



Your First Court Appearance

What to Say, What to Wear,
What You Need to Know

THE DENSON FIRM



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Be On Time

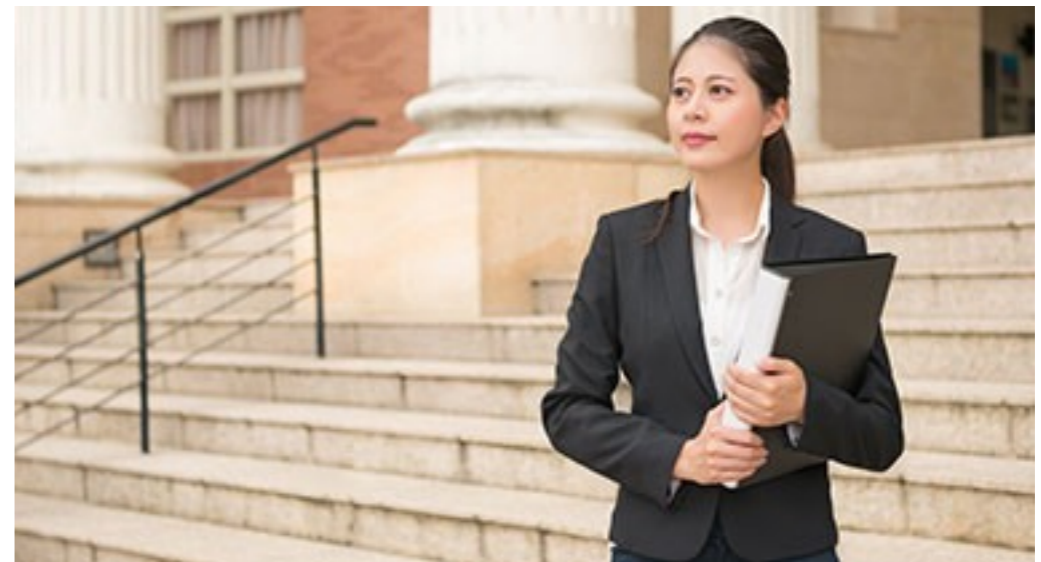
I would like to take some of the worry out of your first court appearance. Odds are that you haven't been to court before and you have some anxiety about what will happen. We all get nervous when doing something new. This short guide is here to relieve some of that stress and get you prepared for court.

My first recommendation to you is to get to court early. Way early! Plan on arriving 30-45 minutes before court is scheduled to start. This will give you adequate time to park, get through security and find your courtroom.

There is nothing to get you off to a bad start with the judge like running late. If you are running late, it never fails that there will be a problem with parking, or the metal detector will be slow, or you can't find the right courtroom. Some judges can be very quick to issue a warrant!

Arriving early and sitting up front shows the judge you are taking the matter seriously. Arriving early also shows you have respect for the court and the judge's time.

Another benefit of arriving early is you have a moment to gather yourself and focus. Try to sit comfortably, pull your shoulders back and listen to what is going on around you. It is unlikely the prosecutor will talk to you before court starts (as the private attorneys usually have their attention) but you may pick up something that will help you with your case.



Be On Time

Be patient for your case to be called. The court usually handles cases with private attorneys first. Again, watch how those attorneys talk to the judge and handle their cases. Next, the Public Defender will handle their cases and then the judge will get to the cases without lawyers.

