

Civil Case Tip Sheets

How to Prepare Your Case

This resource is part of the [Civil Case Tip Sheets](#) series. It was developed to help self representing litigants prepare for trial. The Tip Sheets provide general information. They do not provide legal advice. Only a lawyer can provide legal advice.

Collect All the Documents and Exhibits

Read all the documents you have about your case long before the trial. If any information is missing, send the other side a letter asking for it. Do this several months before the trial date. Make a list of what you receive and when you receive it. “Exhibits” may be documents; so can pictures, diagrams, maps and objects.

Analyze Your Case

- List information or details that may be used against you, as well as what you and your witnesses may need to explain.
- List any mistakes or gaps in the statements of the other side’s witnesses or reports.
- List anything that might suggest bias, inaccuracy or weakness in the evidence that the other side plans to use (including their witnesses).

Prepare Your Argument

- Write down what happened.
- If you can briefly talk to a lawyer:
 - show the lawyer all your documents and exhibits
 - discuss whether you should testify (tell what happened)
 - use the lawyer’s suggestions to prepare for your trial
- Speak to witnesses—list those who can help you, and their addresses and phone numbers. List the evidence that each witness will give.
- Prepare your witnesses:
 - go over the questions you will ask them
 - go over the evidence that you expect them to give
 - go over the purpose of their evidence or questions that the other side may ask them
 - tell your witnesses exactly when to arrive and where to go. Remind them to dress neatly and wait outside the courtroom until the clerk calls them. If an important witness cannot or does not want to come to court, explain that you can get a subpoena from the Court Registry (a document that requires them to attend) to make sure they come.
- Prepare an outline of the evidence—how you will present your evidence through your witnesses (including yourself, if you plan to testify).
- Prepare a cross-examination outline—to use for the other side’s witnesses. List what you say happened beside the parts of their evidence that you plan to challenge. During the trial, write down any helpful evidence that the witness may admit.
- Prepare an outline of your Submissions (final arguments). This must be logical and it must describe the evidence that supports each point. In general, if evidence does not support your final argument, you shouldn’t use it.

Organize All Your Materials

Include exhibits and outlines. Make enough copies for the judge, the witness, and the other side’s lawyer.