

CPO Courtroom Guidelines  
Courtroom guidelines for CPO Hearings

You are involved in a Civil Protection Order hearing as either a Petitioner (*the person who wants protection*) or a Respondent (*the other party*). Even though you are probably unfamiliar with courtroom practices and procedures, you will be expected to follow basic legal rules of presenting your case. You can have an attorney assist you on your case – there is a lot to know and a lot to do. However, if you decide to represent yourself, you should know the following:

- Address the Magistrate hearing your case as “Your Honor.”
- **Do not interrupt the Magistrate or the other party.** IT IS EXTREMELY IMPORTANT FOR THE COURT TO HEAR BOTH SIDES, AND KEEP A RECORD OF THE HEARING. This cannot be done when people talk over each other. The Magistrate is in charge of the courtroom, and he or she may stop you or interrupt you to get information.
- There is a specific order in which a case is presented:
  - **The petitioner presents their evidence first** and has the opportunity to show the Magistrate any exhibits and call any witnesses. The respondent is allowed to cross-examine (ask questions of) the petitioner’s witnesses. When the petitioner has finished their presentation with all their witnesses, they say that they “rest their case.”
  - **Respondent then has their turn to present evidence** and call their witnesses and present their exhibits. Petitioner is allowed to cross examine (ask questions of) respondent’s witnesses. When the respondent has finished their presentation with all their witnesses, they say that they “rest their case.”
  - The Magistrate may allow the petitioner one last chance to present evidence, which is called a rebuttal.
  - The hearing ends, and the Magistrate makes a decision based on the evidence and the law, usually in a written decision which will be delivered to the parties later.

- **When it is your turn to ask questions of any witness, make sure you actually ask a question.** You should focus on this case, and what important information you want the Magistrate to hear. Typical questions are: “What did you see?” or “What did s/he do?” or “What happened next?” or “Can you tell us what happened on that date?”
  - When you are asking questions of a witness, you are not allowed to make factual statements, such as “That’s not true” or “You’re wrong” or “I didn’t say that.” Those kinds of statements are not questions, and they are not permitted when someone else is the witness.
  - Do not argue with the witness. If you have facts to present, you will have to become a witness at another time in the hearing.
- The witness is placed under oath and legal rules about testimony apply. Witnesses cannot ask someone in the back of the courtroom for help with a particular answer. Additionally, **people in the back of the courtroom should never speak out**, unless the Magistrate specifically asks them a question.
- **When you are a witness and there is an objection, stop talking.** There are rules about what evidence is allowed. **You must wait for the Magistrate to determine what is and is not proper testimony.** If you are allowed under the evidence rules to testify about something, the Magistrate will let you know that and let you answer.
- If you testify, **start with the earliest event that brought you to Court, up to most recent event.** You may testify in ordinary words and just tell the Magistrate what happened. **You don’t have to use fancy legal language.** The Magistrate may have some questions to make sure everything is clear. After you testify, the other party will have a chance to ask you questions. Don’t leave the witness stand until the Magistrate tells you that you are ‘excused’ or that you can return to your seat.
- **Be patient and respectful of the court process.** You may disagree with the other party, but the court will treat everyone fairly and equally. Anger and rushing the case get in the way of a proper legal outcome.

**These guidelines are intended to help everyone present their case. This is not legal advice. You cannot ask the Magistrate for legal advice.**