



Kingdom of the Netherlands



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



SWEDEN



WORLD BANK GROUP



A GUIDE

FIRST TIME IN COURT
OR AT A COURTHOUSE

Publisher

Lawyers' Committee for Human Rights – YUCOM
Kneza Miloša 4, 11103 Belgrade
www.yucom.org.rs

For publisher

Milan Antonijevic

Prepared by

Katarina Golubovic, PhD

Translation

Uroš Vasiljević

Design and layout

Dosije studio, Belgrade

Print

C-Print, Belgrade

Circulation

100

ISBN 978-86-83209-68-2



Kingdom of the Netherlands



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



WORLD BANK GROUP

This Citizens' Self-Representation Guide was prepared by YUCOM, the Lawyers' Committee for Human Rights. The team benefited from the guidance of Ms. Georgia Harley (Justice Reform Specialist), Mr. Srđan Svirčev (Public Sector Specialist), Ms Marina Matić Bošković (Justice Reform Adviser), as well as input from Victoria Esquivel Korsiak (human rights adviser).

This is a working draft of the Guide, which remains under development. Any recommendations and comments are welcome as we strive to best adjust the final Guide to its end users and ensure it meets its objectives fully. Feel free to e-mail us your suggestions at office@yucom.org.rs.

A GUIDE

FIRST TIME IN COURT OR AT A COURTHOUSE

CIP – Каталогизација у публикацији
Народна библиотека Србије, Београд
347.91/.95(035)

A GUIDE : first time in court or at a courthouse /
[prepared by Katarina Golubovic ; translation Uroš Vasiljević].
– Belgrade : Lawyers' Committee for Human Rights – YUCOM,
2017 (Belgrade : C-print). – 35 str. ; 20 cm

Izv. stv. nasl.: Vodič. – Tiraž 100.

ISBN 978-86-83209-68-2

1. Golubović, Katarina [приређивач, сакупљач]

а) Судски поступак – Приручници

COBISS.SR-ID 244179212

TABLE OF CONTENTS

A NOTE ON SELF-REPRESENTATION 7

THE PLAINTIFF

1. I want to sue: what do i need to know in advance? 9

2. Drafting a complaint 10

 2.1 Laws and information needed to draft a complaint 10

 2.2 What do I seek from the court: The claim 13

 2.3 When I do not know exactly what I seek from the court:
 Clarifying the claim 14

3. Filing the complaint 14

THE DEFENDANT

1. I have been sued: What do I need to know in advance? 17

2. Drafting a response to a complaint 18

 2.1 Laws and information needed to draft a response to a complaint 18

 2.2 What do I seek from the court: To dismiss or reject the complaint 18

3. Filing the response to a complaint 19

IN COURT

1. Preparing to address the court; What should I bring to court; How should I dress; How to find the courtroom; What happens if I do not turn up? 21

| | |
|------------------------------------------------|----|
| 2. The course of the trial | 23 |
| 3. In the courtroom | 24 |
| 4. What happens at the next hearing? | 27 |
| 5. The end of the trial | 27 |
| POSSIBLE OUTCOMES OF A JUDGMENT | 28 |
| WHO CAN HELP YOU? | 30 |

A NOTE ON SELF-REPRESENTATION

It is not easy to represent your own rights and interests in court. You will be on unfamiliar ground, where the other actors will speak a language unknown to you, and where you will not be aware of the rules that apply. These rules are sometimes set down in writing, and sometimes not. They are learnt through years of study and experience. And yet, no process, no proceeding, is the same. This is why no-one can guarantee the outcome of a case.

THIS GUIDE DOES NOT ADVOCATE SELF-REPRESENTATION. Its objective is to **FAMILIARISE LAY PEOPLE WITH THE JUDICIAL PROCESS TO THE GREATEST EXTENT POSSIBLE.** It provides answers to questions that you may ask yourself before going to court that cannot be found in laws.

Finally, we hope that reading this Guide will allow you to view the judicial process more realistically and so decide whether to litigate at all or find enough sound arguments for you and the opposing party to resolve your dispute amicably.

THE YUCOM TEAM



THE PLAINTIFF



1. I WANT TO SUE: WHAT DO I NEED TO KNOW IN ADVANCE?

If you want the court to require another party (the state, a business, or another individual) to do something, or stop doing something, you need **to bring a complaint against that party before a court.**



▶ A FEE IS PAYABLE FOR FILING A COMPLAINT AT THE VERY BEGINNING..

If you do not have the money to pay the fee, **you may file a motion with the judge to waive the fee** with the justification that you lack the financial means to pay. **Be careful!** You will have to prove any claims you make. You will have to submit documents (such as a certificate from the National Employment Service proving you are unemployed; a pension slip; birth certificates for your children; certificates of real property ownership issued by your local municipality; etc.). You can ask for the fee to be split into instalments. Exercise your rights in due time.

.....
: FEE FOR BRINGING A DIVORCE SUIT: RSD 2,660
: FEE FOR A WRIT OF ENFORCEMENT TO COLLECT A DEBT OF RSD 900,000: RSD 38,300
:



▶ THE BURDEN OF PROOF IS ON YOU!

