friend told them about what happened. Hearsay is not allowed as evidence.

Exhibits - Introduced in court as evidence to help prove your case. Example: bills, receipts, pictures, etc.

EXHIBITS

- ✓ Do you have 3 copies of your exhibits (one for yourself, the other side, and the Judge)? Please give the other side your exhibits before the hearing starts.
- ✓ Did you organize your exhibits in the order you will talk about them in court? It might help to make a list of exhibits.
- ✓ Did you **label** your exhibits in the order you will be talking about them? Plaintiff should label with numbers: 1, 2, 3... Defendant should label with letters: A, B, C...
- ✓ Are your exhibits relevant to your claims or defenses?



For more information about courtroom policies and procedures, please contact the Self Help Center at the Jefferson County Courthouse. We have a public computer you can use to look up Colorado Court Rules and Colorado Revised Statutes.

These rules will help guide you. There are rules about evidence, service of documents, timelines, etc. You will be held to the same standard as an attorney and will be expected to follow these rules.

These rules can be found online at www.courts.state.co.us. On the left hand side, click Information for Attorneys, then click Colorado Revised Statutes.

First Judicial District Self Help
Center
100 Jefferson County Parkway
Golden, Colorado 80401

(720) 772-2501

*A list of attorneys offering lower fees is available at the Center for your convenience.

This brochure is for informational purposes only and should not be considered legal advice.

COURTROOM POLICIES AND PROCEDURES



An introduction to courtroom policies and procedures for individuals without an attorney.

Prepared by the
First Judicial District Self Help Center

DID YOU SERVE THE OTHER PARTY?

When you file a new case, the court clerk will give you a summons, plus a copy of the complaint or petition you filed. In most cases, these documents need to be personally served on the defendant(s) listed in your lawsuit. If you are suing a company, you can serve the “registered agent”. To find the registered agent, visit www.sos.state.co.us.

For more information about service, please review the Colorado Rules of Civil Procedure. Avoid having your case delayed or dismissed. Complete proper service.

You should be able to answer YES to the questions below prior to your trial date.

- ✓ Was the defendant personally served by someone over the age of 18 who is not listed in the lawsuit or were they served by the sheriff’s department?

For a small fee, the Jefferson County Sheriff’s Office can serve documents within Jefferson County, (303) 271-6580.

- ✓ Do you have a signed, notarized copy of the Affidavit of Service (JDF 98) completed by the person who served the paperwork?
- ✓ Did you file a copy of the Affidavit of Service with the court?

THE JUDGE’S ROLE

The judge’s role in a civil trial is to hear the evidence, apply the law, and in cases without a jury trial, decide the outcome. The judge cannot speak to you about your case outside the courtroom. For the court to remain fair, you can “speak” to the judge through paperwork, called pleadings or motions. The judge cannot consider a motion you sent them about your case, unless you sent a copy of it to the other side and filled out a certificate of service. Also remember, just because you filed something, does not mean it will be admitted or considered by the court.

All court forms can be found online at www.courts.state.co.us.

If you would like more information on the certificate of service or filing motions, please visit the self-help center.

MAKING THE MOST OF YOUR DAY IN COURT

1. Come prepared.

Please leave children at home. Be on time. Create a plan. Bring bills, receipts, pictures, and other things that will help prove your case (exhibits). **Don’t forget to label your exhibits.** If you will have witnesses, write down the questions you will ask them. If your witnesses do not agree to appear, you must subpoena them through the court. For more information on subpoenas, visit our website www.courts.state.co.us. Go to Self Help/ Forms, click on All Court Forms and Instructions, then click on Miscellaneous.

2. Stay Alert.

Take notes during the hearing. The other side might make points you did not raise. Be prepared to talk about these issues or the judge may rule against you.

3. Be respectful.

Do not speak over another person. You will have your turn to speak and present evidence. If you are asking a question to a witness, ask the question then let them answer. Don’t interrupt.

4. Stay on topic.

The hearings are not long enough to hear every issue. Use your plan to present your main points.

5. Be specific.

Whenever possible, try to make specific statements. For example, “I received a check from her on 01/01/2013 for \$22.13” is more helpful than, “She paid me some money.”

WHAT DOES A COURT TRIAL LOOK LIKE?

1. Opening statements – Both sides present an overview of the important facts of their case
2. Plaintiff’s direct examination
3. Defendant’s cross examination
4. Re-Direct examination by plaintiff
5. Defendant’s direct examination
6. Plaintiff’s cross examination
7. Re-direct examination by defendant
8. Rebuttal by plaintiff – Chance to dispute defendant’s evidence
9. Closing arguments by both sides – Final chance to convince the judge to rule in your favor and remind them of your key points