

8.00 | TRIAL

Preparing for trial is one of the most time - consuming and difficult parts of an action - for everyone. The court must prepare just as the parties and the lawyers prepare. From courtroom scheduling to managing discovery to ruling on motions, everyone at the court is very busy completing tasks leading to and during the trial.

A pro se litigant, like a lawyer representing a client, must prepare an opening statement, a closing argument, a witness list, an exhibit list and exhibits, and questions for each witness. If a witness is needed, the party who needs the witness must have the witness subpoenaed to appear and must usually pay the witness's fee and travel costs. Each original document to be offered as evidence must be brought to the courthouse. A copy of the document must be made too. There must be an original for the witness to testify about and a copy of the original for every party. If there is physical evidence other than a document a party intends to introduce at trial, the evidence also should be brought to court so a witness can testify about it and the other party can use it during questioning. Of course, a prohibited item like a weapon may not be brought into the courthouse.

Not all witnesses may testify. Not all documents or other objects offered as evidence are accepted as evidence during a trial. Only a judge can decide if a witness may testify or an object or document will be accepted as evidence. If you are unsure whether you can offer witness testimony, a document, or another object as evidence, consult the Federal Rules of Evidence well before trial.

