

### **Can you make it to the courthouse during the day (during business hours)?**

- ❑ You will need to arrange your work schedule and transportation to get to court a few times, both to file paperwork and attend hearings.
- ❑ If you decide to use a lawyer, you may still need to be at the courthouse, but on fewer occasions.

### **Do you fill out and file your own income tax returns?**

- ❑ Court forms can be complicated, much like income tax returns.
- ❑ Reading instructions and paying attention to detail are necessary to complete court forms.
- ❑ You must be organized and prepared to successfully file the proper court forms.

### **Are you comfortable doing research in a library or on a computer?**

- ❑ Most people do not know the law and rules that control their cases. Many people are also unsure what forms and documents to file with the court to start and continue their cases.
- ❑ Learning the law and rules that apply to your case is required for you to be successful. While the court may provide forms for you to fill out and file, you will likely have questions.

Court staff can only give you limited answers because of their duty to be fair to all parties.

- ❑ Without using a lawyer, you may miss some of the arguments you could make.

### **Are you likely to be clear and calm when you stand up and speak in court?**

- ❑ Representing yourself means you must attend all the scheduled appearances with the judge or commissioner. At these appearances, you will be required to speak clearly and logically while presenting your case.
- ❑ If the other party has a lawyer and you do not, you cannot count on the other lawyer to help you or speak for you. You must speak to the court yourself.

### **Do you easily get angry under stress?**

- ❑ Coming to court can be difficult and stressful. Because you have something to gain or lose in your case, or because you are angry or upset at the other party, you may find it more difficult to control your emotions in the courtroom and while speaking. You may also find that your good judgment is clouded by your stress or anger.

- ❑ You **MUST** be courteous at all times to court staff, the judge or commissioner, and the other party to your case. You cannot interrupt the other party, or the judge or commissioner, while they are speaking.
- ❑ A lawyer may be a good buffer between you and the other party. Using a lawyer may lower the stress and upset you may feel because you will not need to interact directly with the other party.

### **Are you often frustrated by rules you think are unfair or should not apply to you?**

- ❑ All types of cases are controlled by rules and procedures. These rules and procedures are in place to give everyone a level playing field. Though a rule may seem silly or wrong, the rule must be followed to make sure your case is fair.
- ❑ Using a lawyer may help you understand what rules your case must follow, and why those rules are in place.

### **Can you make decisions and stick to them?**

- ❑ Most court processes are formal and lasting. Once you make a claim, a statement, or a filing, it is difficult to make changes. Any doubts or

- questions should be resolved before you start.
- Using a lawyer can offer assurance that your case will be done right the first time.

**Can you live with some mistakes?**

- If you represent yourself, you are likely to make some mistakes. If you regret decisions, or often dwell on actions you have taken, you may cause yourself stress and anxiety. You may also hurt your ability to be successful in your case.

**What is at stake in your case? Do you and the other party get along?**

- Every case is important, but some cases may have a bigger effect on you because of the large amount of money (or property) involved, or other people involved (such as children). Cases with more money or people to consider are more complicated. Using a lawyer may make these cases less confusing and upsetting, and prevent mistakes that could be difficult or impossible to correct after the case is over.
- If you and the other party had a relationship that included physical or emotional abuse, you may have trouble keeping calm. Being steady and logical is necessary in order to make good decisions. Using a lawyer

- may help you keep a safe and comfortable distance from the other party.
- If you believe the other party is good at “hiding” money or property (for example, on tax forms), or if you have no idea about the other party’s financial status, a lawyer may be helpful in locating the other party’s finances and collecting on a judgment or settlement.



Compliments  
of  
Diana J. Miller,  
Clerk of Court  
Eau Claire County  
721 Oxford Avenue  
Eau Claire, WI 54703  
  
(715)839-4816

**Should I Represent Myself in Court?**

Many people, for a number of reasons, consider representing themselves in court. There are some key risks and responsibilities that you accept when you decide to represent yourself. This pamphlet will help you to weigh these before beginning your case.

Most people come to court because something is affecting their lives, maybe in stressful and emotional ways. Learning the law and court processes can also be difficult and stressful. In fact, sometimes when people act as their own lawyer in complicated cases, they later need to hire a lawyer to “fix” mistakes. Hiring a lawyer after-the-fact could cost more than using a lawyer from the start.



**Are you on-time for appointments and able to meet deadlines?**

- The court expects you to be on-time (a little early is better) for hearings and to file paperwork by certain deadlines.
- Use a daily calendar with reminders of your court “to do’s”.