

Deciding to represent yourself (pro se) in litigation or bankruptcy is risky business.

30 May 2012

At times people consider representing themselves in a legal matter for various reasons. It could be the price of competent counsel, not knowing an attorney that you trust, or a belief that you can handle the matter on your own, or all or some combination of these or other factors. This blog is written to allow you to consider one item using a somewhat recent political event as an example before making that risky decision.

Do you remember the Monica Lewinsky scandal? Do you remember the suit Paula Jones filed against then President Clinton prior to that? Who could forget these events; they were the significant basis of the investigation of former President Clinton, which led to President Clinton's "impeachment." Do you remember thinking impeachment meant the actual removal of the President from office? Do you remember somewhere along the way in the saga being surprised to learn that impeachment meant something different than you thought. This is because you and most of the rest of the country thought they knew the meaning of impeachment. In fact, it was not even a word they had any question about. They thought they knew the meaning, but we were wrong.

It was learned that impeachment simply meant that a charge (in Clinton's case, two) is brought against the President by a vote of the House of Representatives, which would cause a trial of sorts to be held in the Senate and presided over by the Chief Justice of the Supreme Court to determine/decide on removal. We all know the rest of the story; President Clinton was "impeached" but not removed from office.

The point here is that there will be a word, or likely many words, which you will think you know the meaning of when approaching a legal matter, but you will be mistaken as to the correct meaning. Instead of learning the correct meaning of a legal word in the safety of your home or office with nothing at stake (like when you learned the correct meaning of "impeachment") this time, when you are representing yourself in a legal matter, being incorrect will likely have consequences. It may be that you misread a notice from the court or a pleading filed by the opposition. It may be that the realization that you were wrong about the meaning of a word or phrase occurs in open court which throws you off your plan and ruins any chance you had at making a good presentation. It may be that you repeatedly display your ignorance with the whole court room aware that you do not know the meaning of a word or phrase except you, and you leave not knowing why you lost.

We suggest that you consider how much you have at stake and whether you want to risk the case that could be lost on one shibboleth. (smile)

Contact: George E. Bourguignon, Jr., Esq.

Phone: (508) 769-1359 or (413) 746-8008

Email: gbourguignon@bourguignonlaw.com

Website: <http://www.bourguignonlaw.com>