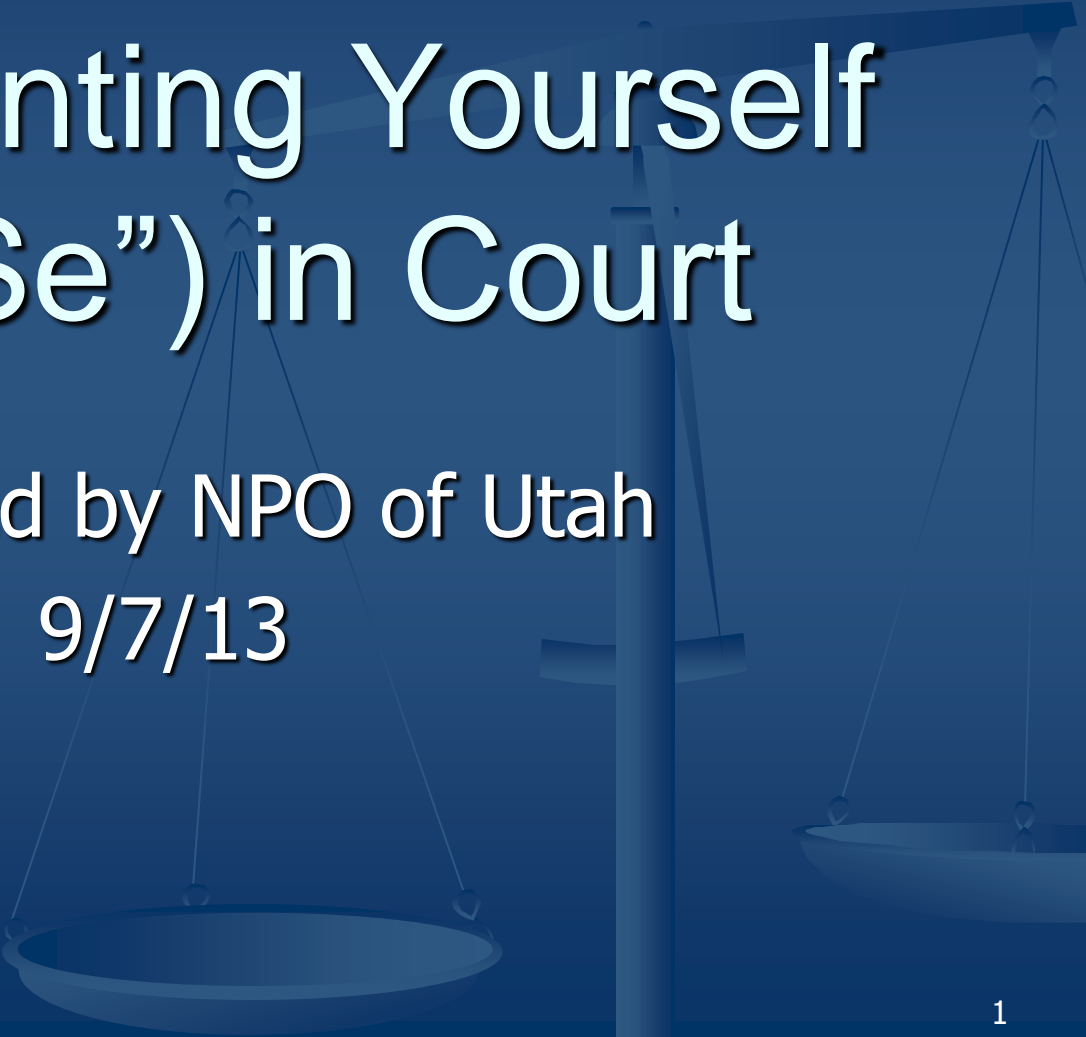


# Representing Yourself ("Pro Se") in Court



Presented by NPO of Utah

9/7/13

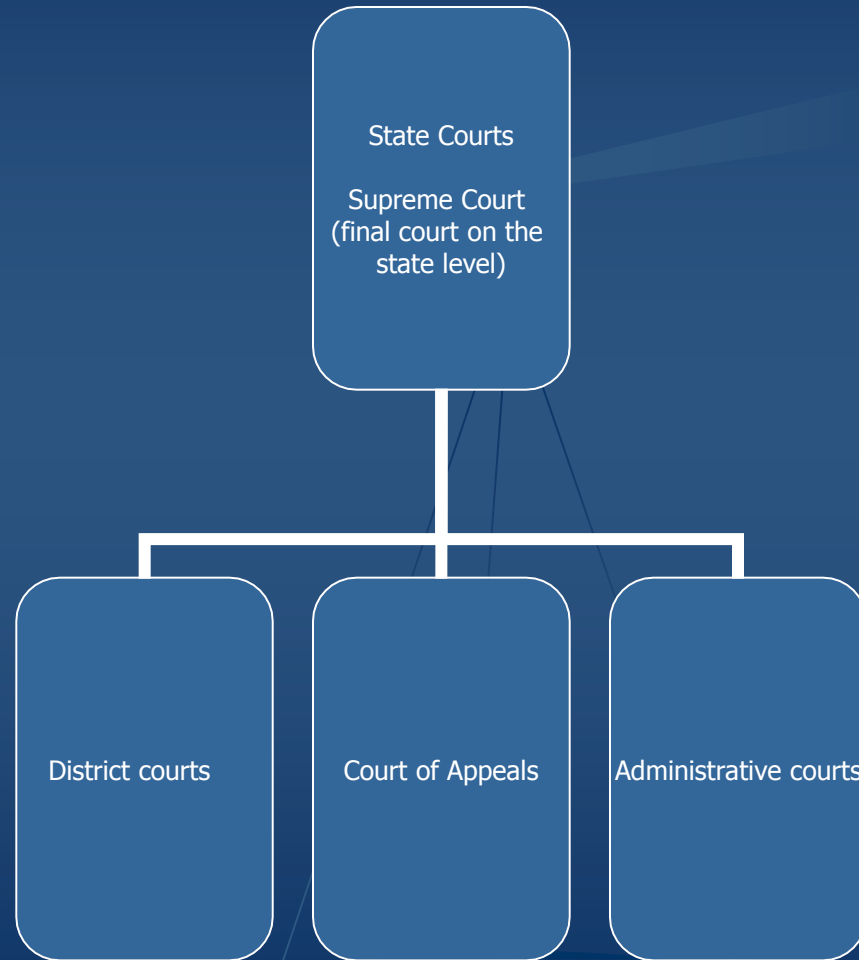
# Preview

- General information on family law in Utah
- Self-help resources
- Information on the Utah State Court's Web sites to aid self-representing litigants (as well as attorneys)

