

## Definitions You Should Know:

**Complaint** – A written claim filed with the court to start a case.

**Consent** – When both parties agree that the court may grant a motion without a hearing.

**Defendant** – The person against whom the original case is filed.

**Enter**- The process by which an order becomes effective. This includes getting the judge to sign the order and filing the signed order with the county clerk.

**Evidence** – Information presented to the court to show why the court should agree with a party's position. Evidence includes written documents, pictures, or live testimony by people who have first-hand knowledge of important facts.

**First-Class Mail** – The “regular mail” by which most people send letters. This is used to deliver motions and orders to the other party in your case.

**Hearing** – A court session conducted by a judge or referee at which both parties explain why a motion should be granted or denied.

**Motion** – A request that the court take some specific action in a case.

**Order** – A decision signed by a judge and requiring certain actions.

**Party** – The case's plaintiff or defendant. The term may also include another individual, a third-party, if the court grants that person's request to participate in the case.

**Plaintiff** – The person who started the original case

**Hearing Officer** – A magistrate or referee with authority to hear motions and recommend orders.

**Service** – How one party delivers legal papers to the other party (see “First-Class Mail”).

## Court Room Etiquette and Behavior

When you appear in court, either by yourself or with a lawyer, make sure you are polite and presentable. Follow these pointers and courtroom policies anytime you are in court. Judges and hearing officers can excuse you from court if you do not abide by such rules. These rules of etiquette apply for all proceedings whether they are in person or conducted remotely.

- **DO NOT** smoke, eat, drink, or chew tobacco products or gum in the courtroom/hearing room.
- **DO NOT** take photographs.
- **DO NOT** wear clothing, badges, or participate in demonstrations that promote a position or opinion on an issue while in the courtroom.
- **DO** turn off or silence cell phones, pagers, or any electronic devices that may disrupt court proceedings.
- **DO** wear clean, neat, and presentable clothing.
- **DO** stand, speak clearly, and address the judges or hearing officials as “Your Honor” or “Judge.”

More Information Here -

<https://www.vanburencountymi.gov/158/County-Courts>



# Representing Yourself in a Legal Proceeding

Tips and Resources for Self-Represented  
Litigants



Van Buren County Courts  
212 E. Paw Paw Street  
Paw Paw, MI 49079

<https://www.vanburencountymi.gov/158/County-Courts>

### **In This Brochure...**

All adult citizens have the right to represent themselves in court. Because many people know little about the laws and procedures that govern court proceedings, it is usually recommended that individuals hire attorneys to represent them. But sometimes people decide to represent themselves. This brochure answers some common questions about self-representation.

### **What Do I Need To Start Self-Representation?**

Once you have decided to become a Self-Represented Litigant, meaning that you act as your own attorney before a court, you must fill out the necessary paperwork associated with the legal proceeding. Keep in mind not all proceedings have court forms. You can find some forms using websites listed in the "Helpful Links" section of this brochure.

### **Once I Have The "Do It Yourself" Form, May I Ask Court Staff For Help Or Advice?**

Court staff are not permitted to give legal advice nor can they tell you how to fill out your forms. They can give you information about your current order or tell you who to contact to obtain a court hearing. The court clerk will give you basic information about how to schedule a hearing and where the hearing will be held.

### **Do Courts Charge A Fee For Filing A Motion?**

Yes. For most matters, the court clerk will charge a fee. If you cannot pay this fee, you may ask the court clerk for "Form MC20" which allows you to ask the court to waive the fee so that you do not have to pay. This can be found online by searching "Form MC20" using links 1. or 2. in the "Helpful Links" section of this brochure.

### **Once I File My Motion, Who Serves the Required Documents To The Other Party?**

In representing yourself, usually you must send the other party a copy of the "do it yourself" form containing the motion and hearing date. There are many ways to deliver the documents. Regular first-class mail is the most frequently used and least expensive method.

### **Who Represents Me At The Motion Hearing? Can The Hearing Officer Or Judge Help Me?**

You may hire an attorney, or you may represent yourself. If you decide to represent yourself, you must come prepared to explain what you are asking the court to change, and the reasons why the court should decide in your favor. This may also require that you understand court rules and procedures. Proving your case may require that you present evidence (testimony or documents) to the court. Neither a hearing officer nor a judge can help you present your case. For more information on court rules, visit link 4. in the "Helpful Links" section of this brochure.

### **What If The Other Party Has An Attorney? Can I Get Someone To Help Me?**

The fact that the other party appears with an attorney does not entitle you to one. The court might reschedule the hearing to a later date if you say that the presence of counsel for the other party has caused you to change your decision to represent yourself, but the court is not obligated to delay the case for that reason.



### **After The Hearing Officer Or Judge Has Ruled On A Motion, Who Prepares The Written Order That Makes the Ruling An Official Court Order?**

If you use the "do it yourself" forms and appear before a judge, you are responsible and must prepare the order for the judge to sign, unless the judge orders otherwise. Therefore, you should take notes during the hearing, and ask questions if you do not understand something. After the judge signs the order, you must send a copy of that order to the other party.



### **Helpful Links**

1. [MI Legal Help - www.michiganlegalhelp.org](http://www.michiganlegalhelp.org) – click on "Self-Help Tools" and follow the steps.
2. [MI Supreme Court SCAO Forms – www.courts.michigan.gov](http://www.courts.michigan.gov) – click on "Court Forms" under the "Quick Links" section on the homepage.
3. [WMU Legal Aid - www.legalaidwestmich.org/contact-us](http://www.legalaidwestmich.org/contact-us)
4. [MI Supreme Court Rules - www.courts.michigan.gov](http://www.courts.michigan.gov) – click on "Michigan Supreme Court" drop down menu, then look for the "Admin Matter and Court Rules" link on the left
5. [Van Buren County Circuit Court - https://www.vanburencountymi.gov/158/County-Courts](https://www.vanburencountymi.gov/158/County-Courts)
6. [MI State Bar Association – www.michbar.org](http://www.michbar.org) or call 1-800-968-0738