FREE GUIDE

The Self-Represented Survival Guide

How to handle common legal matters on your own, in plain language. Find your situation, understand how it works, and know when to get help. No legal background needed.

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FIND YOUR SITUATION

You are not the only one facing this

76% of US civil cases have at least one side with no lawyer

72% of family-law cases have a self-represented party

92% of low-income civil legal needs get no or not enough help

53% aren't sure they could find and afford a lawyer

Sources: NCSC 2015 & 2018; LSC Justice Gap 2022

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Get organized first

No matter what kind of case you have, it starts the same way. Get your story straight before you touch a single form. A calm, organized case beats an angry, scattered one every time. You are not writing a speech. You are lining up what happened and what proves it.

Tell your story in one paragraph

Write what happened in plain words, in the order it happened, with dates. Keep it to a paragraph. If you can say it simply, a judge can follow it simply.

Build a timeline

- List each key date: when things started, when the problem happened, when you raised it, and when the other side refused or went silent.
- Next to each date, note the proof for it, such as a text, an email, or a receipt.

Name your numbers

If money is involved, write down exactly what you are asking for and how you got there. People trust math they can follow. For example, a deposit of 1,800 dollars plus a filing fee.

> **One folder, real or digital.** Keep every document in one place from day one. You will reach for it again at filing, at service, and on your court date.

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Build your evidence

Evidence is anything that backs up your story. You do not need a mountain of it. You need the few items that prove the key points: what was agreed, what each side did, and how it went wrong.

Strong, everyday evidence

- Contracts, leases, work orders, notices, and written estimates.
- Photos and videos, ideally with the original date stamps kept intact.
- Texts and emails that show what was promised, asked, or refused.
- Receipts, invoices, and bank or card statements showing what you paid.
- A short, signed note from a witness who saw what happened.

Organize it to hand over

- ✓ Bring copies, usually three: one for the judge, one for the other side, one for you.
- ✓ Number your items and keep a simple list, so you can point to "item 3" without fumbling.
- ✓ Lead with the items that prove the heart of your case.

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Your day in court

Preparation is what turns nerves into confidence. You already know what happened. Now you practice telling it simply and bringing the right things.

Your one-sentence ask

Be able to say, in one sentence, what you want and why. For example, "I am asking for my deposit back because I left the place clean and on time and it was never returned." Everything else supports that sentence.

What to bring and wear

- ✓ Photo ID and your case or docket number.
- ✓ Your copies of every document, in order.
- ✓ Neat, plain clothing. No logos or hats.
- ✓ A pen and notepad.

What a hearing usually looks like

- The court calls your case and you step forward.
- Each side explains their version. Speak slowly, stick to the facts, and hand up your evidence when you refer to it.
- The judge may ask questions. Answer plainly. "I do not know" is an honest, fine answer.
- The judge decides, sometimes that day, sometimes later by mail.

> **Arrive early and stay calm.** Get there at least 30 minutes before, find your courtroom, and silence your phone. Talk to the judge, not the other side. Facts and dates carry the day. Outrage does not.

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After a decision

A decision is not always the end. If a court orders the other side to do something, such as pay you, that order is a judgment. Getting them to actually follow it can be a separate step worth knowing about up front.

- Get the official decision or judgment papers from the court.
- If money is owed, ask for payment in writing first. Many people pay once there is a judgment.
- If they still do not pay, look into the court's collection tools, such as wage garnishment or a bank levy, where allowed.
- Keep a record of every payment and every contact.

Good to know. Deadlines to appeal and the tools for enforcing a decision vary by state. Your court self-help office can point you to the right forms.

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Small Claims

Small claims court is a simplified, lower-cost way to ask a court to order someone to pay you money or return property when the amount in dispute is below a set limit. It is built for regular people, so you generally do not need a lawyer to use it.

Is this you?

This section is for you if someone owes you money or has your property and will not make it right, and the amount is fairly modest. Common examples are a security deposit a landlord will not return, an unpaid personal loan, money for work or goods you paid for but did not receive, or damage to your property. Each state sets a dollar ceiling for small claims, and if your dispute is below that ceiling, this is usually the path. If the dispute is much larger or more complicated, it may belong in a regular civil court instead.

Check the dollar limit and the deadline to sue

Two things decide whether you can use small claims at all. First, the dollar limit: every state caps how much you can sue for in small claims, and the cap differs widely from one state to the next. Second is the deadline, called the statute of limitations. That is the time window you have to file after the problem happens. Once it closes, most courts will not hear the case, no matter how strong it is. The length of the window depends on the kind of claim.

- Money owed under a written or spoken agreement, unpaid debts, and property damage tend to have their own separate time windows.
- The clock usually starts when the problem happened or the money came due, so it is generally worth checking early.

