

Preparing for Your Hearing

- 1. SEEK LEGAL ADVICE.** This document is not legal advice. The Court is ethically prohibited from giving legal advice. You should always consider consulting an attorney before any legal proceeding. If you are representing yourself, you will be expected to know and be bound by the relevant rules and law. Free or reduced legal representation may be available. Attorneys will provide pro bono or reduced fee services upon occasion if you contact them. Local support centers may also be able to refer you to an attorney. The Washington State Bar Association provides additional links for help at <https://www.wsba.org/for-the-public/find-legal-help>
- 2. PROPER SERVICE.** If you are the plaintiff or petitioner (or you are a defendant or respondent with a counterclaim), it is your responsibility to make sure proper service has been accomplished by an appropriate non-party adult and that adequate proof has been filed prior to your hearing. District Court has a blank Proof of Service form available. Depending on the type of case, alternatives to personal service may be available under certain circumstances. Rules and statutes govern service requirements. You may wish to consult an attorney. You should check with law enforcement or whoever is serving your documents before the hearing date to make sure service has been accomplished.
- 3. GATHER EVIDENCE & WITNESSES.** Usually the Court is prohibited from doing any investigation and has little access to information other than what the parties present. Therefore, litigants need to gather helpful evidence and potential witnesses themselves. For example, if you wish to introduce photos of injuries or other evidence of abuse, photos of damaged items or weapons; you will need to gather those. Similarly, you are responsible for gathering other evidence such as 911 recordings, police reports, medical reports, diaries or calendars, written estimates, appraisals, bills, cancelled checks, or other public or business records. You may need to redact private information unrelated to the dispute as any exhibits filed go into the public court record. If you are presenting testimony from a witness by affidavit instead of by live testimony, you should make sure it is under penalty of perjury. A blank affidavit form is available from District Court. You need your evidence ready at the time of the hearing.
- 4. EVIDENCE IN PROPER FORMAT.** Your evidence needs to be in a format the Court can view and that can be filed into the Court record. Evidence that is filed remains with the Court. Well before your hearing date, information located on a phone or other electronic device should be put in a format that can be kept in the court record and copied for the opposing side. Photographs, electronic or text messages, screen captures, call logs, etc., need to be printed out. Audio and video recordings need to be copied onto a DVD that can be played from any computer. You should bring a device to your hearing to play any DVD you wish to introduce unless you cannot afford such a device and you otherwise have no access to such a device. In such cases, you should alert the court ahead of time you need a device available to play evidence. The Court will attempt to accommodate timely requests if possible.
- 5. COPIES FOR OPPOSING SIDE.** You need to provide copies for the opposing side of any exhibits you intend to introduce into evidence. Failure to provide copies may result in the Court not considering your evidence. If done well enough in advance of your hearing, you may be able to obtain extra copies of your exhibits at the District Court window for a small fee.
- 6. YOU MUST PRESENT YOUR EVIDENCE.** If you are representing yourself, you are in charge of the presentation of your case. You should be as prepared and efficient as possible and only present relevant information. The Court is neutral and will not prompt you to present any particular exhibits. If you fail to present any evidence, the Court will not consider it.