You will have to prove any claims you make. **AS A RULE, IF YOU DO NOT HAVE EVIDENCE, YOU WILL LOSE THE CASE.**

WHAT CONSTITUTES EVIDENCE: Documents (such as contracts; receipts; invoices, birth, marriage, or death certificates; correspondence; e-mails; witnesses – you will need to indicate their addresses; expert testimony – to be ordered by the court; direct investigation – rarely used in civil litigation)

YOU PROPOSE AND SUBMIT EVIDENCE. Proposing evidence means clearly identifying it in your complaint. (For instance, if you claim another person owes you money and you have a witness to corroborate that claim, you would present this evidence by describing it as 'Examination of Pera Peric in the capacity of witness'. If you have a receipt, you would present this evidence by describing it as 'Invoice dated 5 May 2010' and enclosing multiple copies of this invoice with your complaint.)

You must indicate your evidence in the body of your complaint and enclose sufficient copies for the use of the court and the opposing party, or must provide it to the court at the latest when summoned by the court for the first time (at the discovery hearing). **NOTE THAT YOU WILL NOT BE ALLOWED TO PROPOSE EVIDENCE THEREAFTER.**



- ▶ **TRIALS TAKE TIME. IT MAY TAKE SEVERAL YEARS FOR A JUDGMENT TO BE ENFORCED. BE PATIENT.**



2. DRAFTING A COMPLAINT

2.1. Laws and information needed to draft a complaint

Drafting a complaint is not easy. **COME PREPARED.** You will find it difficult to successfully put a complaint together without consulting the **Code of Civil Procedure**, which governs all procedural matters, and the specific law that regulates the matter you are litigating.

For instance, for a labour dispute you will need the **Labour Law**; to claim damages you will need the **Law of Contracts and Torts**; and for a divorce suit you will need the **Family Law**.

You need to know the defendant's basic information. As a rule, their address or corporate seat will tell you which court you have to file your complaint with.

You **must** specify the value of the dispute. BE REALISTIC. The value of the dispute will ultimately determine the amount of the fee you will pay.



Lawyers use **COMPLAINT TEMPLATES** and **MODELS**.

Here is an example.

**COMPLAINT FOR AWARD OF DAMAGES
FOR BODILY HARM**

BASIC COURT OF _____

THE PLAINTIFF: _____ of _____, address: _____

THE DEFENDANT: _____ of _____, address: _____

**COMPLAINT
FOR AWARD OF DAMAGES**

Value of the dispute: RSD _____

On _____, the Defendant inflicted grievous bodily harm on the Plaintiff by breaking his nose. For this offence, the Defendant was sentenced by the court of _____ to a term of imprisonment of _____.

- EVIDENCE:
1. Case file of the court of _____ K. No. _____
 2. Medical certificate attesting to the Plaintiff's condition

Due to this injury, the Plaintiff was unable to work for _____ months, resulting in lost income of RSD _____.

EVIDENCE: Certificate issued by _____, the Plaintiff's employer, on _____.

This injury required the Plaintiff to undergo two operations on his nose, which resulted in intense pain that persisted for a lengthy period of time. The Plaintiff believes that the sum of RSD _____ constitutes just compensation for this pain.

EVIDENCE: Expert testimony by a medical specialist

The Plaintiff's breathing has remained impaired due to the injury inflicted upon him, which has resulted in a generally reduced quality of life. The Plaintiff believes that the sum of RSD _____ constitutes just compensation for mental anguish resulting from the reduced quality of life.

Finally, the Plaintiff experienced intense fear, both at the time the injury was inflicted and during the subsequent surgical procedures, of the consequences of this injury – which, ultimately, did ensue. The Plaintiff also seeks damages amounting to RSD _____ for the feelings of fear he experienced.

EVIDENCE: Expert testimony

In view of the above, the Plaintiff hereby lodges this complaint pursuant to Articles 195 and 200 of the Law of Contracts and Torts, and proposes that the Court should, having heard the case, render the following

JUDGMENT

The Defendant is hereby required to pay to the Plaintiff damages for grievous bodily harm, as follows:

- RSD _____ in compensation for lost income during the period the Plaintiff was unable to work;
- RSD _____ in compensation for physical pain sustained;
- RSD _____ in compensation for mental anguish due to reduced quality of life;
- RSD _____ in compensation for feelings of fear experienced;

for a total of RSD _____, together with any statutory interest accruing from the date the complaint was lodged to the date of payment, as well as to pay the legal expenses incurred by the Plaintiff, within 15 days, on pain of compulsory collection.

Done at _____,

This ____ day of _____, _____

PLAINTIFF'S SIGNATURE

2.2. What do I seek from the court: The claim

It is very important to clearly state **what you seek from the court**. This is called 'formulating the claim', and is the crucial matter of any court proceeding. As a rule, the claim is formulated after you have described the event/situation that your complaint pertains to and have explained why you believe you enjoy a particular right.

Here is an example:

| In view of the above, I propose that the court render a judgment or ruling that | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <p>upholds the claim and requires the Defendant, Pera Peric, of Belgrade, to pay into the account of the Plaintiff, Marko Markovic, of Smederevo, no. vvv-vvvvv-vvv, opened with Bank Y, the sum of RSD 8,000 in settlement of debt, together with statutory default interest accrued since 15 May 2015, within 15 days of being served the judgment.</p> <p>The Defendant, Pera Peric, of Belgrade, is hereby required to pay to the Plaintiff the legal expenses incurred within 15 days</p> | THE CLAIM |