Figure out the right court and file your claim

Small claims is usually a simplified track inside a local court rather than a separate building, and it is often filed where the other person lives, works, does business, or where the property is. You start the case by filling out a short court form, often called a statement of claim or notice of claim, and paying a filing fee. In most states the fee is modest and scaled to how much you are suing for. If you cannot afford the fee, courts generally let you ask to have it waived by filing a short financial form.

- Bring the facts and any proof you have, such as receipts, photos, messages, or a written agreement.

- Filing forms, fees, and fee-waiver requests are almost always available on your state court's self-help website.

Make sure the other side is properly notified

After you file, the other person, called the defendant, has to be formally told about the case. This step is called service of process, and getting it right matters because the court generally cannot proceed until it is done. One rule is nearly universal: you usually cannot hand the papers over yourself. Instead the court clerk often mails them, or a sheriff or a neutral process server delivers them. Many states also require that service be completed a set number of days before the hearing.

Prepare for the hearing and know that winning is not collecting

Small claims hearings are informal. You explain what happened, show your evidence, and the judge decides. In many states lawyers are limited or not used in small claims, which keeps things simpler. One thing that surprises a lot of people: if you win, the court orders the other side to pay, but the court does not automatically take the money for you. If they do not pay, collecting on the judgment is usually a separate process you have to pursue.

> **If you remember one thing.** Do not wait. Every state sets a deadline (the statute of limitations) to file, and the dollar limit for small claims varies by state. If the deadline passes, most courts will not hear the case at all, so it generally helps to confirm both your state's time window and its dollar cap before you do anything else.

> **What varies by state.** Almost every specific detail varies by state: the dollar limit, the filing fee, the form names, how the other side must be served and by when, the deadline to sue for your type of claim, and whether lawyers are allowed. Some states even set different limits for individuals versus businesses, or lower limits for certain debts. For the numbers that apply to you, check your own state court's official self-help website rather than relying on any single figure.

> **When to get help.** Most people handle small claims on their own, and state court self-help websites and clerk's offices are set up to walk filers through the forms. Consider talking to a lawyer if the amount is near or above your state's limit, the facts are tangled, the other side is represented, or you are unsure whether your deadline to sue has already passed. Hello Court provides general legal information, not legal advice, and cannot decide what to do in your specific case.

FIND YOUR SITUATION

Eviction and Housing

An eviction is a court case a landlord files to make a tenant leave a rental home. This section explains how that process generally works and where renters usually have a say.

Is this you?

This is for you if you rent your home and your landlord has given you a written notice, filed an eviction case, or is holding back your security deposit. It also helps if you are worried about being forced out and want to know what the steps usually look like before that can happen. It is general legal information, not legal advice about your situation.

Read the written notice first

In most states a landlord cannot go straight to court. The law generally requires a written notice first, and the deadline in it depends on the reason. Nonpayment of rent, a lease violation you can fix, and simply ending a month-to-month tenancy each tend to have different notice periods. The notice usually tells you how many days you have and what you can do, such as pay what is owed or correct the problem, to stop the case from moving forward.

- Note the date you got the notice and the exact deadline it gives you.
- Check that the reason and the number of days match what your state requires.
- Keep the notice, your lease, rent receipts, photos, and any messages with your landlord.

Know that only a court can order you out

In most states, a landlord generally cannot remove you on their own. Locking you out, shutting off your utilities, or removing your belongings to force you to leave is usually not allowed and can expose the landlord to penalties. To actually evict you, the landlord normally has to file a case in the local court, and you have to be served with court papers. The final removal is carried out by an officer such as a sheriff, marshal, or constable acting on a court order, not by the landlord.

Respond and show up on time

Once a case is filed, the court sets a date, often quickly. How you respond varies. In some states you file a written answer by a set deadline, and in others you mainly need to appear on the scheduled date. Either way, the single biggest risk is doing nothing. If you miss the deadline or do not show up, the court can enter a default, which usually means the landlord wins automatically. At the hearing the court generally decides who has the right to stay; money disputes are often handled separately.

- Find your deadline to answer or your hearing date and put it on a calendar.
- Bring your evidence and a copy for the landlord and the court.
- If you cannot afford the filing fee for your own claim, ask the court about a fee waiver.

Handle the security deposit on its own track

Getting your deposit back is usually a separate matter from an eviction. In general, after you move out the landlord has a set number of days to return your deposit or send you a written, itemized list of what they kept and why. If the landlord misses that deadline or keeps money without a good reason, many states let you recover the amount owed, and sometimes extra damages and fees. If the landlord will not pay, you can often bring a small claims case.