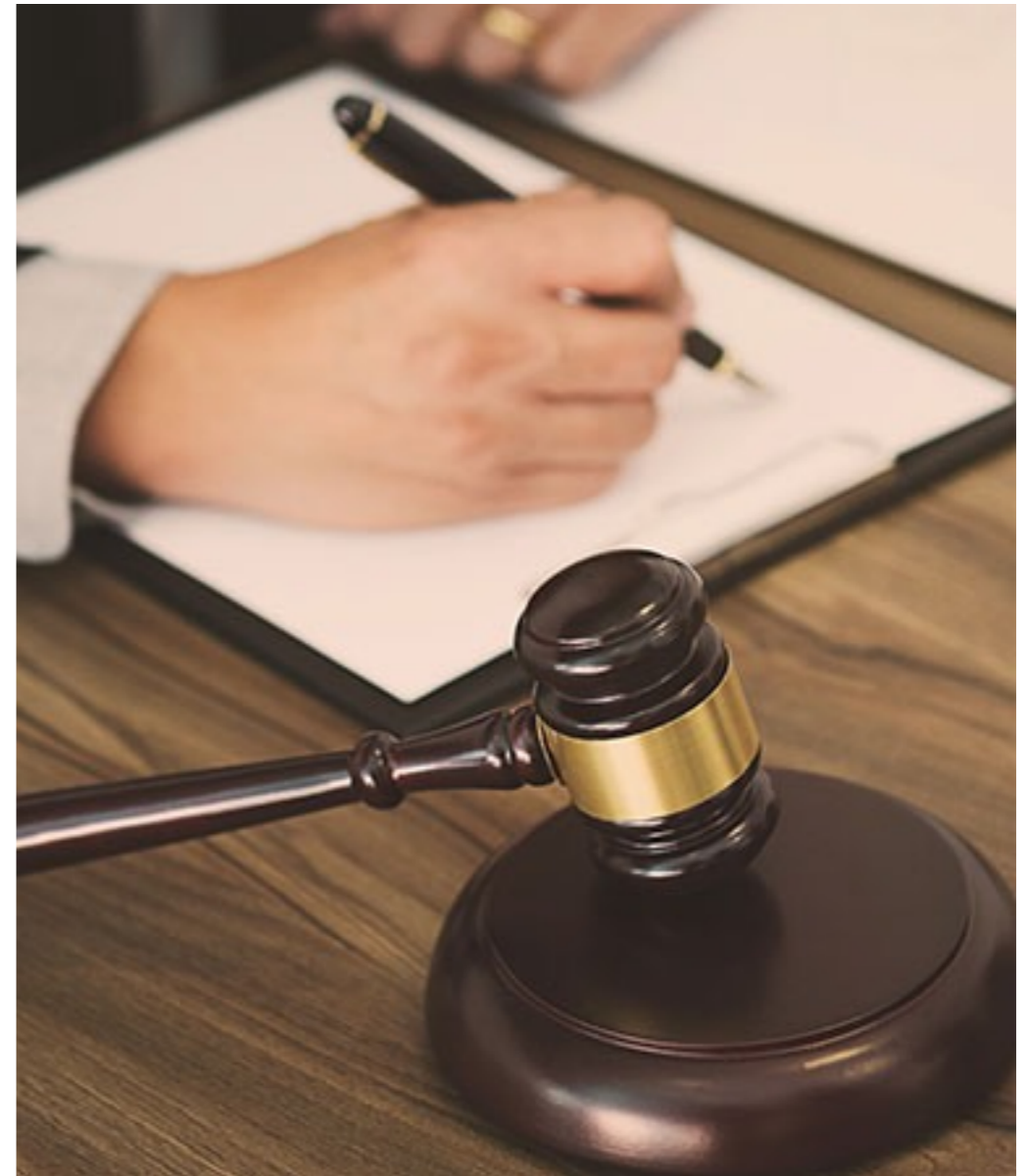
Be ready for the judge to call your name.

Stand up immediately and follow the instructions of the court and the bailiffs.

Stand up straight at the lectern.

Don't lean on it and keep your hands out of your pockets.

And while this may be difficult, think about positive things. Having a positive mindset will help with your first impression on the judge.



Dress Appropriately

The Judge is going to make an assessment of you within 7 seconds after your case is called. Right or wrong, that is going to happen. People are hardwired, by evolution, to make a judgment call about others in a split second. Cavemen had to decide, even before language was invented, is this other person a friend or enemy? Cavemen who did not make that quick decision were weeded out from the gene pool. While you might have a great argument to make about your case, you need to get things started the right way quickly.

So, how do you influence the judge in the first 7 seconds? I think of my physical appearance as my first exhibit. I want to make sure I put forth to the judge a presentation that is focused and credible. I know part of that presentation is going to happen before I open my mouth. You should think the same way and start planning now.

You can dress to win your case. Researchers call this "sartorial manipulation," and it can literally get you a better outcome. This is not my opinion, this has been scientifically proven.

Researchers dressed test subjects in a variety of clothing - from tracksuits to business suits - and had them engage in negotiations with another subject unaware of the wardrobe manipulation.



Dress Appropriately

Not surprisingly, wearing a business suit facilitated greater profits and concessions than sweatpants.

So, simply wearing a business suit to court may produce a better outcome. And certainly, sweatpants are to be avoided!