Here is another example:

| In view of the above, I propose that the court render a judgment or ruling that | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <p>upholds the claim and requires the Defendant, Agroekonom d.o.o., a company with its seat in Belgrade, to pay to the Plaintiff the sum of RSD 26,000 in unpaid salary for the month of April 2016, together with statutory default interest accrued from 31 May 2016 to date of payment; and the sum of RSD 26,300 for the month of May 2016, together with statutory default interest accrued since 30 June 2016;</p> <p>The Defendant, Agroekonom d.o.o., a company with its seat in Belgrade, to pay to the Plaintiff the legal expenses incurred within 15 days.</p> | THE CLAIM |

2.3. When I do not know exactly what I seek from the court: Clarifying the claim

If you are not able to formulate a claim, for instance if you do not know how much your employer owes you, you will have to **ask for expert testimony by a financial specialist**. You may also not know how much you are owed in compensation for intangible harm: for example, if you have suffered injury or experienced anguish, you may be unable to set a just amount of damages for this harm on your own. **This will be determined by an expert witness in the course of the proceedings.** After the expert witness has presented his or her finding and opinion determining the amount, and if you agree with this amount, **you will be able to indicate the sum** that you seek from the person liable for the damage. **You will then lodge a filing with the court indicating your claim.**

HELP!



Templates are often available online, but you may also contact a free legal aid service for assistance. Ask about free legal aid at your local municipality; they will help.

3. FILING THE COMPLAINT

- ✓ You have drafted your complaint;
- ✓ You have printed out multiple copies of it (at least two);
- ✓ You have signed all the copies;
- ✓ You have made copies of all the evidence you indicated – as many as there are copies of the complaint (at least two);
- ✓ You have placed all of these documents in an envelope
- ✓ You have **mailed** the envelope (by registered mail) or **presented** it at the court's registry office

YOU HAVE NOW BROUGHT YOUR LAWSUIT!



You will soon be assigned a **CASE NUMBER and JUDGE**. EXPECT A SUMMONS FROM THE COURT, INDICATING THE CASE NUMBER, JUDGE'S NAME, AND COURTROOM. **THE COURT IS SUMMONING YOU TO A HEARING.**

From this point onwards, **any filing you make to the court must indicate your case number.**



THE DEFENDANT



1. I HAVE BEEN SUED: WHAT DO I NEED TO KNOW IN ADVANCE?

If you have been sued, and you disagree with the claim the plaintiff has brought, you have the right to file a **response to the complaint**.

Be careful! If you do not file a response to the complaint by the time indicated in the summons, the court may render a judgment in default against you.

Please note that a **fee is payable for filing a response to a complaint**. The court will sometimes notify you that you will have to pay, but sometimes it will not.



▶ A FEE IS PAYABLE FOR RESPONDING TO A COMPLAINT AT THE VERY BEGINNING.

If you do not have the money to pay the fee, **you may file a motion with the judge to waive the fee** with the justification that you lack the financial means to pay. **Be careful!!!** You will have to prove any claims you make. You will have to submit documents (such as a certificate from the National Employment Service proving you are unemployed; a pension slip; birth certificates for your children; certificates of real property ownership issued by your local municipality; etc.). You can ask for the fee to be split into instalments. Exercise your rights in due time.



▶ THE BURDEN OF PROOF IS ON THE PLAINTIFF!

Nevertheless, **you must have evidence** to substantiate any claims you make.

WHAT CONSTITUTES EVIDENCE: Documents (such as contracts; receipts; invoices, birth, marriage, or death certificates; correspondence; e-mails; witnesses – you will need to indicate their addresses; expert testimony – to be ordered by the court; direct investigation – rarely used in civil litigation)

YOU PROPOSE AND SUBMIT EVIDENCE. Proposing evidence means clearly identifying it in your response to the complaint. (For instance, if you claim another person owes you money and you have a witness to corroborate that claim, you would present this evidence in the form of ‘Examination of Pera Peric in the capacity of witness’. If you have a receipt, you would present this evidence in the form of ‘Invoice dated 5 May 2010’ and attach multiple copies of this invoice to the body of your complaint.)

You must indicate your evidence in the body of your response to a complaint and include sufficient copies for the use of the court and the opposing party, or provide it to the court at the latest when

summoned by the court for the first time (at the discovery hearing). **NOTE THAT YOU WILL NOT BE ALLOWED TO PROPOSE EVIDENCE THEREAFTER.**



- ▶ **TRIALS TAKE TIME. IT MAY TAKE SEVERAL YEARS FOR THE JUDGMENT TO BE ENFORCED. NEVERTHELESS, IF YOUR CHANCES OF WINNING THE CASE ARE SLIM, NOTE THAT LEGAL EXPENSES AND INTEREST WILL ONLY INCREASE AS TIME GOES BY.**
- ▶ **MAKE AN INFORMED DECISION.**



2. DRAFTING A RESPONSE TO A COMPLAINT

2.1. Laws and information needed to draft a response to a complaint

Drafting a response to a complaint is not easy. **COME PREPARED.** You will find it difficult to successfully prepare a response to a complaint without consulting the **Code of Civil Procedure**, which governs all procedural matters, and the specific law that regulates the matter that the lawsuit concerns. At the very beginning of your response, you must cite the case number you have received in the court summons, for instance 'P 259/2016'. The 'P' stands for *Parnica* ('civil case'); 259 is the case number; and 2016 is the year in which the complaint was brought.

Responding to a complaint requires, first and foremost, a careful reading of the complaint. Do not go into other details unnecessarily. Focus on the claim and the evidence proposed. State why the complaint and the claim are **WITHOUT MERIT**. Concentrate on contesting the facts, but you can also dispute the evidence or its validity.



Note that you will not have much time to explain your allegations in the courtroom, so state everything you know in this filing.