> **If you remember one thing.** Do not ignore court papers. The fastest way to lose an eviction case is to miss your deadline to answer or fail to appear, because the court can then rule against you by default. Find the exact date the moment you are served and act before it.

> **What varies by state.** Almost every specific number varies by state and sometimes by county: notice periods, how fast a hearing is set, whether you must file a written answer, filing fees, deposit caps, and the deadline to return a deposit. Look up your own state's court self-help website (search your state name plus "court self-help eviction" or "landlord tenant"), which publishes the official forms and current deadlines for where you live.

> **When to get help.** Many renters handle answering an eviction or chasing a deposit on their own using their court's free self-help forms and help centers. Consider a lawyer or legal aid when the case is contested, when there is a claim of discrimination, retaliation, or serious unrepaired conditions, when real money or a counterclaim is at stake, when subsidized or public housing is involved, or when you are considering an appeal. Free or low-cost legal aid is available in many areas for renters who qualify, and some places offer a free tenant lawyer, so it helps to ask early.

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Debt and Collections

This section is about what happens when a creditor, a debt buyer, or a collection agency takes you to court over money they say you owe. It covers how the case generally works and how people respond on their own.

Is this you?

This is for you if you got court papers (usually called a summons and complaint) saying you are being sued over a debt, such as a credit card, a personal loan, or a medical bill. It also applies if a court already ruled against you and a creditor is now trying to take part of your paycheck or money from your bank account. The person being sued is called the defendant. You do not have to be sure the debt is yours to use this section.

Read the papers and find your deadline

The court papers tell you who is suing you, how much they claim, which court the case is in, and how and by when you must respond. How you respond depends on the state and the type of court. In many states you file a short written response, often called an Answer, that admits or denies each point the other side makes. In some small-claims or informal courts you instead show up on a hearing date printed on the papers, and in at least one state you file a brief notice that you intend to defend. The response method and deadline are spelled out on your papers, so read them closely and put the date on your calendar right away.

- Note the court name and location, the amount claimed, and the exact response date.
- Check whether your papers ask for a written response or for you to appear on a set date.
- Keep the envelope and papers; the date you were served can affect your deadline.

Respond on time so the case is not decided without you

Responding by the deadline is the single thing that keeps the case alive and lets you raise your side. If you do nothing, the court can enter what is called a default judgment, meaning the creditor wins automatically because you did not answer. When you respond, you can raise common defenses. Common ones are that too much time has passed under the law, that the company has not proven it owns the debt or the amount, that the amount is wrong, or that the debt is not yours. In general, the time limit is treated as a defense the person being sued must raise themselves rather than something the court applies automatically. Whether any of these defenses fits a specific case is a legal judgment, so it is worth confirming with a lawyer or a self-help center.

- Filing an answer or showing up usually does not require its own fee, and most courts let you ask for a fee waiver if money is tight.
- Court self-help centers and clerks can explain the process and point you to forms, though they generally cannot give legal advice.
- Free fill-in forms for responding are published on most state court self-help websites.

Know your protections if there is already a judgment

If a creditor wins or you did not respond, the court enters a judgment. A judgment lets a creditor try to collect, often by garnishing part of your wages or freezing money in a bank account. Every state shields a portion of wages and certain property and benefits from collection. These are called exemptions. The exact amounts and the items protected vary a lot by state, but the pattern is the same everywhere. When collection starts, you generally can file a claim of exemption with the court, by a deadline, to protect what the law lets you keep, and you can ask for a hearing.

- Wages are partly protected in every state, and government benefits based on need are often protected too.
- Money that came from protected sources can stay protected for a window of time after it lands in your bank account.
- Watch for a short deadline to claim an exemption after a garnishment or freeze begins.

> **If you remember one thing.** The biggest pitfall is missing your response deadline. If you do not respond in time, the court can enter a default judgment against you without ever hearing your side, and that opens the door to wage garnishment and bank account freezes. Find the deadline on your court papers and act before it passes.

> **What varies by state.** Almost every specific number varies by state: the deadline to respond, whether you file a written answer or appear on a date, how many years a creditor has to sue (this depends on the state and on whether the debt was written or an open account, and can range widely), the dollar amounts of property and wage exemptions, court filing fees, and the names of the forms. Do not rely on any single number you hear as if it applies everywhere. Look up your own state's court self-help website and the rules for the specific court named on your papers.

When to get help. It is generally worth talking to a lawyer or a free legal-aid office when the amount is large, when the case is in a higher court with formal procedures, when you think the debt is not yours or involves identity theft, when wages or a bank account are already being taken, when you might have a claim that a collector broke the law, or when bankruptcy might be an option. Many states have free legal-aid groups for people who qualify, and most state court self-help websites list them. Federal law (the Fair Debt Collection Practices Act) and state consumer-protection laws also limit how collectors may behave, and your state attorney general's consumer office generally takes complaints.

