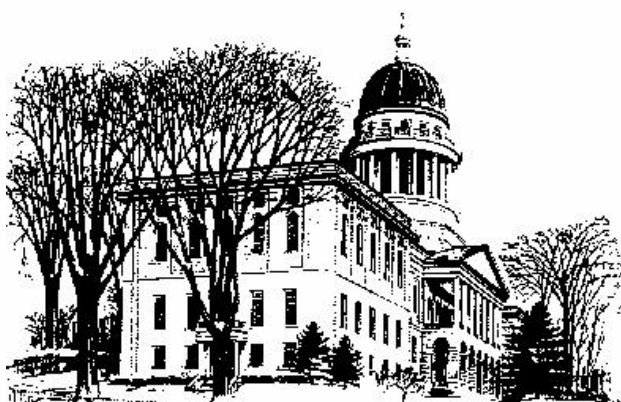


Legal Resources for Representing Yourself in Court



Materials available at:

Maine State Law and Legislative Reference Library

43 State House Station

Augusta, Maine 04333-0043

Phone: (207) 287-1600

Deaf or hard-of-hearing: Dial 7-1-1 to access Maine Relay Services

Fax: (207) 287-6467

Ask a Law Librarian: <http://www.maine.gov/legis/lawlib/refemail.htm>

Website: <http://legislature.maine.gov/9209>

Compiled by the Reference Staff

April 2016

Table of Contents

Finding a Lawyer.....	3
Introduction to the Maine Courts.....	3
Law Dictionaries.....	4
Civil Cases.....	4
Criminal Cases.....	6
Family Cases.....	8
Appeals.....	9
Traffic Cases.....	10
Small Claims.....	11
Probate Court.....	12
Legal Writing.....	13

Representing Yourself in Court

The Maine State Law and Legislative Reference Library cannot offer legal advice or interpret the law.

Persons who represent themselves, also called *pro se* litigants, are held to the same standards of preparation and compliance with court rules and procedures that attorneys must follow, so you should carefully consider whether your one chance to have a case resolved in your favor might be at risk if you proceed without the help of a lawyer. (“Representing Yourself.” State of Maine Judicial Branch. 28 April 2016.)

Finding a Lawyer

Maine State Bar Association Lawyer Referral Service

For a small fee, this service will help you find a lawyer for your specific situation.

URL: <https://www.mainebar.org/lawyer-referral/lawyer-referral.aspx>

Unbundled Legal Services

If you can’t afford a lawyer to handle your whole case and you’re willing to do some of the legal work yourself, you can arrange for limited, or “unbundled”, legal services. In other words, “you pay less in legal fees if *you* can do some of the work.” For more information, see the Maine State Bar Association’s website on Limited or Unbundled Legal Services.

URL: <https://www.mainebar.org/lawyer-referral/legal-information/limited-or-unbundled-legal-services.aspx>

Legal Aid Resources in Maine

Some organizations offer free or low-cost legal help to clients who meet certain eligibility requirements (i.e. age, income, location, disability).

URL: http://www.courts.maine.gov/citizen_help/lawyers_legal_help.html

Introduction to Maine Courts

Maine Judicial Branch website

The Maine Courts website has a lot of information for people who are representing themselves in court, including guides, forms, and contact information.

URL: <http://www.courts.maine.gov/>

Structure of the Maine Court System

This chart provides an at-a-glance description of which courts handle which kinds of cases.

URL: http://www.courtstatistics.org/Other-Pages/State_Court_Structure_Charts/Maine.aspx

Law Dictionaries

Black's law dictionary / Bryan A. Garner, editor in chief. St. Paul, MN : Thomson Reuters, [2014]
Call number: KF156 .B53 2014

LAW.COM dictionary [electronic resource]. [New York, N.Y.] : ALM Properties, c2006-
URL: <http://dictionary.law.com/>

Nolo's plain-English law dictionary / by the editors of Nolo, Gerald N. Hill, and Kathleen Thompson Hill. Berkeley, Calif. : Nolo, 2009
Call number: KF156 .N654 2009

Words and phrases. St. Paul, West Pub. Co. [1940-
These books contains the meanings of words and phrases as they are defined in written court opinions.
Call number: KF 156 .W67

CIVIL CASES

Court Rules

Court Rules explain in detail the procedures you must follow for your case to be considered by the Courts. For example, the Court Rules explain how much time you have to file documents and how documents should be formatted.

