

10 TRIAL TIPS IN FAMILY LAW CASES

Getting Ready for Trial is Hard and Complicated Work - Be Prepared

1. **TRIAL MEMORANDUM.** Write a short summary of what you are asking for and why. Break it down into sections: division of property, debts, parenting plan, child support and maintenance.
2. **PREPARE YOUR QUESTIONS.** Think out what you want to present to the Court and write down the key points you must make. Write out the questions you believe are important so you won't forget to ask them. List the specific points you want to make to the Court so you can check them off as you make your points.
3. **EXHIBITS.** You must bring the **originals and 3 copies** of any documents, papers or pictures you want the Court to consider. Bring them to the courtroom early (no later than 8:30) so that the Clerk can properly mark them. Make a List of your Exhibits so you can keep track of them.
4. **WITNESSES.** Your Witnesses must be ready to go when the trial is called. If a Witness is not needed for several hours, make sure they are available within 10 to 15 minutes with a quick phone call. Before the day of trial, make a List of the names of your witnesses. File the original and give a copy to the Judge and the opposing party.
5. **PARENTING PLAN.** Bring 4 copies of the Parenting Plan you are proposing for your children.
6. **CHILD SUPPORT.** Bring your most recent pay stubs, W-2 and last year's tax return. Prepare Child Support Worksheets using the income you have and that of the other parent, and prepare an Order of Child Support. Again, bring 4 copies of everything.
7. **MAINTENANCE.** Bring your most recent pay stubs, W-2, last year's tax return and a completed Financial Declaration which details your income and expenses. Also bring any other documents you feel support your request for maintenance or your position that maintenance is not appropriate.
8. **OBJECTIONS AND MOTIONS.** The Rules of Evidence and the Civil Rules control how the trial will be conducted by the Judge. If an "Objection" is made, do not interrupt until the nature of the Objection is stated. The Court will then allow you to respond, and the Court will then rule on the Objection. Do not speak to the opposing party during objections, speak only to the Judge and speak only one at a time.
9. **OPENING + CLOSING STATEMENTS.** You get to address the Court at both at the beginning and at the end of the trial. You should summarize what you want and why you want it. Be brief, concise and as specific as you can in stating what you want the Court to do.
10. **TIMELINESS.** Be in the courtroom at least 15 minutes before the trial is scheduled to start. You will be able to get settled and comfortable, but **NEVER BE LATE.**