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Workplace and Wages

This section is about your rights at work, mainly getting paid what you are owed and what happens if you believe you were fired or treated unfairly because of who you are. It explains how these processes generally work so you can find the right door.

Is this you?

This may be you if your employer did not pay you, paid you less than the minimum wage, skipped your overtime, or held back your last paycheck after you left a job. It may also be you if you believe you were fired, demoted, harassed, or paid less because of your race, sex, religion, age, disability, or another protected reason, or because you spoke up about your rights. It applies whether you quit or were let go. Most states treat these as two very different kinds of problems, and they go to different places.

Know that unpaid-wage problems and discrimination problems take separate paths

In most states, worker problems split into a few separate lanes, each with its own office and its own deadline. Sorting your problem into the right lane first saves you a lot of time.

- Unpaid wages, minimum wage, overtime, and final paychecks: in most states a state labor agency takes these for free, and you usually do not need a lawyer to start.
- Discrimination, harassment, or being fired for an unfair reason: these go to a state civil rights agency or the federal EEOC, and they tend to be fact-heavy with strict deadlines.
- Losing your job through no fault of your own: this is an unemployment benefits claim, filed online with your state, and is separate from the two problems above.

For unpaid wages, gather your proof and use your state's free wage-claim process

Most states run a free process where a worker files a wage claim with the state labor agency, which then contacts the employer and tries to collect. It helps to have your records ready before you start.

- Pull together pay stubs, your agreed pay rate, the hours you worked, your dates of employment, and any texts or emails about pay.
- Find your state labor agency's wage-claim form, which is usually online and free to file.
- Know that the timing for a final paycheck, any dollar limit on what the agency will handle, and the minimum wage and overtime rules all differ by state, so check your state's numbers rather than assuming.

For discrimination, watch the deadline closely and treat it as lawyer territory

Discrimination, harassment, and wrongful-firing claims are generally fact-intensive and run on a strict filing clock. In most states you start by filing a charge with the state civil rights agency, and you can often file with the federal EEOC as well to protect federal rights. Filing the charge on time is what keeps your options open. Whether your claim is strong, which office to use, and how to argue it are decisions that usually call for a licensed employment attorney.

Most jobs are what the law calls at-will, but that has limits

In most states, employment is generally at-will, meaning either you or your employer can usually end the job at any time without giving a reason. At-will does not let an employer break the law. It does not erase your right to be paid, and it does not allow firing you for an illegal reason such as discrimination or for reporting a wage violation.

> **If you remember one thing.** Discrimination and harassment claims have a hard filing deadline that the agency usually cannot extend, and it can be short, with the exact deadline set by your state and by whether you also file with the federal EEOC. Missing it can end your claim, so find your state's exact deadline early and do not wait.

> **What varies by state.** Many specifics differ by state: the minimum wage and tipped wage, when overtime kicks in, how fast a final paycheck is due, any dollar cap on what the labor agency will collect, and the deadline to file a discrimination charge. A few states also have no state wage agency at all, so unpaid wages there go through court or the federal labor department instead. Check your own state's official court self-help site or its labor and civil rights agencies for the current numbers.

> **When to get help.** The free wage-claim process at your state labor agency is generally built to be used without a lawyer, and unemployment claims are filed directly with the state. For discrimination, harassment, wrongful-firing, large or complex wage disputes, or anything headed to court, it is generally wise to talk to a licensed employment attorney or a local legal-aid clinic, especially because the discrimination deadline is short. Your state court self-help center and state labor and civil rights agency websites are good first stops for forms and current rules.

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Divorce and Separation

Divorce is the court process that legally ends a marriage. Separation is a related option that lets spouses live apart and sort out money and parenting questions while staying married, and not every state offers it as a formal court status.

Is this you?

This section is for you if you are ending a marriage, or thinking about it, and want to understand how the court process generally works. It is most useful when you and your spouse agree on the big things, like dividing property and debts and any arrangements for children. That is the situation a regular person can often handle without a lawyer. If your case is contested, meaning you and your spouse disagree about the divorce itself or about money, property, or children, the path is more involved and a lawyer is usually the right call. This is general information about how the process tends to work, not legal advice about your situation.

Check that your state can hear the case

Before you can file, most states require that you or your spouse have lived in the state for a set period of time. This is called a residency requirement. The length of time varies a lot from state to state, so do not assume any one number applies to you. Your state's court self-help website will tell you the exact requirement and how it is counted.

