



SUBMITTING EVIDENCE

This factsheet provides an overview of a topic, but it is not legal advice. Please consult an attorney about your particular situation.

WHAT IS EVIDENCE?

Evidence is something reliable that you can point to in order to help you convince the judge or jury that a fact you are trying to prove is true. Evidence can be documents, records, correspondence between you and the other party, witnesses, receipts, and similar items.

If you are bringing a claim against another party, it is your job to prove to the court that what you are saying is true. If the other party is bringing a claim against you, that party must prove the facts of the case to the court. However, if you are defending yourself against this claim, you want to prepare evidence that demonstrates your defense.

The evidence presented in a case must be relevant, reliable, and accurate. When you are representing yourself in court, you are your own witness. To show that your evidence is proper, you should be able to describe why you are presenting this evidence, what the evidence proves, who the evidence concerns, and when, how, and where this evidence was obtained.

TIPS FOR PREPARING YOUR EVIDENCE FOR COURT

Read the complaint carefully and multiple times. The complaint is the document that started the case in court. If you are the plaintiff, anything you alleged in the complaint needs to be backed up with evidence. If you are the defendant, you may want to bring evidence with you that disproves the allegations in the complaint.

Think about all the relevant events of the case. Is there anything that has happened since the complaint was filed that is relevant to your position? If you are the plaintiff, did you include all the important facts in the complaint? Have any of the circumstances of the case changed?

GET FREE LEGAL HELP!

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TIPS FOR PREPARING YOUR EVIDENCE FOR COURT *cont.*

- Begin gathering your evidence.
 - If there are emails, text messages, pictures, or other items on your phone or computer that you plan to present in court, make sure to print them out. Most judges will not accept or review evidence on a party's cellphone or other electronic device.
 - Make at least three copies of the original evidence you plan to present. This will allow you to keep the original in a safe place, have a copy for your records, and give a copy each to the other party and the judge.
 - Organize and label your evidence. Attach all the documents that go together with a staple or paper clip to keep them together. If you have several pieces of evidence to present, you want to make sure you have it organized in the order you plan to present it. This allows for the case to move smoothly and helps you stay on track with your argument.
- If you have witnesses, make sure your witness has first-hand knowledge of the issues presented in the case and the evidence they are testifying to. First-hand knowledge would be anything that the witness saw and heard for themselves, not something that they learned from you or another person. The witness testimony should be addressing a key point in your case and not solely supporting minor facts. Never ask a witness to lie for you. Make sure the witness is available to come to court on the proper date. If you need an expert to testify, make sure to consult with the expert and ensure that they are the right expert for you and your case.
- Prepare your argument before your day in court. Make sure your argument covers all of the important and relevant information of the case and flows logically. Practicing in front of a friend or family member may help you become comfortable telling your side of the story. Ask them to help you identify parts of your argument that need more explanation or support to make it clear and persuasive. You may want to prepare notes or an outline to help you stay on track with your argument and not leave anything out. If you choose to outline, make note of what evidence you want to present and when you want to present it.
- When presenting your evidence, remember to address the judge as "Your Honor." You can say something like, "Your Honor, I would like to present to you evidence of ____."

RESOURCES FOR SUBMITTING EVIDENCE IN THE MARYLAND CIRCUIT COURT

The People's Law Library of Maryland: <https://www.peoples-law.org/how-prepare-yourself-present-your-case>

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