Maine Rules of Civil Procedure

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_civ_p_2015-9-1.pdf

Maine Rules of Evidence

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_evid_2015-9-1.pdf

Maine court rules : state edition / Wellington Lyons, editor. Standish, Me. : Tower Publishing, c2005-
Official version of the Court Rules.

Location: Maine Set, see Court Rules

West's Maine rules of court annotated. [Eagan, MN] : West/Thomson Reuters, c2010 **Sample language!**
Another version of the Court Rules. This book also contains many sample forms, including caption, summons, complaint, answer, return of service, motions, and notice of appeal. Available online through Westlaw at the Law Library's public computer terminals.
Location: Maine Set, see Court Rules

Guidance & Forms

American jurisprudence pleading and practice forms annotated. San Francisco, Calif., Bancroft-Whitney Co.: Rochester, N.Y., Lawyers Co-operative Pub. Co., 1966 **Sample language!**

“Comprehensive collection of more than 43,000 drafted, practice- and court-tested state and federal forms, checklists, and timetables needed for every stage of a case. Includes commentary and “how to” guidance.” Available online through Westlaw at the Law Library’s public computer terminals.

Call number: KF8836 .A45

Drafting pleadings and motions : presented Wednesday, September 29, 2010, Hilton Garden Inn, Freeport. [Augusta, Me.] : Maine State Bar Association, c2010

This guide gives advice on filing motions for summary judgment, appellate briefs, administrative appeals (i.e. appeals of a government agency decision), and motions to allow or limit the admission of evidence.

Call number: KF8870.Z99 M25 2010

Going to court : an introduction to the U.S. justice system / Ursula Furi-Perry. Chicago : American Bar Association, [2013]

Written as a middle school textbook, this book is a very basic overview of how the civil and criminal court systems work.

Call number: KF8841 .F873 2013

Maine civil practice / by Charles Harvey, edition by Thomas B. Merritt. [Eagan, Minn.] : West, c2012-

This book helps explain the Rules of Civil Procedure (i.e. Court Rules). It also contains sample complaints.

Call number: KF8816.Z99 M2 **Sample language!**

Maine Court forms: Civil Forms **Forms!**

Paper forms can be obtained from any District Court or Superior Court clerk's office. Many paper forms are free. There is a \$5.00 charge for some forms, such as a Summons, that require the Clerk's signature and Court seal. For common kinds of cases such as divorce, protection from abuse, and small claims, the District Court clerks have packets of the necessary forms.

URL: http://www.courts.maine.gov/fees_forms/forms/index.shtml#cv

Pine Tree Legal Assistance website

Pine Tree Legal Assistance is a non-profit organization that provides free legal help to low-income people in Maine. Their website contains explanations and guidance on a number of legal issues.

URL: <http://ptla.org/topics>

Represent yourself in court : how to prepare & try a winning case / by Paul Bergman & Sara J. Berman; cartoons by Mike Twohy. Berkeley, Calif. : Nolo, 2010 **Sample language!**

Written for non-lawyers, this book provides guidance on: getting help from an attorney or legal coach, filing court papers, dealing with the court clerk and judge, and taking a case through trial. It includes sample forms and language.

Call number: KF8841 .B47 2010

CRIMINAL CASES

Court Rules

Court Rules explain in detail the procedures that must be followed by the prosecution and defense in a presenting and defending a criminal case.

Maine Rules of Unified Criminal Procedure

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mru_crim_p_only_2015-11-1.pdf

Maine Rules of Evidence

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_evid_2015-9-1.pdf

Maine court rules : state edition / Wellington Lyons, editor. Standish, Me. : Tower Publishing, c2005-
Official version of the Court Rules.

Location: Maine Set, see Court Rules

West's Maine rules of court annotated. [Eagan, MN] : West/Thomson Reuters, c2010-

Another version of the Court Rules. Available online through Westlaw at the Law Library's public computer terminals.