Understand the grounds and how property is divided

Every state allows a no-fault divorce, which means you do not have to prove your spouse did something wrong. The common no-fault basis is that the marriage is broken beyond repair, sometimes called irretrievable breakdown or incompatibility. When it comes to splitting what you own and owe, most states follow equitable distribution, where a judge divides marital property in a way it considers fair. Fair does not automatically mean a 50/50 split. A few states instead treat most property acquired during the marriage as belonging equally to both spouses. Either way, the rules in your state decide how this works.

File the petition, give notice, and resolve the terms

A case generally starts when one spouse files a petition with the court, or both spouses file together when they agree. After filing, the other spouse usually must be formally notified, which is called service, and is given a set amount of time to respond. The forms you use often differ depending on whether you have minor children. If you and your spouse agree on everything, many states publish free guided forms or online interviews that help you complete an uncontested case from start to finish. If you do not agree, the case follows a longer path that may include exchanging financial information, mediation, and hearings.

Wait the required time and get the final order

Many states require a minimum waiting period before a judge will finalize the divorce. Some states have no fixed wait, while others require a set number of days, and a few require spouses to live apart for several months first. The marriage is not legally over until a judge signs the final order, sometimes called a decree or judgment. Filing fees apply, and every state offers a way to ask the court to waive the fee if you cannot afford it.

> **If you remember one thing.** Two clocks matter most and both vary by state: how long you must have lived in the state before you can file, and the minimum waiting period before a judge will finalize the divorce. Check both on your own state's court self-help site before you count on any date.

> **What varies by state.** Almost every specific detail varies by state: the residency requirement, the waiting period, the filing fee, the exact form names and numbers, the response deadline after service, and whether a formal legal separation even exists. Some states call divorce a dissolution of marriage, and some offer no standalone separation status at all. Confirm the specifics on your state court's official self-help website, which is the most reliable free source.

> **When to get help.** It is generally wise to talk to a family-law attorney licensed in your state when the divorce is contested, when minor children are involved and custody or support is in dispute, when there is significant or disputed property such as a home, retirement accounts, or a business, when spousal support is contested, when a spouse cannot be located, or when there is domestic violence or any safety concern. If you cannot afford a lawyer, your state's legal aid organizations and court self-help centers can offer free help, though self-help centers explain the process and forms rather than give legal advice.

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Custody and Child Support

Custody and child support are how a court sorts out where a child lives, who makes major decisions for the child, and how each parent helps pay for the child's needs. This is general information about how the process usually works, not legal advice.

Is this you?

This section is for you if you and the other parent are no longer together and you need a court order about your child. That can come up inside a divorce, or as its own case for parents who were never married. It covers both the parenting side (living arrangements and decisions) and the money side (child support). If you and the other parent agree on everything, much of this is paperwork you can often handle yourselves. If you disagree about custody, the picture changes, and the section below on getting help explains why.

Know the two parts of custody, and your state's words for them

In most states, custody really means two separate things, and a court can split them differently. States use different labels for the same ideas, so check what your state calls them.

- Decision-making: who decides the big things like the child's school, health care, and religion. This can be shared by both parents or given to one.
- Living arrangement and schedule: where the child mainly lives and how parenting time is divided. This can also be shared or mainly with one parent.
- Some states do not use the word custody at all. You may see terms like parental responsibility and time-sharing, allocation of parental responsibilities, or legal custody, residency, and parenting time. They point to the same two questions.

Understand the standard a court uses

When parents do not agree, the court decides custody based on what is in the best interests of the child. Most states list specific factors the judge weighs, such as each parent's relationship with the child, the child's needs and stability, each parent's willingness to support the child's bond with the other parent, and any history of family violence or abuse. In general, no parent is automatically favored just for being the mother or the father.

Open the case, share your income, and use the official support tool

A parent starts the case by filing a petition with the right court, usually in the county where the child lives, and paying a filing fee or asking the court to waive it. The other parent is formally served and gets a set amount of time to respond. Child support is then set by a state formula, not by guessing.

- Both parents usually file a sworn financial statement or affidavit showing income, because support is calculated from income.
- Most states set support with an official guideline and a worksheet or free online calculator. In most states the guideline amount is the starting point a court is expected to use, though a court can adjust it in limited situations.
- Many states want a written parenting plan describing decision-making and the schedule, and some require a parent education class before the case is finished.
- If both parents agree, you can often submit an agreed parenting plan and support order for a judge to approve.

Know how orders change later

A custody or support order is not always permanent. In general, a parent can ask the court to change it later, but only by showing a real shift since the last order, often described as a substantial or material change in circumstances. Some states also let you revisit support when a fresh calculation would move the amount by a set percentage. A state child support agency can also help establish, collect, or enforce support, including steps like wage withholding.

