

OMNIBUS HEARINGS – PRO SE DEFENDANTS

The purpose of the omnibus hearing is to assure that all parties are prepared to go on to trial, if necessary, and to discuss alternate means of settling the dispute at an early stage of the proceedings. The omnibus hearing is a hearing ordered by the court and held in the courtroom to have a face to face discussion of the issues of the case.

Omnibus hearings include full “discovery” of evidence (maps, photos, etc.) and witnesses. At the omnibus hearing, you must be prepared to bring all documents that you anticipate will be introduced as evidence at the trial and you must provide a copy of each potential exhibit to the opposing party. In addition, you must provide a list of witnesses that you expect to testify at trial, with their names, addresses, and telephone numbers, for the opposing party. If you do not comply with discovery, you may be prohibited from entering those exhibits or witnesses at the trial.

There are no surprises in Municipal Court. Each party to the lawsuit has the right to be fully advised of what information will be used at trial. If there is discovery still to be completed the Judge will set deadlines for each party to comply with discovery issues. If you do not comply with discovery, you may be prohibited from entering those exhibits or witnesses at the trial.

You must be prepared to frankly discuss the issues of the case and the evidence you have. You **should not bring your witnesses** to the omnibus hearing. This is not the proper time for witnesses to appear. **Only the issues of the case** are to be discussed.

Some cases cannot be settled at the omnibus hearing and a trial will need to be set. If a case is set for trial, the Judge, at the omnibus hearing, will set a schedule of events, including dates to comply with discovery, motions, and subpoenas.

At the trial, which is a more formal setting than the omnibus hearing, the Judge will apply the Rules of Civil Procedures and the Rules of Evidence to control the trial and the presentation of evidence. The rules cannot be altered to fit your situation or lack of courtroom experience. The Judge will be considerate of your lack of knowledge with the court system, but you will be expected to participate according to the rules. The Judge will base a decision on facts, the law, and the testimony of the witnesses.

If you or your attorney fail to appear for the omnibus hearing a warrant for your arrest will be issued. The omnibus hearing is set well in advance to facilitate your preparation. Please be prepared! The omnibus hearing will take between 15 and 30 minutes. Plan accordingly.

If you have any questions, call the Court or send your written questions to the Court well in advance of the scheduled omnibus hearing.