Location: Maine Set, see Court Rules

Guidance & Forms

American jurisprudence pleading and practice forms annotated. San Francisco, Calif., Bancroft-Whitney Co.: Rochester, N.Y., Lawyers Co-operative Pub. Co., 1966 **Sample language!**

"Comprehensive collection of more than 43,000 drafted, practice- and court-tested state and federal forms, checklists, and timetables needed for every stage of a case. Includes commentary and "how to" guidance." Available online through Westlaw at the Law Library's public computer terminals.

Call number: KF8836 .A45

The criminal law handbook : know your rights, survive the system / Paul Bergman, J.D. & Sara J. Berman, J.D. Berkeley, California : Nolo, 2015

Written for non-lawyers, this book provides detailed guidance on being involved in a criminal incident, including police questioning, arrest, plea bargains, trial, and sentencing.

Call number: KF9619.6 .B47 2015

Defending criminal charges of domestic violence / Maine State Bar Association. [Augusta, Me.] : The Association, c2012. Elements of a criminal trial : presented Tuesday, June 28, 2011, Hilton Garden Inn, Freeport

Contains sample pleadings, including discovery request, motion to amend bail, motion to suppress, and motion for access to DHHS records.

Call number: KF505 .L5 2012

Domestic violence practice and procedure / Isabelle Scott; updated by Nancy McKenna. [Eagan, MN] : Thomson/West, c2011-

This book covers domestic violence in divorce and custody cases, federal and state law on the topic, litigating domestic violence cases, defending charges of domestic violence, and much more.

Call number: KF505 .L43 2011

The First Steps - Protection from Abuse and Harassment. State of Maine Judicial Branch.

URL: http://www.courts.maine.gov/reports_pubs/pubs/first_steps/index.html

Going to court : an introduction to the U.S. justice system / Ursula Furi-Perry. Chicago : American Bar Association, [2013]

Written as a middle school textbook, this book is a very basic overview of how the civil and criminal court systems work.

Call number: KF8841 .F873 2013

A Guide to Protection from Abuse and Harassment Actions. State of Maine Judicial Branch.

URL: http://www.courts.maine.gov/reports_pubs/pubs/hanbooks_guides/pa_ph/index.html#general

HelpMELaw's "What happens if I am charged with a crime? Can I get a lawyer?"

A brief Question and Answer guide to this topic.

URL: <http://helpmelaw.org/what-happens-if-i-am-charged-crime-can-i-get-lawyer>

Maine Court forms: Criminal Forms, Protection from Abuse Forms, Protective Custody Forms **Forms!**

Paper forms can be obtained from any District Court or Superior Court clerk's office. Many paper forms are free. There is a \$5.00 charge for some forms, such as a Summons, that require the Clerk's signature and Court seal. For common kinds of cases such as divorce, protection from abuse, and small claims, the District Court clerks have packets of the necessary forms.

URL: http://www.courts.maine.gov/fees_forms/forms/index.shtml

Maine law enforcement officer's manual / by John N. Ferdico and Sarah Walton. Bowdoinham, Me.: Swan Island Press, c2013.

Written for police, but also used by prosecutors, members of the judiciary, and defense counsel, this manual summarizes the laws that Maine law enforcement officers must follow in the performance of their duties, including arrest, searches, and criminal court procedure.

Call number: KF9620.Z99 M2 2013

FAMILY CASES

Court Rules

Court Rules explain in detail the procedures you must follow for your case to be considered by the Courts. For example, the Court Rules explain how much time you have to file documents and how documents should be formatted.

Maine Rules of Civil Procedure

URL: http://www.courts.maine.gov/rules_adminorders/rules/mr_civ_p_plus_index.html

Maine Rules of Evidence

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_evid_2015-9-1.pdf

Maine court rules : state edition / Wellington Lyons, editor. Standish, Me. : Tower Publishing, c2005-
Official version of the Court Rules.

Location: Maine Set, see Court Rules

West's Maine rules of court annotated. [Eagan, MN] : West/Thomson Reuters, c2010. Sample language!