> **If you remember one thing.** Once you are served with custody or support papers, you have a limited window to file a written response, and the deadline is printed on the papers you received. Missing it can let the court decide without your input or enter a default against you. Read the summons closely and calendar that date right away.

> **What varies by state.** Almost every specific number varies by state: the words for custody, the filing fee (some states charge a few hundred dollars, while filing for custody is free in others), how many days you have to respond after being served, the exact support formula and any income cap, the support worksheet or form names, and how long support lasts (often to age 18 or high school graduation, but later in some states). Look up your own state's court self-help site for custody and child support, and use that state's official support calculator or worksheet for any dollar figure.

When to get help. If custody is contested, meaning you and the other parent do not agree, it is wise to talk to a family law attorney licensed in your state. The same is true if there is any history or claim of domestic violence, child abuse, or neglect, if paternity is disputed, if a parent wants to move the child out of state, if income is complex or hard to pin down, or if the other parent already has a lawyer. Contested custody turns on evidence and court procedure where mistakes are hard to undo. If cost is a concern, many states have legal aid for lower-income parents and free court self-help centers that explain procedure and forms, though staff there cannot give legal advice.

FIND YOUR SITUATION

Protective Orders and Safety

Get help first. Because your safety or someone's liberty can be on the line, get real help fast. If you are in immediate danger, call 911. For free, confidential support any time, call the National Domestic Violence Hotline at 1-800-799-7233 (or text START to 88788), which can connect you to a local advocate. Your local court's self-help center or protective-order clerk can help you complete and file the forms at no cost. For legal advice about your specific situation, especially if your case is contested, involves children, custody, or support, overlaps with a criminal case, or the other person has a lawyer, reach out to a domestic violence legal-services program, a local legal-aid line, or a licensed attorney. If a protective order is being sought against you and a criminal charge is involved, ask the court about a public defender right away.

A protective order is a court order that tells one person to stop contacting, threatening, or harming another person. States use different names for it, such as protective order, order for protection, restraining order, injunction for protection, protection from abuse, or peace order.

Is this you?

This section is for you if someone has hurt you, threatened you, stalked you, or made you afraid for your safety, and you want the court to order them to stop and stay away. It also helps if a protective order is being requested against you and you need to understand what is happening and show up for your hearing. If you are in danger right now, stop reading and call 911. The steps below explain how the process generally works so you know your rights and feel ready to ask for help.

Get safe and get help first

A protective order is a safety matter, not a paperwork task. In every state, free help is available, and you do not have to figure this out alone. Reaching one of these people before you file is how most people get through it.

- Call 911 if you are in immediate danger.
- Call the National Domestic Violence Hotline at 1-800-799-7233, free and confidential, 24 hours a day. Many states also have their own hotline.
- Ask the court clerk or a court self-help center to help you fill out the forms. They give information, not legal advice, and the forms are free.
- A domestic violence advocate can help you make a safety plan and go to court with you, often at no cost.

Know which kind of order fits

Most states have more than one track, and which one applies usually depends on your relationship to the other person, not on what you prefer. You do not need to label it correctly yourself. The clerk or an advocate can point you to the right forms.

- One track is for people in a close relationship, such as a current or former spouse or partner, family or household members, or a dating relationship.
- Another track is for stalking, sexual assault, or harassment, and in many states it does not require any relationship to the other person.
- In most states you do not need to have filed a police report or have criminal charges to ask for a protective order.

Understand the two stages

In most states the process has two steps. First, a judge can issue a short, temporary order quickly, sometimes the same day, based only on what you write, without the other person present. This is often called an ex parte order, which simply means the judge acts before hearing the other side. Second, the court sets a hearing where both people can appear and tell their side, and the judge decides whether to grant a longer final order.

- The temporary order is meant to protect you in the gap before the hearing.
- Showing up to the full hearing matters. In general, if you do not appear, the court may not grant the final order.
- The order usually becomes enforceable only after the other person is officially served, which means formally given a copy. Telling them yourself does not count.

Filing usually costs nothing for abuse cases

In many states there is no filing fee to ask for a protective order in domestic violence or abuse cases, and the court arranges for the other person to be served at no charge to you. Fees can apply for some other order types, and rules differ, so it is worth asking the clerk. If a fee does apply and you cannot afford it, most courts let you ask for a fee waiver.

> **If you remember one thing.** The one thing you cannot skip is showing up to your scheduled hearing. A temporary order is short-term and often expires within days or a couple of weeks. In general, the longer final order is granted only after a hearing where you appear, so missing it can mean losing the protection. Note the date the moment the court gives it to you.

