



## THE BUDDY SYSTEM

### Marin Family Action/Families Fighting Foreclosure

- Spend time in courtrooms to learn procedures. Check the Form 700 for the scheduled attorney. Judges can change at the last minute so you may see another judge, but being prepared will serve you well.
- Review your paperwork before the hearing to be comfortable and familiar with your papers.
- If anyone has filed a declaration in the case, be sure the person's testimony is the same as what they said in the declaration. Use written notes or an outline during the hearing. Stick to the FACTS—don't ramble when giving evidence. In many counties, time to speak is limited to five minutes; call the court clerk to find out time limits before preparing what you want to say.
- Work with the Buddy System; let associates know the date, time, judge and courtroom you will be in. Ask for their support. They are to remain quiet during the proceedings.
- Be on time for your hearing, but plan to be at court all morning; your case might not be the first one called.
- Be sure that someone has a cell phone (TURNED OFF). If need be, they can go into the lobby and call for assistance.
- Ask one of the people in your Buddy System to take notes
- Dress neatly, as if you were going to church or a job interview
- No food or drinks are allowed in the courtroom
- Do not bring children
- Check at the clerk's office to find out the scheduled courtroom. Go there and sit quietly until your case is called.
- When it is time for your hearing, the clerk or judge will probably read all the cases scheduled for hearing at that time. When your name is called answer and, if asked, tell the judge whether your case is agreed, a default, or if there will be argument.
- When your case is called, walk to the area designated for lawyers and stand facing the judge. The judge will instruct the parties when to speak. Speak only when it is your turn. Do not interrupt or speak to the other party, even if they speak to you. Be reasonable. Staying calm even when the other party lies or is rude will impress the judge. You will get your turn to calmly prove the other party wrong.

- Handling your own hearings and trial is stressful. The main thing is to stay calm. Frequently, the judges give people representing themselves a couple of choices as to how to present their own testimony.
- Remain courteous to the judge after the ruling. Ask the judge whether you or the other side should write the court order (the judge will not write the order). The judge must sign the order before it becomes effective.
- Do not laugh or talk about the case in the hallway or restrooms of the courthouse as the judge, the other party or his/her attorney or witnesses may see or hear you.

#### During the hearing:

- a) Speak clearly and distinctly, using words and terms that you understand. Speak loud enough so the judge can easily hear you.
- b) The Judge will ask questions. If you don't understand the question, say so. Don't answer until you do understand.
- c) Be direct. If you don't know an answer, say so. Do not be afraid you do not know something.
- d) Take your time when answering questions. Give the question as much thought as you need to understand it and come up with your answer.
- e) Be respectful and courteous. Always address the judge as "Your Honor." Do not interrupt. If something needs to be explained, wait until it is your turn to speak or ask to speak again.
- f) Be sincere. Stay calm. Don't be sarcastic or argue with anyone.
- g) If you are stating dates, times and places, etc., be exact. If you cannot be exact, say that you are only estimating.

#### NOTES

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