

INSTRUCTIONS TO SELF-REPRESENTED PERSONS – MOTIONS

1. Prepare your forms.

Prepare the particular motion and notice of motion that apply to your case. When you fill out the motion, tell the judge what you want. Include the basic facts the judge would need to make a decision. If you talk about any documents in your motion, attach copies for the judge.

You will also need to include the date when the motion will be heard; you have to ask the Circuit Clerk to tell you what date you can use. Make at least 3 copies of your motion and notice of motion. Remember: Different motions are often used for different types of cases, so you should make sure to use the motion that applies to your particular issue.

2. File your forms with the Clerk.

File the motion and notice of motion with the clerk's office in the court where your lawsuit is filed. Bring all your copies and the originals with you when you file. The clerk will stamp the originals and the copies. The clerk will keep the original and return the copies to you. Make sure you keep one set of copies for your own records.

3. Send the Other Party Notice of the Hearing.

You must deliver stamped copies of the motion and notice of motion either personally or by certified mail, return receipt requested. If the other party has an attorney, send the copies of these forms to the attorney's office. Keep the other copies for your files and to bring with you when you return to court. You must fill out the Proof of Service section on the Notice of Motion detailing the date and time you mailed the documents.

4. Go to your Hearing Date.

Go to court on the date and time assigned to you by the clerk. Wait for the name of your case to be called; the judge or the clerk will call the case by saying the names of the first plaintiff and the first defendant. Usually, the judge will let both sides explain why they feel the court should rule in their favor. In some circumstances, a judge may want to hold hearing on the motion at a later date. Be sure to ask whether you should bring any documents or witnesses to that hearing. After hearing from both sides, the judge will issue an Order granting or denying the motion. Make sure you get copies of this Order from the courtroom clerk.