What varies by state. The names, forms, hearing deadlines, how long an order lasts, and which exact cases are free all vary a lot from state to state. Some states hold the hearing within a few days, others within a few weeks, and final orders can run anywhere from several months to a few years, with longer terms in certain repeat situations. Do not rely on any single number you read here as universal. Check your own state's court self-help website or ask your local court's protective-order clerk for the deadlines, forms, and fees that apply where you live.

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Traffic and DUI

Driving cases split into two very different kinds. A routine traffic ticket is usually a minor, non-criminal matter you can often handle yourself, while a DUI or DWI (driving under the influence or while intoxicated) is a criminal charge that calls for a lawyer.

Is this you?

This is for you if you got a traffic ticket, such as for speeding or a moving violation, or if you were arrested or charged for drinking or drugs and driving. The two situations work in completely different ways, so the first thing to figure out is which one you are dealing with. A regular ticket is generally treated as a low-level violation with a set fine. A DUI or DWI is a crime that can mean jail, a permanent record, and the loss of your license, and it is not something to take on alone.

Figure out which kind of case you have

Most states sort driving matters into two tracks, and they do not work the same way. Read your ticket or charging paper to see which track you are on.

- A minor traffic violation (like most speeding or moving violations) is usually non-criminal. It typically lets you pay a set fine or contest the ticket, and it does not carry jail time.
- A DUI or DWI (some states call it OWI, operating while intoxicated) is a crime. It can carry jail, a fine, and loss of your license, even for a first offense.
- Some tickets are marked must appear, meaning you have to go to court and cannot just pay. A DUI is almost always must appear.

For a regular traffic ticket, respond by the deadline on the ticket

In most states you generally have two basic choices, and you have to act within the time printed on the ticket. Doing nothing is the costliest path: it can add penalties and lead to your license being suspended.

- Pay the set fine. In most states paying counts as pleading guilty or no contest, which is a conviction and can add points to your driving record.
- Contest it. You ask the court (or a traffic hearing office) for a hearing or trial, where the case against you has to be proven.
- Some states also offer options like a driver improvement course to reduce the fine or points, or a payment plan. Check what your court offers.

Treat a DUI/DWI as a criminal case from day one

A DUI or DWI is prosecuted by the government and is far more serious than a ticket. Most states use a blood alcohol limit of 0.08, but some are lower (Utah, for example, is 0.05), and limits are stricter for commercial and under-21 drivers. Repeat offenses can become felonies. Your state and your situation control the actual limit, so confirm it. By driving, you are generally treated as having agreed to a chemical test (this is called implied consent), and refusing one carries its own consequences. This is general information about how these cases work, not advice about yours.

Watch the separate license deadline after a DUI arrest

A DUI arrest usually starts two cases at once that run on different clocks: the criminal case in court, and a separate action by the motor vehicle agency to suspend or revoke your license. The license side often has a very short window, sometimes only a week or two, to request a hearing in writing, and missing it can cost you your license no matter what happens in the criminal case. Acting quickly here matters.

> **If you remember one thing.** A DUI arrest can trigger a separate license-suspension action with a very short deadline to request a hearing, often only a few days to a few weeks from the notice, depending on your state. This clock runs separately from your criminal court case, and missing it can mean an automatic license suspension. Check your notice and your state's deadline right away.

> **What varies by state.** Almost everything varies by state: the exact deadline to respond to a ticket, fine amounts, point systems, the number of days to request a license hearing, license suspension lengths, and the specific penalties for a DUI. States also use different names (DUI, DWI, OWI) and split cases between different courts and the motor vehicle agency. Check your own state court's self-help site and your state motor vehicle agency for the numbers and forms that apply to you.

> **When to get help.** For any DUI, DWI, or OWI charge, or any traffic matter charged as a crime (such as reckless driving or driving on a revoked license), it is generally wise to talk to a licensed criminal-defense attorney in your state. If you cannot afford one and you face possible jail, you can usually ask the court about a public defender, often at or before your first court date. A lawyer is also worth considering if your case involved a crash with injuries or if you hold a commercial driver's license, where the consequences are heavier.

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FIND YOUR SITUATION

Facing a Criminal Charge

Get help first. Get help immediately, before making any statements or decisions. If you cannot afford a lawyer, ask the judge to appoint a public defender at your first court date, and contact your local or state public defender office right away. If you can afford one, hire a licensed criminal-defense attorney in your state as soon as possible. A legal-aid line can also point you to help. If anyone's safety is at risk, contact local emergency services, call a domestic-violence hotline, or ask your local court clerk about a protective order. Hello Court is a non-lawyer self-help service and does not give legal advice or help anyone defend a criminal charge alone; this is an area where a licensed attorney or public defender is essential.

A criminal charge is a case the government brings against you, and it can put your freedom and your record at stake. This page explains, in plain terms, how the process generally works and how to get a lawyer fast.

