

Getting Ready for Court: Frequently Asked Questions

What happens at a hearing?

A hearing is a formal process in which all parties to a case have a chance to present their side of their story. It is very important that you are ready to present all the evidence you have that will convince a judge to decide in your favor. Once your hearing is over it is usually too late to present new information to the court.

What is evidence?

Evidence includes all of the things you are telling or showing a judge to prove your case. Evidence can be written documents, such as report cards or medical records. It can also be the testimony of witnesses -- like friends, relatives, or teachers -- who know or have observed you or the other party, and can tell the judge what they have seen.



What kind of evidence do I need for my case?

The kind of evidence you need depends on the kind of case you have. Ask yourself: what information will convince the judge to do what you are requesting? The evidence you need in a divorce case may be different from what you need in a child support case or a custody case. Below are three of the most common types of cases and suggested approaches in preparing for trial:



If you filed a **Motion to Decrease Child Support**, you need proof that you are making less money than you used to make and/or that the other parent is making more money than he or she used to make. You can bring:

- Your most recent pay stubs
- Proof of other income you are receiving or have applied for (e.g. disability, unemployment compensation)
- If you are unemployed, proof of your reason for unemployment and proof that you are trying to find work

If you want to present documents to the court that are in someone else's possession (such as a bank or employer), you will probably need to subpoena those records. For help with subpoenas, go the Family Court Self Help Center**.

***The Family Court Self-Help Center is a free walk-in clinic which provides assistance to self-represented people in family law matters. The Center is located in the DC Superior Court, Room JM-570.*



If you filed for **custody** (a **Complaint for Custody**, a **Motion to Modify Custody**, or a request for custody as part of a **Complaint for Divorce**), you will need to prove to the court that you are a good parent and that you can provide your child a safe and stable home; likewise, if you believe that the other parent is unfit, this is the time to prove it to the court. You might want to bring:

- Report cards
- Medical records.
- Witnesses who know or have observed you, the other party, and/or your child. *The court will only want to hear from people who know first-hand about the child and his or her situation.*

If you want to subpoena someone to testify, you may wish to go to the Family Court Self Help Center** for assistance.



If you filed a **Complaint for Divorce**, you need to bring documents and witnesses that help you prove your case.

- For an uncontested divorce, you will need a certified copy of your marriage certificate.
- For a divorce involving issues of property (e.g. houses, pensions, furniture, debts, etc.) you will need to bring in documentation to prove to the court when those items were acquired, who acquired them and what their value is. Valuation of a house will usually require a witness with special knowledge about home values in your area. You might need to hire an attorney to help you in these types of cases.



What should I wear to court?

There is no formal dress code for court appearances, but you want the judge to see that you take the case seriously and that you respect the court. Wear clothes that you would wear to a important occasion – like a job interview, a graduation, or a wedding. Try to avoid informal clothing like flip flops, t-shirts, or tank-tops.

How should I behave in court?

In order to make a good impression when you are in front of a judge, follow these simple rules:

- Be quiet while you wait for your case to be heard
- Turn off your cell phone
- Do not argue with the other party in front of the judge
- Do not act disrespectfully to the judge or the other party
- Do not interrupt the judge, or the other party, when he/she is speaking

