

NOT JUDGE JUDY'S COURT

Advancing Your Case In Real Court

THE TRIANGLE METHOD

for continuous case analysis

Three questions effective pro se litigants answer all the time:

1

CLAIM

What are the elements of the claims in my case?

I know the type of case I have. I keep my eyes on the facts I need to prove or disprove.

2

STAGE

In what stage of the case am I?

I know when I'm in the Complaint, Answer, Discovery, Trial or Appeal stage. I keep my eyes on my goal for that stage.

3

STRATEGY

What is my long-term strategy?

I have a plan for success and know the tactics to use to carry out my plan.

7 HABITS OF EFFECTIVE PRO SE LITIGANTS

1.

RESTRAINED

I know what I don't know. I maintain my credibility.

2.

KNOWLEDGEABLE

I demonstrate a grasp of civil procedure.

3.

STRATEGIC

I maintain a playbook for my case. (Triangle Method)

1. Restrained

2. Knowledgeable

3. Strategic

4. Proactive

5. Organized

6. Authoritative

7. Persuasive

4.

PROACTIVE

I stay on offense and spend no time reacting to my opponent.

5.

ORGANIZED

I have my stuff together -filings, evidence, tasks, documents, etc.

6.

AUTHORITATIVE

I support every legal argument with statutes or case law.

7.

PERSUASIVE

I deliver structured legal arguments in writing and in person.

POINTERS FOR ORAL ARGUMENT

Talk to the judge, not to the other party or lawyer.

Bring a court reporter.

Don't allow ex parte talks at the bench.

Draft 2 documents - fat and skinny. File the skinny. Argue with the fat.

Don't accept a lawyer's word on anything.

Ask the judge about procedure when you don't understand but check the facts later.

Bring proposed orders, and try to get them signed and entered while in court.

SETTLEMENT NEGOTIATION

- Don't make the first offer.
- Let the other side come to you to negotiate a settlement.
- If a lawyer for the other side tests you to see if you're interested in settling, tell them you may be interested later when they get serious about the numbers.
- Using your Courtroom5 Expenses tool, keep a list of costs you've incurred in the case.
- When the other side wants to settle, have a number for what it will take.
- Add costs you've incurred to the amount for which you're willing to settle.