Another version of the Court Rules. This book also contains many sample forms. Available online through Westlaw at the Law Library's public computer terminals.

Location: Maine Set, see Court Rules

Guidance & Forms

American jurisprudence pleading and practice forms annotated. San Francisco. Calif.. Bancroft-Whitney Co.: Rochester, N.Y., Lawyers Co-operative Pub. Co., 1966. Sample language!

"Comprehensive collection of more than 43,000 drafted, practice- and court-tested state and federal forms, checklists, and timetables needed for every stage of a case. Includes commentary and "how to" guidance." Available online through Westlaw at the Law Library's public computer terminals.

Call number: KF8836 .A45

Bridging the gap / Maine State Bar Association. Augusta, Me. : Maine State Bar Association, 2015. Sample language!

Chapter 3, Family Law, contains a number of sample documents for use in divorce and related matters.

Call number: KF386.Z99 B74 2015

Do your divorce right : straight talk from family court judges / Andrew Horton & John David Kennedy. Standish, ME : Tower Pub., c2011.

This book includes chapters on working with lawyers, starting a court case, how family court works, and how to present your case at trial.

Call number: KF535.Z9 H67 2011

Family Division. State of Maine Judicial Branch.

See the navigation bar on the left-hand side of the screen for additional information about child protective cases, guardians ad litem, divorce, juvenile cases, and protection from abuse.

URL: http://www.courts.maine.gov/maine_courts/family/index.shtml

Family law in Maine : post-judgment motions [electronic resource]. Bangor, Me. : Pine Tree Legal Assistance, 2009

URL: <http://ptla.org/family-law-post-judgment-motions#>

Family Law topic, Pine Tree Legal website

URL: <http://ptla.org/library/411>

A Handbook for Parents & Legal Guardians in Child Protection Cases. State of Maine Judicial Branch.

URL: http://www.courts.maine.gov/maine_courts/family/handbook_parents.html

Maine Court forms: Family Matters Forms!

Paper forms can be obtained from any District Court or Superior Court clerk's office. Many paper forms are free. There is a \$5.00 charge for some forms, such as a Summons, that require the Clerk's signature and Court seal. For common kinds of cases such as divorce, protection from abuse, and small claims, the District Court clerks have packets of the necessary forms.

URL: http://www.courts.maine.gov/fees_forms/forms/index.shtml#fm

Maine family law / Jon D. Levy New Providence, NJ : LexisNexis, c2013 Sample language!

Chapter 4, Pleadings & Procedure, explains the procedures of the Family Division of the Maine Courts. It also provides several samples, forms, and checklists.

Call number: KF535.Z99 M21 2013

Represent yourself in court : how to prepare & try a winning case / by Paul Bergman & Sara J. Berman; cartoons by Mike Twohy. Berkeley, Calif. : Nolo, 2010 Sample language!

Chapter 21 addresses Representing Yourself in Family Court. Written for non-lawyers, this book provides guidance on getting help from an attorney or legal coach, filing court papers, dealing with the court clerk and judge, and taking a case through trial. It includes sample forms and language.

Call number: KF8841 .B47 2010

APPEALS

Court Rules

Court Rules explain in detail the procedures you must follow for your case to be considered by the Courts. For example, the Court Rules explain how a brief should be formatted.

Maine Rules of Appellate Procedure

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_app_p_2014_10_10.pdf

Maine court rules : state edition / Wellington Lyons, editor. Standish, Me. : Tower Publishing, c2005-
Official version of the Court Rules.

Location: Maine Set, see Court Rules

West's Maine rules of court annotated. [Eagan, MN] : West/Thomson Reuters, c2010- Sample language!

Another version of the Court Rules. Available online through Westlaw at the Law Library's public computer terminals.

Location: Maine Set, see Court Rules

Guidance & Forms

American jurisprudence pleading and practice forms annotated. San Francisco, Calif., Bancroft-Whitney Co.: Rochester, N.Y., Lawyers Co-operative Pub. Co., 1966 Sample language!

"Comprehensive collection of more than 43,000 drafted, practice- and court-tested state and federal forms, checklists, and timetables needed for every stage of a case. Includes commentary and "how to" guidance." Available online through Westlaw at the Law Library's public computer terminals.