2.2. What do I seek from the court: To dismiss or reject the complaint

As a rule, if you disagree with a claim, you propose that the court should **DISMISS** the complaint and **REJECT** the claim. In addition, you will ask the court to require the plaintiff to compensate you for any legal expenses you may have incurred.

Once you have read the complaint and identified any applicable grounds for its dismissal as listed in the Code of Civil Procedure, state those reasons and ask the court to dismiss the complaint. Erring on the side of caution, also ask the court to reject the claim. You will indicate the reasons for doing so and propose and submit evidence alongside your response.

Include any objections you wish to raise with the plaintiff's complaint in your response. So, for instance, if you believe a claim has become time-barred, say so. If you believe you were not required to pay the purchase price because you never received goods, state that the seller was in breach of contract. If you are aware that damage was caused, but it was not you who performed the damaging action, say so as well.

HELP!



Templates are often available online, but you may also contact a free legal aid service for assistance. Ask about free legal aid at your local municipality; they will help.

3. FILING THE RESPONSE TO A COMPLAINT

- ✓ You have drafted your response to a complaint;
- ✓ You have printed out multiple copies of it (at least two);
- ✓ You have signed all the copies;
- ✓ You have made copies of all the evidence you indicated – as many as there are copies of the response to the complaint (at least two);
- ✓ You have placed all of these documents in an envelope
- ✓ You have **mailed** the envelope (by registered mail) or **presented** it at the court's registry office



YOU HAVE NOW FILED YOUR RESPONSE TO THE COMPLAINT!

From this point onwards, **any filing you make to the court must indicate your case number.**

IN COURT



1. PREPARING TO ADDRESS THE COURT; WHAT SHOULD I BRING TO COURT; HOW SHOULD I DRESS; HOW TO FIND THE COURTROOM; WHAT HAPPENS IF I DO NOT TURN UP?

How does the plaintiff prepare his presentation?

Your first presentation is a condensed outline of the complaint, together with a brief reply to the allegations made by the plaintiff in his response to the complaint, which you have received in the meantime. In your presentation, you must indicate whether the response of the opposing party is **FOUNDED** or **UNFOUNDED**, explain why they are unfounded, and propose evidence to substantiate this assertion.

Plaintiff: 'I stand by the allegations made in the complaint and the claim. I ask the court to uphold the claim and require the Defendant to pay what he owes to the Plaintiff'
'I ask the court to examine the contracts, excerpts, and copies of correspondence I have provided, as well as this contract that I now present to the attention of the court and the opposing party; to examine the witnesses, Pera Peric [address], and Simon Caric [address], regarding the matter of... I ask the court to require expert testimony to ascertain the outstanding balance of unpaid salary.'

How does the defendant prepare his presentation?

Your first presentation is a re-statement of your response to the complaint.

Defendant: 'I stand by the allegations made in the response to the complaint. I ask the court to dismiss the complaint due to... As a precaution, I also ask the court to reject the claim due to...'
'I ask the court to examine the contracts, excerpts, and copies of correspondence I have provided, as well as this contract that I now present to the attention of the court and the opposing party; to examine the witnesses, Vanja Lak [address], and Koja Tatic [address], regarding the matter of... I ask the court to require expert testimony to ascertain the outstanding balance of unpaid salary.'



Note that you will not have much time to explain your allegations in the courtroom, so keep to what you indicated in your filing.

WHAT SHOULD I BRING TO COURT?

Assemble your case. Buy a folder. Bring your complaint. Bring the other evidence (three copies of each document) that substantiates your allegations. You will provide this evidence at what is called the 'discovery hearing', which is the first time you appear in court and where the judge decides who to examine and why. **Always take this folder with you.**

▶ DRESS APPROPRIATELY.

Keep in mind that court security officers will visually inspect your appearance as you enter the courthouse and will turn you back if you are wearing short trousers or if your shoulders are uncovered, even in the hottest summer months. You should also not wear open-toed footwear. If you are denied entry to the courthouse, see below under **What if I do not turn up?**

▶ WHERE IS THE COURTROOM?

Bring your summons; it will indicate the courtroom number and the name of the judge. Ask the security officer to tell you where your courtroom is. Large courthouses have many courtrooms.

▶ TAKE A SEAT OUTSIDE THE COURTROOM AND WAIT.

At the appointed time the court stenographer will come out and invite the plaintiff and defendant to come in. You will then immediately enter the courtroom where you will find the judge waiting for you.

▶ WHAT IF I DO NOT TURN UP?

If you are the plaintiff and fail to turn up without having justified your absence in advance, you will be deemed to have withdrawn your complaint. You will have to pay the legal expenses.

If you are the defendant and fail to turn up without having justified your absence in advance, and there is enough evidence against you, the court may render a judgment at the motion of the plaintiff. You will have to pay the legal expenses.



YOU CAN JUSTIFY YOUR ABSENCE IN ADVANCE IF YOU PROVIDE ENOUGH EVIDENCE.

2. THE COURSE OF THE TRIAL

Each trial is made up of hearings. When you first appear in court, you will be attending a 'discovery hearing'. This is unique in that it is your first contact with the judge. Regardless of whether you are the plaintiff or defendant, at this hearing you ought to repeat what it is that you are asking of the court. At this hearing, you also propose evidence to be admitted by the court. This is where the court will accept or reject your proposed evidence. The court may feel some of the evidence is excessive or irrelevant. Bear in mind that you know which witnesses are important to you. Insist on them. If you have a large number of witnesses, act strategically: give up those who know less. The plaintiff must propose a timeframe within which the trial should be concluded. For instance, if there are two witnesses, you may propose two hearings and a three-month deadline for the trial. The judge will, of course, use his or her knowledge and awareness of the time they have at their disposal to determine this deadline.