Consider the reality of the judge. By design, they start knowing very little about your case. Once your case is called, it will be a very short time until they know they need to make some sort of decision.

What are they doing during this very brief time? They are reviewing the charges, listening to the prosecutor and consciously or not, they are sizing you up. They are going to make a lot of their mind up based on looks, way before getting to the facts.



How to Feel Prepared in the Courtroom

Here are a few basic ways for you to feel prepared and comfortable in the courtroom.

- 1 Attend to personal grooming.** Get a haircut, keep your nails trimmed, brush your teeth and don't be afraid of soap. Oftentimes, courtrooms bring us in close contact. Bad breath or body odor is not the impression you want to make.
- 2 Go light on the jewelry.** You will never make a mistake by wearing too little jewelry. Avoid anything that jingles or clanks on the lectern. (I like to wear cufflinks, but I don't at trial for this reason.) Jewelry should not be distracting. Note: Wedding bands are a symbol of stability. Pinky rings, on the other hand, should be avoided. Toe rings? Never.
- 3 Wear makeup, but not too much.** Studies indicate that women who wear makeup are rated higher in trustworthiness and competence. However, testing showed the highest contrast makeup decreased judgments of trustworthiness.
- 4 Make fit and comfort a priority.** There is nothing that will make you feel more comfortable in the courtroom than a properly fitting suit. Spend some money on a good suit and a great tailor. And for women, a suit with a skirt vs. a suit with trousers rated more favorably. (And if you can't get a suit that fits well, don't panic. Judges will appreciate your best effort to dress appropriately.)

How to Feel Prepared in the Courtroom

- 5 **Keep it clean.** Make sure your shoes are shined and your clothing is pressed. This signals to the judge that you are taking this seriously.
- 6 **Forego making a fashion statement.** Your first court appearance isn't the time to "express yourself" through your personal presentation. I have had more than one client become defensive when I've suggested tattoos be covered, facial hair be shaved or a fashion-forward designer suit be exchanged for a more conservative color and cut. You'll want the judge to focus on your testimony and the facts of your case with minimal distraction. Aim for a just above average look that conveys that you know what you are doing. That first impression is critical.
- 7 **Shoes are important.** Shoes are the one piece of clothing that changes the wearer physically. By adjusting your height and stance, shoes put you in a physically different position and affect your psychological position as well.

Shoes are also the piece of clothing that can make you most uncomfortable. Poor fitting or poorly made shoes make you uncomfortable, and when you're uncomfortable it shows. You fidget, you walk funny, you're distracted, you frequently switch positions when standing, and you give non-verbal signals that others pick up. Unfortunately, these are the same signals that liars put out. How is a judge to know if you're lying or merely wearing uncomfortable shoes?

Buy the best pair of shoes you can afford, and make sure they fit you properly. Keep them polished and in good condition. It will send the right message to everyone in the court.

Choose Your Words Wisely

OK. So you have gotten yourself dressed appropriately. You arrived at the courthouse early. You have patiently watched and waited. Now your case is being called and the judge is talking to you. How do you respond?

Most likely, you are going to see a few cases get handled before yours is called. Listen to the questions the judge has about those cases and be ready to answer. Listen to how the attorneys in the courtroom address the judge. Prepare before you come to court and modify your approach based on how you see the court conducting business.

Remember that everything you say is on the record!
Be careful not to confess or damage your case.

Talk directly to the judge, not the prosecutor. Speak loud, clear and slowly. DO NOT TALK OVER THE JUDGE or anyone else. Let the judge finish their sentence. Don't argue. Don't try to be funny. Don't ramble. Breathe.

Address the court as, "Your Honor".

"Yes, sir" or "No Ma'am" may be acceptable to some courts. But if you do not know the judge, be formal and polite. Follow any direction the bailiff gives you.

Always mind your manners and keep your emotions in check. If things are not going your way, acting out or making a scene is not going to make things better. Keep your composure and watch your body language.

Even with all of the best preparation you may well feel nervous and pressured. If you don't fully understand what is going on in the courtroom or you need more time to consider your options ask the judge if you can have a few weeks to think about it.

Consider Hiring Professional Help

Any trip to the courthouse is serious. If you didn't think so you would not have read this far.

You should consider hiring an attorney. The process is easier than you think. Consultation is free and without obligation.

You don't have to go it alone. And this is too important for you to try to figure out the nuances on your own. Give me a call. I can help you.

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