Call number: KF8836 .A45

Appellate practice before the Law Court / Maine State Bar Association. Augusta, Me. : The Association, 2008

This publication provides guidance on filing an appeal, preparing a brief and appendix, interacting with the Clerk's Office and law clerks, and oral arguments.

Call number: KF9050.Z99 M26 2008

A Citizen's Guide to Appeals (Filing and Maintaining an Appeal). State of Maine Judicial Branch.

URL: http://www.courts.maine.gov/maine_courts/supreme/appeals.html

Maine appellate practice / Donald G. Alexander. Standish, Me. : Tower Publishing, c 2013

This book helps explain the Rules of Appellate Procedure and includes guidance on writing an effective Law Court brief.

Call number: KF9050.Z99 M24 2013

Maine civil practice / by Charles Harvey, edition by Thomas B. Merritt. [Eagan, Minn.] : West, c2012- Volume 3A addresses the Rules of Appellate Procedure. This book helps explain the Court Rules.

Call number: KF8816.Z99 M2

Maine Court forms: Forms for Appeals **Forms!**

Paper forms can be obtained from any District Court or Superior Court clerk's office. Many paper forms are free. There is a \$5.00 charge for some forms, such as a Summons, that require the Clerk's signature and Court seal. For common kinds of cases such as divorce, protection from abuse, and small claims, the District Court clerks have packets of the necessary forms.

URL: http://www.courts.maine.gov/fees_forms/forms/index.shtml#appeals

TRAFFIC CASES

Court Rules

Court Rules explain in detail the procedures you must follow for your case to be considered by the Courts. For example, the Court Rules explain how much time you have to file documents and how documents should be formatted.

Maine Rules of Civil Procedure

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_civ_p_2015-9-1.pdf

Maine Rules of Evidence

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_evid_2015-9-1.pdf

Maine court rules : state edition / Wellington Lyons, editor. Standish, Me. : Tower Publishing, c2005- Official version of the Court Rules.

Location: Maine Set, see Court Rules

West's Maine rules of court annotated. [Eagan, MN] : West/Thomson Reuters, c2010- **Sample language!**

Another version of the Court Rules. Available online through Westlaw at the Law Library's public computer terminals.

Location: Maine Set, see Court Rules

Guidance & Forms

Beat your ticket : go to court & win / attorney David Brown. Berkeley, CA : Nolo, 2013

Written for non-lawyers, this book provides guidance on contesting speeding tickets, other moving violations, and DUI/DWI charges, including taking a case through trial.

Call number: KF2231 .B76 2013

Contested Violations. State of Maine Judicial Branch.

URL: http://www.courts.maine.gov/maine_courts/traffic/contested.html

Drinking/driving litigation : criminal and civil / Donald H. Nichols, Flem K. Whited, III. St. Paul, MN : West Group, c1998-

“Covers DUI legal issues including challenging prior convictions, arrests, chemical testing, the criminal consequences of test refusal, sentencing, and appeal... Provides step-by-step guidance on trying drinking/driving cases.”

Call number: KF2231 .N53

Maine Motor Vehicle Inspection Manual

Published by the Maine State Police Traffic Safety Unit, this manual includes the, “safety inspection standards and criteria for the inspection of a motor vehicle, motorcycle, commercial vehicle, school bus, or trailer.”

URL: http://www.maine.gov/dps/msp/vehicles_inspections/documents/Rulerevision20128-29-13_001.pdf

Traffic Violations FAQ. State of Maine Judicial Branch.

URL: http://www.courts.maine.gov/maine_courts/traffic/faqs.html

SMALL CLAIMS

Court Rules

Court Rules explain in detail the procedures you must follow for your case to be considered by the Courts.

Maine Rules of Small Claims Procedure

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_small_claims_p_2007-6.pdf

Maine Rules of Evidence

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_evid_2015-9-1.pdf

Guidance & Forms

Everybody's guide to small claims court / Ralph Warner, J.D. Berkeley, California : Nolo, 2014 Sample language!