Evidence is 'presented' at subsequent hearings. This means that the court examines the witnesses and the parties. After all the evidence has been presented, the trial ends with the 'conclusion of the main hearing'.



3. IN THE COURTROOM...

► WHERE DO I SIT IN THE COURTROOM?

If you are the plaintiff, you will sit at the right-hand side of the judge. If you are the defendant, you will sit at the left-hand side of the judge.



YOU HAVE ENTERED THE COURTROOM AND TAKEN A SEAT.

THE HEARING COMMENCES: The trial starts when the judge starts to begin to take stock of who is present by asking who it is that represents the plaintiff. Stand up when addressing the court! The plaintiff will respond that he or she is representing himself or herself. The judge will repeat whatever you say for the benefit of the court stenographer, who will record the course of the trial for the **TRANSCRIPT**.

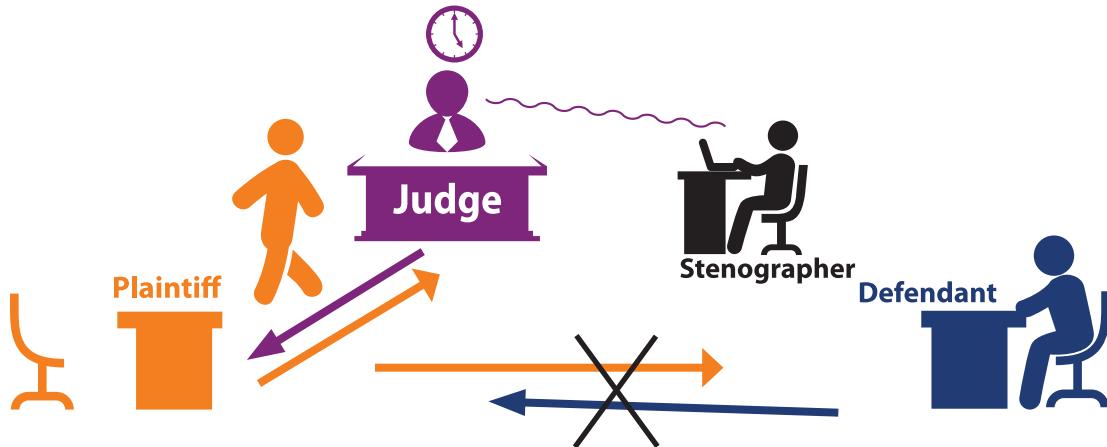
The judge will then ask who it is that represents the defendant. Stand up when addressing the court! The defendant will respond that he or she is representing himself or herself. Having determined that all those who had been duly summoned are in attendance, the judge will ask the plaintiff to speak.

THE PLAINTIFF RISES AND ADDRESSES THE COURT.



Note: Never talk to or address the plaintiff. Turn towards the judge. The judge will hear you out, then dictate to the court stenographer in the language used in the courtroom.

THE PLAINTIFF RISES AND ADDRESSES THE COURT.



THE PLAINTIFF'S ADDRESS:

'I stand by the allegations made in the complaint and the claim. I ask the court to uphold the claim and require the Defendant to pay what he owes to the Plaintiff.'

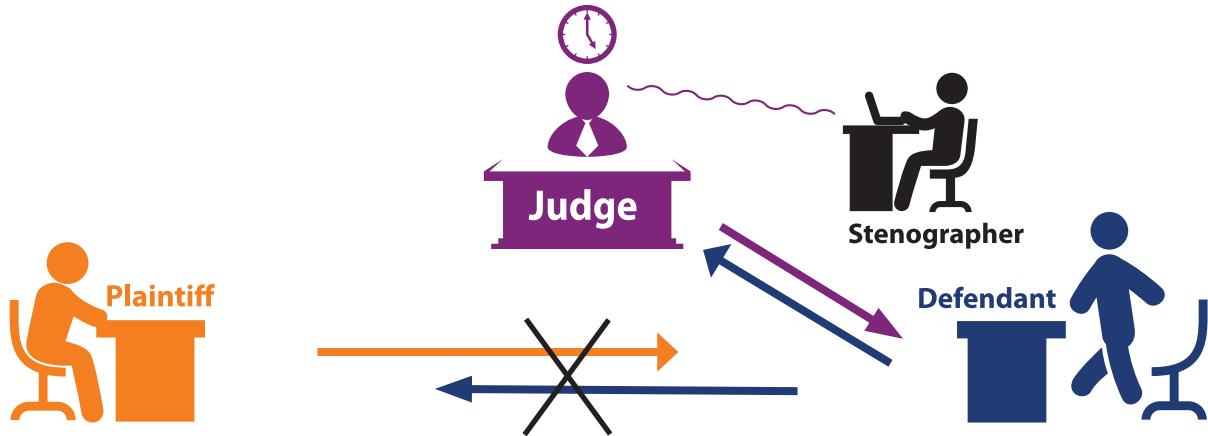
'I ask the court to examine the contracts, excerpts, and copies of correspondence I have provided, as well as this contract that I now present to the attention of the court and the opposing party; to examine the witnesses, Pera Peric [address], and Simon Caric [address], regarding the matter of... I ask the court to require expert testimony to ascertain the outstanding balance of unpaid salary.'