# Introduction

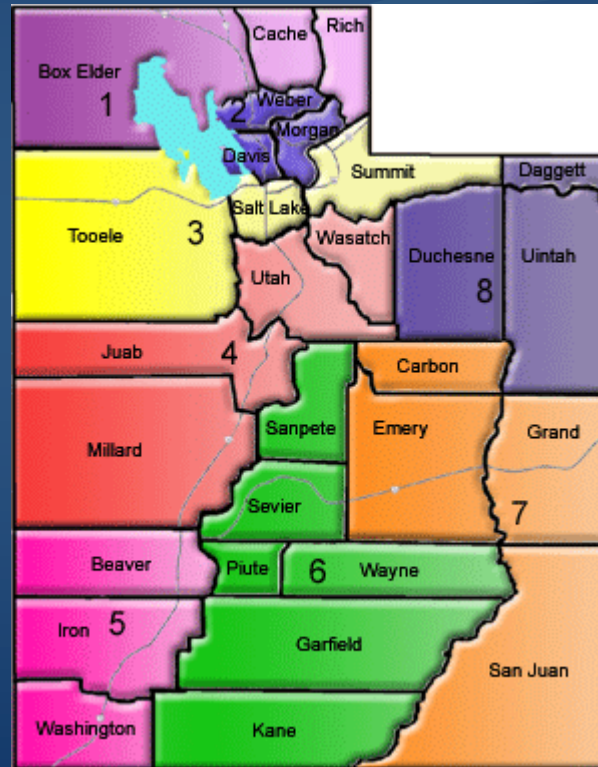
- In recent years, courts have seen an increase in people representing themselves.
- You have the legal right to represent yourself and receive “due process”.
- Representing yourself means you are a “pro se” litigant (Latin meaning “for yourself”).

