

AVOID COMMON MISSTEPS IN A COURT PROCEEDING BY:

1. **BEING PREPARED.** Prior to going to court be sure to do the following:
 - a. Review the Florida Statute(s) that apply to your case. See attached statute list.
 - b. Gather all of your evidence and bring it to court. Evidence can be documents, pictures, and verbal testimony from witnesses. Make two copies of your evidence (one will be handed to the opposing party and one will be handed to the judge). If you have evidence on your phone, print your evidence before court.
 - c. Write notes so you remember to present all of your evidence and testimony.
 - d. Bring paper and pen.
 - e. Review the Florida Family Law Rules of Procedure. The Rules explain how to obtain evidence, how to obtain a continuance, the requirements of pleadings, notices, and service. You may access the Rules here:
<https://www.floridabar.org/rules/ctproc/>

2. **UNDERSTANDING OBJECTIONS.** The most common objections are:
 - a. **Hearsay.** In *general* terms, hearsay is a statement that is made outside of the court proceeding and that statement is being provided as a true statement in the court proceeding. Please review Florida Statute 90.801. For example: “our son said that mom drops him off to school late every day.” This is hearsay if you are trying to prove that mom is late to school every day. Hearsay is not permitted.
 - b. **Foundation.** Be sure to explain: When? Where? Who?
 - c. **Lack of Personal Knowledge.** *Generally*, you may only testify to things that you saw with your own eyes. Were you there? If not, consider bringing a witness who was there and has personal knowledge.
 - d. **Relevance.** Make sure what you are testifying to (and the documents you are submitting) are relevant to the issue. Some proceedings are more limited in scope and certain things may not be relevant. For example, if it is a child support proceeding, testimony about domestic violence would not be relevant.

** Remember, just because you disagree with the other parties' testimony (or think he or she is lying), that is not a valid legal objection. Each party is entitled to present their case. When it is your turn to present, you may then point out the incorrect testimony.

3. **BEING RESPECTFUL**. All parties must show respect to each other and the Judge while in the courtroom. Each party will have an opportunity to present his or her case (including testimony and evidence). The Judge will follow procedures by allowing the party who filed the petition or motion to present first. Then, the other party will have the opportunity to question that party through cross-examination, and later have the opportunity to testify themselves. Do not interrupt, unless you are making a valid legal objection.