Is this you?

This is for you if you have been arrested, taken into custody, given a ticket or notice to appear in criminal court, questioned by police about a possible crime, or told you are being charged. It covers both misdemeanors (less serious crimes, usually with shorter possible jail time) and felonies (more serious crimes that can carry prison time). This is general legal information, not legal advice, and it is not a guide to defending a case on your own. What matters most here is getting real help quickly, which is covered below.

Get a lawyer or public defender right away

In a criminal case the government must prove you are guilty, and you are presumed innocent until then. You have the right to a lawyer at every stage. If you cannot afford one and the charge can lead to jail, in most states you have the right to a court-appointed lawyer, often called a public defender, at little or no cost. Do not wait to ask for one.

- At your first court date, tell the judge plainly that you cannot afford a lawyer and want one appointed.
- You will usually fill out a short form about your income and finances so the court can decide if you qualify.
- You can also contact the public defender office or a legal-aid line in your area directly to start the process.

Know your basic rights

In most states, an accused person generally has the same core rights. Knowing them helps you protect yourself while your lawyer handles the case.

- The right to stay silent. You generally do not have to answer questions, and what you say can be used against you.
- The right to a lawyer, including the right to talk to one before answering questions.
- The right to a trial where the government must prove the charge beyond a reasonable doubt, and in many cases the right to a jury. Whether a jury applies depends on the charge and your state.
- The right to be told the charges against you and to be considered innocent unless proven guilty.

Understand the early steps and show up

Most criminal cases follow a similar path: arrest or a charging decision; an early hearing before a judge (often called a first appearance or arraignment) soon after arrest where the judge states the charges, advises you of your rights, and decides release or bail; then entry of a plea, pretrial steps, and either a resolution or a trial. Less serious cases and more serious ones are often handled in different courts.

- Go to every scheduled court date. Missing one can lead to a warrant and make things worse.
- Keep every paper you receive, and write down dates, times, and the name of your court.
- Let your lawyer, not you alone, make decisions about pleas, statements, and strategy.

If safety is the issue, reach the right help

If your situation involves danger to you or someone else, there are faster, more direct places to turn than waiting for a court date. These can help with immediate safety and with protective orders.

- For immediate danger, contact local emergency services.
- A domestic-violence hotline can help with safety planning at any hour.
- The clerk at your local court can explain how to ask for a protective order.

> **If you remember one thing.** Ask for a lawyer at your very first court appearance, which in many states happens within a day or two of arrest. Speak to a lawyer before you talk to police or the court, and go to every scheduled hearing.

What varies by state. The details vary a lot by state: how soon your first appearance happens, the exact deadlines, bail and release rules, which court hears your case, the income limits to qualify for a public defender, any application fee, and the fines or fees on conviction. Do not assume any single number applies to you. Check your own state's court self-help website and public defender office for the rules where your case is.

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FROM HERE

How Hello Court helps from here

A guide like this can take you a long way. For the parts where you want the exact form, your state's real numbers, or a professional in your corner, here is how Hello Court helps. Our tools cover a growing set of states, and we are adding more. If we do not yet cover yours, this guide and your state's official court self-help site can still help. We are not a law firm and we do not give legal advice.

Find the right forms

We help you find the court forms for your type of case in the states we cover, and walk you through filling them out.

Check your state's rules

Look up the deadlines, dollar limits, and steps that actually apply where you live.

Match with a lawyer

When you want a professional in your corner, Hello Court is built to help you find independent, licensed attorneys in the states we cover. You discuss fees with the attorney directly.

Ask the assistant

Get plain-language answers to your questions, any time, in everyday words.

Hello Court is a self-help service, not a law firm, and does not provide legal advice or representation. Attorney matches are independent, licensed lawyers, and any referral arrangement is disclosed before you connect. Whether and whom to hire is always your choice.

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WHEREVER YOU LANDED

You are not alone

Thousands of people handle these cases themselves every year and do just fine. You can too. And when you need a hand, help exists.

- **Court self-help centers.** Most courts have a self-help page or window with the right forms and instructions for your state.
- **Legal aid.** Free or low-cost help is available in many areas, especially if money is tight.
- **A licensed attorney.** For anything high-stakes, contested, or confusing, even a short consult with a lawyer in your state is worth it.
- **Safety resources.** If you are in danger, a domestic-violence hotline or your local court's protective-order clerk can help you right away.

> **Some matters are too serious to handle alone.** If your matter is criminal, involves your children or your safety, or is large and contested, do not go it alone. Talk to a licensed attorney or, for a criminal charge, a public defender.

This guide is general information, not legal advice, and is not a substitute for advice from a licensed attorney in your state.