'I propose a timeframe of three months and three hearings.'

THE DEFENDANT'S ADDRESS:

'I stand by the allegations made in the response to the complaint. I ask the court to dismiss the complaint due to... As a precautionary measure, I ask the court to reject the claim due to...'

'I ask the court to examine the contracts, excerpts, and copies of correspondence I have provided, as well as this contract that I now present to the attention of the court and the opposing party; to examine the witnesses, Vanja Lak [address], and Kojta Tatic [address], regarding the matter of... I ask the court to require expert testimony to ascertain the outstanding balance of unpaid salary.'



WHAT IF I DO NOT UNDERSTAND WHAT THE JUDGE IS TELLING ME OR DICTATING TO THE STENOGRAPHER?

Do not be ashamed. Regardless of whether you only have a primary school diploma or are a university graduate, you may find it difficult to make sense of the legal language used. If you do not understand the judge, feel free to say you did not understand a question or a point entered into the transcripts.

THE TRANSCRIPT IS A STATEMENT OF WHAT HAPPENED AT THE TRIAL. IF ANYTHING YOU SAY OR DO DOES NOT MAKE IT INTO THE TRANSCRIPT, IT IS AS IF IT NEVER HAPPENED. SO, IF YOU BELIEVE SOMETHING IS CRUCIAL, AND IT HAS NOT ENTERED THE TRANSCRIPT, INSIST ON HAVING IT RECORDED.

THE END OF A HEARING: The judge announces the end of a hearing and convenes the next hearing by dictating the date and time for the transcript. The transcript is printed out. You approach the stenographer's desk to sign the transcript. You leave the courtroom.

4. WHAT HAPPENS AT THE NEXT HEARING?

The transcript usually says what will happen at the next hearing. Towards the end of the hearing, the judge issues procedural decisions, such as summoning witnesses or requiring expert witnesses to provide their findings and opinions. U zapisniku obično piše šta će se dogoditi na sledećem ročištu. Pri kraju ročišta, sudija donosi rešenja koja se odnose na tok postupka npr. poziva svedoke da dođu, odnosno veštaka da da svoj nalaz i mišljenje.

The next hearing always begins in the same way. The judge establishes whether everyone is present. Then the judge invites the plaintiff to speak. The plaintiff asks the court to uphold the claim. Then the plaintiff proposes the presentation of evidence already approved for presentation at the preceding hearing (e.g. 'I propose that the court examine the witness Pera Peric').

The defendant asks the court to reject the claim. Then the defendant proposes the presentation of evidence already approved for presentation at the preceding hearing.

If a witness has been summoned, that witness will be examined by the judge, who will then invite both the plaintiff and the defendant to ask their questions. Look at the judge whilst asking your questions. The witness will also answer to the judge. **Do not comment on the witness's testimony.**

Expert testimony is usually made in writing. You can contest any inconsistencies in the findings and opinions presented by an expert witness. If you do not agree with these findings and opinions, you can move for an additional or new expert testimony. You pay the expert witness a retainer fee in advance.

5. THE END OF THE TRIAL

When there are no more witnesses to examine, the court will complete the presentation of evidence. Note that, if you are the plaintiff, this is the time by which you ought to have formulated your claim. Immediately after the judge notes (for the transcript) that the presentation of evidence has ended, you will be asked to provide a closing statement. Regardless of whether you are the plaintiff or defendant, remind the court of any evidence that works in your favour and ask the court to uphold or reject the claim based on that evidence.

You will now wait for a judgment (for about one month).

GOOD LUCK.

POSSIBLE OUTCOMES OF A JUDGMENT

| FOR THE PLAINTIFF | FOR THE DEFENDANT |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>SITUATION 1</p> <p>A judgment has been rendered. Your claim has been upheld. You wait for the opposing party to appeal. No appeal is forthcoming for two months. You visit the court to check whether an appeal has been lodged. It has not, and the appeals window has now closed. Congratulations</p> | <p>SITUATION 1</p> <p>A judgment has been rendered. The claim has been rejected. You wait for the opposing party to appeal. No appeal is forthcoming for two months. You visit the court to check whether an appeal has been lodged. It has not, and the appeals window has now closed. Congratulations</p> |
| <p>SITUATION 2</p> <p>A judgment has been rendered. Your claim has been upheld. An appeal has been lodged. You can draft a response to the appeal. You wait for the ruling of the second-instance court. They reject the appeal as unmerited, and uphold the first-instance judgment (a year later). Congratulations</p> | <p>SITUATION 2</p> <p>A judgment has been rendered. The claim has been rejected. An appeal has been lodged. You can draft a response to the appeal. You wait for the ruling of the second-instance court. They reject the appeal as unmerited, and uphold the first-instance judgment (a year later). Congratulations</p> |
| <p>SITUATION 3</p> <p>A judgment has been rendered. Your claim has been upheld. An appeal has been lodged. You can draft a response to the appeal. You wait for the ruling of the second-instance court. They uphold the appeal as merited. You go back to the first-instance trial and have to attend the hearings. (Congratulations may be in order depending on the outcome of the case)</p> | <p>SITUATION 3</p> <p>A judgment has been rendered. The claim has been rejected. You receive an appeal lodged by the plaintiff. You can draft a response to the appeal. You wait for the ruling of the second-instance court. They uphold the appeal as merited. You go back to the first-instance trial and have to attend the hearings. (Congratulations may be in order depending on the outcome of the case)</p> |

