

# NAVARRO COUNTY

MELISSA BUTLER  
COURT COORDINATOR

CALVIN GRAY  
BAILIFF



LESLIE KIRK  
OFFICIAL REPORTER

## JAMES LAGOMARSINO

JUDGE, 13TH JUDICIAL DISTRICT COURT  
NAVARRO COUNTY COURTHOUSE  
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JOSHUA B. TACKETT  
DISTRICT CLERK  
NAVARRO COUNTY, TX  
DEPUTY

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July 25, 2012

Dear Pro Se Litigant:

Please find attached the following information which the Court has reproduced from a previously attended judicial conference for your assistance:

### Basic Information for Pro Se Litigants

1. If you have decided to represent yourself in a case, it is important for you to know that you are about to enter into a process that can be very complicated or confusing. If your case involves children, real estate (land, buildings, a home or anything attached to the land), a pension or retirement account, important heirlooms or keepsakes, property you own separately from your husband or wife, or large debts, you should seriously consider visiting with an attorney about your case. If there is a lawyer on the other side, he/she cannot give you legal advice and that lawyer is prohibited from representing both sides.
2. By representing yourself, you are acting as your own attorney. You will be expected to know and follow the law and court rules as any attorney, including the Texas Rules of Evidence, Texas Rules of Civil Procedure, the Court's Local Rules, and the Lawyer's Creed. If you do not follow the rules, you may permanently lose important rights.
3. **The Judge, court staff (including the court coordinator, court clerk, court reporter, bailiff) and opposing counsel cannot give you legal advice. That means they cannot tell you what you should do or say in your case or how the law applies to your case.**
4. **Do not attempt to communicate directly or through another person the judge outside of the courtroom. That means you should not call the judge on the phone, leave messages, send a letter, fax or email message or talk to the judge face-to-face. The only time you may communicate with the judge is if everyone involved in the case is present. Also you may write something to the judge if you send a copy of it to everyone else in the case (see paragraph 5 and 7 below). Any communication that does not include everyone else in the case is called an ex parte communication and is not allowed. The Court will return any ex parte communication to you unread and will notify the other side of your attempt to communicate with the judge.**
5. A formal pleading, answer, motion or other paper where you ask the Court to take some action is not a prohibited communication, but still should not be sent to the Court. You must file those papers with the Clerk's office with a true and correct copy of the papers

sent to the opposing party's attorney, if he/she has one, or to the opposing party if he/she does not have a lawyer. You must also attach a separate page of paper to every document you file with a statement that tells the court you have mailed a true and correct copy of the paperwork to the attorney on the other side, or to the other party if they do not have an attorney. You must sign the statement.

6. Give the Clerk a current mailing address and telephone number where you can be reached and, unless your case involves a protective order, you must provide a copy of that information to the attorney or party on the other sides. If you change your address or phone number while the case is pending, you must give the Clerk and the other side notice of the new address or telephone number. If you move and you do not get your mail, you may permanently lose important rights. Once you file your pleadings in the case, you should send a written request for a hearing with court's clerk who will then notify you by mail of the hearing date.
7. Any requests to the court must be made in writing with the signed statement attached that you have sent a copy to the opposing party.
8. You must give notice to the opposing attorney or party of any court setting or order that you have obtained. You must file a copy with the court of such notice to opposing attorney or party.
9. If you get notice that a hearing has been scheduled, you must be prepared to present your evidence and witnesses.
10. How To Get Ready For Court – You should go to Court yourself and watch other cases before your case is called by the judge. If you do this, you'll see how the Court works, where everybody sits and what they do and say. Plan to do this a few days or weeks before you have to go to Court.
11. The Hearing – At the hearing, the judge will hear your case. Each party will have a chance to give testimony under oath. It is important to bring all relevant paperwork and evidence such as photos, witnesses, bills, receipts, contracts, or anything else that will prove your case.
12. How To Dress – Dress as though you were going to an important job interview. Be neat and clean. Do not wear shorts, bare feet, tank tops, halter tops, sandals, hats, or other casual clothing. The Court could order you removed from the courtroom.
13. Timeliness – Always get to court on time. The Court starts on time which could force your case to be pushed back, rescheduled, or could cause you to lose important rights.
14. Courtroom Demeanor –
  - a. You and your witnesses should be quiet in court.
  - b. Court is not like television. You are expected to be respectful of the opposing party, opposing counsel, the judge and court staff at all times.
  - c. Do not smoke or chew gum.
  - d. Turn off or place your cell phone in the silent mode when you are in the courtroom.
  - e. Do not go in and out of the courtroom while waiting for your case to be called.
  - f. Do not bring children to court unless you have them under control or they have been subpoenaed or summoned by the judge.
  - g. During testimony, speak loudly and clearly.
  - h. Stand when speaking to the judge.
  - i. Do not interrupt the judge, opposing attorney, or any other party in the courtroom.

- j. You should control your emotions and pay attention whether you are in the audience, appearing as a witness, or appearing as a party.
  - k. You should never speak, even in a whisper, with friends or other audience members while court is in session.
15. If you break any of these rules, the judge may find that you are in contempt of court and punish you. Depending on what you did, the judge may place you jail, order you to pay a fine, have you removed from the courtroom or enter an order in favor of the other side.
16. If you decide you need help with your case, the following websites might be able to assist you: [www.texasbar.com](http://www.texasbar.com) and [www.texaslawhelp.org](http://www.texaslawhelp.org).

In closing, it is important to remember that representation during any courtroom proceeding is the best course of action. Again, the Court nor its staff will be able to advise you of how to proceed and what testimony to give in your case.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Lagomarsino', with a long horizontal flourish extending to the right.

James Lagomarsino  
District Judge