# Court System



# Jurisdiction

- Which Judicial District are you in?



- [www.utcourts.gov/directory/](http://www.utcourts.gov/directory/)

# Problems

- The problems confronted by the courts are how to:
  - Ensure conformity in documents filed
  - Educate the public (and attorneys) on procedures
  - Provide help and suggest resources

# Solutions

- Guide to the Utah Courts:
  - [www.utcourts.gov/brochures/docs/Guide\\_to\\_the\\_Courts.pdf](http://www.utcourts.gov/brochures/docs/Guide_to_the_Courts.pdf)
- Utah Court's Self-Help Web site:
  - [www.utcourts.gov/selfhelp/](http://www.utcourts.gov/selfhelp/)
- Online fill-in-the-blank forms on Court's Web site
- To aid in completing documents, Utah Court's Online Court Assistance Program:
  - [www.utcourts.gov/ocap/](http://www.utcourts.gov/ocap/)

# Solutions

- Template forms found online, such as:
  - [http://lawlib.byu.edu/sites/default/files/misc/Utah\\_Marriage\\_Divorce\\_Laws\\_2011-electronic.pdf](http://lawlib.byu.edu/sites/default/files/misc/Utah_Marriage_Divorce_Laws_2011-electronic.pdf)
- Free legal clinics statewide:
  - [www.utcourts.gov/howto/legalclinics/](http://www.utcourts.gov/howto/legalclinics/)
- Utah Legal Services:
  - [www.utahlegalservices.org/](http://www.utahlegalservices.org/)
- Legal Aid Society of Utah:
  - [www.legalaidsocietyofsaltlake.org/](http://www.legalaidsocietyofsaltlake.org/)

# Utah Law

- Utah Code – Title 30 – Chapter 03 – Divorce:
  - [http://le.utah.gov/code/TITLE30/htm/30\\_03\\_000100.htm](http://le.utah.gov/code/TITLE30/htm/30_03_000100.htm)
  - Provides the legal framework for family law matters (divorce, child custody, child support, parent-time, paternity, etc.)
  - Utah Divorce Law Sections:
    - [www.utcourts.gov/mediation/divmed/docs/Utah\\_Divorce\\_Laws.pdf](http://www.utcourts.gov/mediation/divmed/docs/Utah_Divorce_Laws.pdf)  
(careful with old PDFs; some laws may have been amended/repealed/added)

# Procedures

- What are the Rules for the Utah District Courts?

Answer:

Utah Rules of Civil Procedure:

- [www.utcourts.gov/resources/rules/urcp/](http://www.utcourts.gov/resources/rules/urcp/)
- Rules have 12 parts:
  - Part XII is specific to Family Law, but all parts potentially apply

# Why Won't the Court Staff Tell Me What I Should Do?

- Usually, court staff have not attended law school and are not licensed to practice law.
- They cannot suggest what course of action you should take, tell you what types of pleadings you need to file, or assist you in presenting your case.
- They can only provide you with legal information on court processes, procedures, and the status of your case.

# Legal Information vs. Legal Advice

- *Legal advice* explains your legal rights, suggests what course of action to take, and the possible consequences of the lawsuit.
- *Legal information* is information on court procedures, due dates, deadlines for filing certain documents, when hearings are scheduled and information that is contained in records.

# Solutions?

## Are My Pleadings Correct?

- Try to find examples of legal pleadings similar to what you are trying to file via the Internet and law libraries.
- Go to a free legal clinic with draft documents and request a review and feedback.
- Seek out an attorney who may be willing to review your documents for free or a small fee.
  - [www.utahbar.org/directories/find-a-utah-lawyer/](http://www.utahbar.org/directories/find-a-utah-lawyer/)

# Conclusion

- Pro se litigants must do their homework.
- To be successful in a case, the pro se litigant must become aware of and continually review:
  - Utah Rules of Civil Procedure
  - Applicable sections of Utah Code
- Use the Court's self-help Web site – it is very good.

# Questions?