| FOR THE PLAINTIFF | FOR THE DEFENDANT |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>SITUATION 4</p> <p>A judgment has been rendered. Your claim has been upheld. An appeal has been lodged. You can draft a response to the appeal. You wait for the ruling of the second-instance court. They uphold the appeal as merited. They amend the original judgment and reject your claim. (You have lost the case and have to pay legal expenses)</p> | <p>SITUATION 4</p> <p>A judgment has been rendered. The claim has been rejected. An appeal has been lodged. You can draft a response to the appeal. You wait for the ruling of the second-instance court. They uphold the appeal as merited. They amend the original judgment and uphold the claim. (You have lost the case and have to pay legal expenses)</p> |
| <p>SITUATION 5</p> <p>A judgment has been rendered. Your claim has not been upheld. You appeal. You wait for the second-instance ruling. The court does not uphold your appeal. (You have lost the case and have to pay legal expenses)</p> | <p>SITUATION 5</p> <p>A judgment has been rendered. The claim has been upheld. You appeal. You wait for the second-instance ruling. The court does not uphold your appeal. (You have lost the case and have to pay legal expenses for both first- and second-instance proceedings)</p> |
| <p>SITUATION 6</p> <p>A judgment has been rendered. Your claim has not been upheld. You appeal. You wait for the second-instance ruling. The court upholds your appeal. You go back to the first-instance trial and have to attend the hearings. (Congratulations may be in order depending on the outcome of the case)</p> | <p>SITUATION 6</p> <p>A judgment has been rendered. The claim has been upheld. You appeal. You wait for the second-instance ruling. The court upholds your appeal. You go back to the first-instance trial and have to attend the hearings. (Congratulations may be in order depending on the outcome of the case)</p> |
| <p>SITUATION 7</p> <p>A judgment has been rendered. Your claim has not been upheld. You appeal. You wait for the second-instance ruling. The court upholds your appeal as merited, amends the original judgment, and upholds your claim. Congratulations</p> | <p>SITUATION 7</p> <p>A judgment has been rendered. The claim has been upheld. You appeal. You wait for the second-instance ruling. The court upholds your appeal as merited, amends the original judgment and rejects the claim. Congratulations</p> |

WHO CAN HELP YOU?

| No | Name of the organization | Address and place |
|----|---------------------------------------------------------------------------------------|----------------------------------------------------|
| 1 | Alternative Girls' Centre | Balkanska 49/4, 37000 Kruševac |
| 2 | Astra, Anti Trafficking Action | 11000 Belgrade |
| 3 | APOS, Consumers' Association of Serbia | Zmaj Jovina 26, P. C. Lupus, 21000 Novi Sad |
| 4 | Autonomous Women's Centre | Tiršova 5a, 11000 Belgrade |
| 5 | Balkan Centre for Migration and Humanitarian Activities | Bulevar Despota Stefana 53, 11000 Belgrade |
| 6 | European Environmental Centre | Veljka Vlahovića 17, 35230 Čuprija |
| 7 | Zajedno Zajedno | Sredačka 2, 11000 Belgrade |
| 8 | VelikiMali Initiative for Inclusion | Žarka Zrenjanina 10, 26000 Pančevo |
| 9 | YUCOM, Lawyers' Committee for Human Rights | Kneza Miloša 4, 11000 Belgrade |
| 10 | Labris, Organisation for Lesbian Human Rights | 11000 Belgrade |
| 11 | CHRIS, Network of Committees for Human Rights Committees in Serbia, Valjevo Office | Hajduk Veljkova 61, 14000 Valjevo |
| 12 | CHRIS, Network of Committees for Human Rights Committees in Serbia, Negotin Office | JNA 1A, TC 1. sprat, lokali 39 i 40, 19300 Negotin |
| 13 | CHRIS, Network of Committees for Human Rights Committees in Serbia, Novi Pazar Office | 37. Sandžačke divizije 19/a, 36300 Novi Pazar |

| Type of service | e-mail | Phone number |
|---------------------------------------------------------------------------------------|------------------------------------|---------------------------------------------------------------|
| Protection and advancement of women's rights | alternativniczd@gmail.com | 00381 37 421 295 |
| Direct assistance for victims of human trafficking | astra@astra.rs, sos@astra.rs | 00381 11 785 0000, 00381 11 785 0001 |
| Protection of consumers' rights | apos@apos.org.rs | 00381 21 447 488, 00381 21 6622 895 |
| Emotional, psychological, and legal support to women victims | azc@azc.org.rs | 00381 11 266 2222, 00381 11 2656 178, 00381 11 2687 190 |
| Free legal aid, protection of human rights of refugees and displaced persons | office@bcm.org.rs | 00381 11 322 0987, 00381 11 322 3574 |
| General advice | evropski.ekoloski.centar@gmail.com | 00381 35 84 76 654 |
| Education, psychological and social support | zajedno@zajedno.org.rs | 00381 11 2421 221, 00381 63 335 027 |
| Promotion and protection of children and young people with developmental difficulties | office@velikimali.org | 00381 13 344 141, 00381 62 755 127 |
| Free legal aid, human rights protection | office@yucom.org.rs | 00381 11 33 44 235, 00381 11 33 444 25 |
| Support for lesbian human rights | labris@labris.org.rs | 00381 11 32 27 480 |
| Free legal aid, human rights protection | office.valjevo@chris-network.org | 00381 14 233 390, 00381 14 222 333 |
| Free legal aid, human rights protection | office.negotin@chris-network.org | 00381 19 541 955, 00381 19 541 956 |
| Free legal aid, human rights protection | office.novipazar@chris-network.org | 00381 20 313 270 |

