

Help RI Law: Rhode Island Legal Services

Legal help and representation for low-income individuals in Rhode Island

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Tips for Court

- 1. Be on time!** Court starts promptly at 9:00 A.M.. Make sure you are in the right courtroom before 9:00A.M. If you are not in the courtroom when your case is called, the judge is allowed to “pass” your case. This means that your case could be dismissed and you will have to start all over again! If you are the defendant, this could mean that the plaintiff can go in front of the judge and get the orders that he/she is seeking without you getting to say anything. This means you were **defaulted** (the orders are granted because you didn’t show up!). Keep in mind that court houses are a busy place. You need time to find parking, time to get through the metal detectors, time to get upstairs in the elevator, and time to find your courtroom.
- 2. Dress appropriately!** You must dress appropriately for court. Many judges will not let you in the courtroom if you are wearing shorts, tanktops, undershirts, tshirts with swears or other obnoxious sayings, flipflops, etc. Dressing appropriately shows the judge that you respect the judge.
- 3. Respect the Judge!** When you speak to the judge, stand up! Do not interrupt the judge. You will be given your chance to speak. Do not interrupt the other party. The judge can only listen to one person at a time and the court reporter can only type the words of one person at a time. You will be given a chance to respond to what the other party has said.
- 4. Quiet in the Courtroom!** Do not talk to friends or other people in the courtroom if the judge is in the courtroom. You should only be speaking if the judge is speaking to you! If you must talk, leave the courtroom. Likewise, **no cell phones**, pagers or other electronic devices are allowed in the courtroom. Turn them off! If they ring in the courtroom, most judges will confiscate them! No food, drink, gum, etc. is allowed in the courtroom.
- 5. No Children in the Courtroom!** Court is not a nice place for children to be. Children, by law, are required to be in school if school is in session. Do not bring your child to court unless the judge has scheduled an appointment to talk to your child. Most judges will not let a child in the courtroom, even if they are not part of the case. The judge will not think you are a responsible parent if you bring the child to the courthouse without an appointment! The Garrahy Judicial Complex in Providence has a daycare for the morning session of court only, located on the second floor, near the elevators.

6. **Be prepared!** Bring all of your court documents with you! Think about what you would like to say to the judge before you even get to court. If you are representing yourself pro se, watch some cases so that you know how cases are to be presented. The family court clerks' office has a written script to help you present your divorce. Ask for the script before your court date and practice. If you are pro se and would like witnesses to speak to the judge, they must be present for your court date. The judge might not give you another date to have the witnesses come in to testify.

7. **Bring an Interpreter!** The court does not normally provide you with an interpreter. If you do not speak English, or get too nervous to speak English, please bring someone with you who is comfortable speaking and fluent in both English and your language.

8. **See the video!** If you are getting a divorce in Providence County, you must see the parenting video before the judge will enter your divorce decree. You can see this video in English or in Spanish on the third floor, Room 375 of the Garrahy Judicial Complex at 8:30 A.M. Monday through Friday, or at 6:00 P.M. Monday through Thursday. Bring your docket number with you so that the person who shows you the video can put a paper in your court file that says you saw the video.

9. **Try mediation!** If you are filing a miscellaneous petition for custody in Providence County, you will be getting a call from a court mediator. This person will meet with you and the defendant separately. The mediator will then determine whether she/he can sit down with the both of you together. If the mediator decides that she/he can sit down with the both of you together, the mediator will help the two of you settle your case. It is a good idea to try the mediation if there are no domestic violence issues involved. The mediator can help you save time and money in court.

If you have a case that does not qualify for court mediation, but still want to try mediation, you can hire a mediator. The family court clerk can provide you with a list of mediators or you can look in the yellow pages. Usually, the mediator will work with the parties to come up with an agreement called a memorandum of understanding. The mediator will then tell the parties to each talk to their own attorney to make sure that the memorandum of understanding is in their best interest. The attorneys help to get the memorandum turned into a court order.

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