Written for non-lawyers, this book helps you decide if small claims court is right for your situation. It provides guidance on initiating a case, going to court, and collecting money as part of a judgment. Provides detailed information for certain types of cases: motor vehicle purchase, repair, and accident, bad debts, landlord-tenant, disputes between businesses, and more. Includes brief summaries of small claims court rules for all 50 states.

Call number: KF8769 .W37 2014

Guide to Small Claims Proceedings in the Maine District Court. State of Maine Judicial Branch.

URL: http://www.courts.maine.gov/maine_courts/small_claims/smallclaimsguide/SmClms040312_55fee.pdf

Maine Court forms: Small Claims Forms!

Paper forms can be obtained from any District Court or Superior Court clerk's office. Many paper forms are free. There is a \$5.00 charge for some forms, such as a Summons, that require the Clerk's signature and Court seal. For common kinds of cases such as divorce, protection from abuse, and small claims, the District Court clerks have packets of the necessary forms.

URL: http://www.courts.maine.gov/fees_forms/forms/index.shtml#sc

PROBATE COURT

Court Rules

Court Rules explain in detail the procedures you must follow for your case to be considered by the Courts. For example, the Court Rules explain how much time you have to file documents and how documents should be formatted.

Maine Rules of Probate Procedure

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_prob_p_2015-9-1.pdf

Maine Rules of Evidence

URL: http://www.courts.maine.gov/rules_adminorders/rules/text/mr_evid_2015-9-1.pdf

Guidance & Forms

Bridging the gap / Maine State Bar Association. Augusta, Me. : Maine State Bar Association, 2015

Chapter 7, Probate Practice, provides an introduction to the Maine Probate Court, an overview of the estate administration process in Maine, and information about representing estate beneficiaries, guardianships, and conservatorships.

Call number: KF386.Z99 B74 2015

Maine probate procedure : guide to official and recommended forms : a revision of Maine probate manual by James E. Mitchell, revised by Philip C. Hunt / updated by James E. Mitchell. [New York] : Lexis Publishing, 2000-

This book provides explanations of and guidance on 100+ forms used by the Maine Probate Court.

Call number: KF765.Z99 M2

Maineprobate.net Forms!

Provides links to 20+ fillable probate forms.

URL: <http://www.maineprobate.net/downloadforms.html>

LEGAL WRITING

ALWD citation manual : a professional system of citation / Association of Legal Writing Directors and Darby Dickerson. New York, NY : Aspen Publishers, c2010.

The ALWD Manual is a commonly-used guide to citing authority within legal documents.

Call number: KF245 .A45 2010

The bluebook : a uniform system of citation. Cambridge, Massachusetts : Published and distributed by the Harvard Law Review Association, ©2015

The Bluebook is a commonly-used guide to citing authority within legal documents.

Call number: KF245 .B59 2015

Pleading the court : writing ethical and effective briefs / Judith D. Fischer. Durham, N.C. : Carolina Academic Press, c2005

"Provid[es] more than two hundred examples of judges' reactions to errors in lawyers' writing."

Call number: KF250 .F53 2005

Prince's dictionary of legal citations / a reference guide for attorneys, legal secretaries, paralegals, and law students Buffalo, N.Y. : W.S. Hein, 2011

Court name, law journal, and treatise abbreviations for use in legal citations.

Call number: KF246 .P73 2011

The redbook : a manual on legal style / Bryan A. Garner with Jeff Newman, Tiger Jackson. St. Paul, MN: West Academic Publishing, [2013]

This book provides detailed guidance on how to write legal documents. It also helps explain the purpose of and provides examples of numerous legal documents (e.g. motions, pleadings, briefs).

Call number: KF250 .G375 2013

Uniform Maine Citations. University of Maine School of Law.

"Rules for the citation of Maine legal authorities, including constitutional provisions, statutory and legislative materials, judicial decisions, court rules, treatises, periodicals..."

URL: <http://mainelaw.maine.edu/academics/journals/uniform-maine-citations/>

User's guide to the Bluebook / Alan L. Dworsky ; references updated by Jason Geer. Buffalo, N.Y. : William S. Hein, 2006

A brief, simplified guide to legal citations based on the authoritative Bluebook.

Call number: KF245 .D86 2006