| No | Name of the organization | Address and place |
|----|--------------------------------------------------------------------------------------|---------------------------------------------------------|
| 14 | CHRIS, Network of Committees for Human Rights Committees in Serbia, Bujanovac Office | Trg Karađorđa Petrovića 254/5, 17520 Bujanovac, |
| 15 | Novi Sad School of Journalism | Daničićeva 3, 21000 Novi Sad |
| 16 | Novi Sad Humanitarian Centre | Arse Teodorovića 3, 21000 Novi Sad |
| 17 | Committee for Human Rights Niš | Obrenovićeve bb, TPC Kalča, II sprat, L-B-39, 18000 Niš |
| 18 | Niš Law School Legal Clinic | Trg Kralja Aleksandra 11, 18000 Niš |
| 19 | Legal Clinics of Belgrade Union University Law School | Goce Delčeva 36, 11000 Belgrade |
| 20 | Praxis Belgrade | Alekse Nenadovića 7/3, 11000 Belgrade |
| 21 | Praxis Kraljevo | Heroja Maričića 70, 36000 Kraljevo |
| 22 | Bor Resource Centre | Kralja Petra I 14, 19210 Bor |
| 23 | People's Parliament | Đorđa Lešnjaka 7, 16000 Leskovac |
| 24 | Serbian Democratic Forum | Kraljice Marije 47/2, 11000 Belgrade |
| 25 | ADRA Foundation Serbia | Radoslava Grujića 4, 11000 Belgrade |
| 26 | Rekovac Municipal Administration | Svetozara Markovića 2, 35260 Rekovac |
| 27 | Urban Municipality of Čukarica | Šumadijski trg 2, 11000 Belgrade |
| 28 | Užice City Administration | Dimitrija Tucovića 52, 31000 Užice |
| 29 | Boljevac Municipal Administration | Kralja Aleksandra 24, 19370 Boljevac |

| Type of service | e-mail | Phone number |
|-------------------------------------------------------------------------------|------------------------------------|------------------------------------------------------------|
| Free legal aid, human rights protection | office.bujanovac@chris-network.org | 00381 17 651 793 |
| Advocacy | office@novinarska-skola.org.rs | 00381 21 424 246, 00381 21 424 344, 00381 21 423 206 |
| Free legal aid, psychological, social, and other support to vulnerable groups | nshc@eunet.rs | 00381 21 423 021, 00381 21 423 024 |
| Free legal aid, human rights protection | office@chrin.org.rs | 00381 18 526 232, 00381 18 526 233 |
| Protection of women's rights | klinika@prafak.ni.ac.rs | 00381 18 500 278 |
| Free legal aid (medical, family, labour, and child law) | info@pravnikafakultet.rs | 00381 11 20 95 501 |
| Assistance for refugees, internally displaced persons, returnees and the Roma | bgoffice@praxis.org.rs | 00381 11 344 44 82, 00381 11 344 44 84 |
| Assistance for refugees, internally displaced persons, returnees and the Roma | kvoffice@praxis.org.rs | 00381 36 312 658, 00381 36 312 659 |
| Free legal aid | office@rcbor.rs | 00381 30 456 640 |
| Free legal aid | office@parlament.org.rs | 0700 500 500, 00381 16 236 890 |
| Support for refugees from Croatia and Bosnia-Herzegovina | sdfbeograd@gmail.com | 00381 11 3820 250, 00381 11 3820 251 |
| Humanitarian aid, inclusion of vulnerable groups | office@adra.org.rs | 00381 11 344 26 25 , 00381 11 308 52 65 |
| Free legal aid | predsedniksorekovac@gmail.com | 00381 35 84 11 004 |
| Free legal aid | znedeljko@cukarica.rs | 00381 11 3052 111 |
| Free legal aid | uprava@uzice.ts | 00381 31 590 190 |
| Free legal aid | ouboljevac@open.telekom.rs | 00381 30 463 412, 00381 30 463 413 |

| No | Name of the organization | Address and place |
|----|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 30 | Žagubica Municipal Administration | Trg oslobođenja 1, 12320 Žagubica |
| 31 | Veliko Gradište Municipal Administration | Žitni trg 1, 12220 Veliko Gradište |
| 32 | Vlasotince Municipal Administration | Trg oslobođenja 12, 16210 Vlasotince |
| 33 | Žabalj Municipal Administration | Nikole Tesle 45, 21230 Žabalj |
| 34 | Lebane Municipal Administration | Cara Dušana 116, 16230 Lebane |
| 35 | Bajina Bašta Municipal Administration | Dušana Višića 28, 31250 Bajina Bašta |
| 36 | Bečej Municipal Administration | Trg oslobođenja 2, 21220 Bečej |
| 37 | Bojnik Municipal Administration | Trg Slobode 2–4, 16205 Bojnik |
| 38 | Ivanjica Municipal Administration | Venijamina Marinkovića 1, 32250 Ivanjica |
| 39 | Pirot Municipal Administration | Srpskih vladara 82, 18300 Pirot |
| 40 | Raška Municipal Administration | Predraga Vilimonovića 1, 36350 Raška |
| 41 | Ub Municipal Administration | 3. Oktobra 4, 14210 Ub |
| 42 | Municipal Administration of the Urban Municipality of Mladenovac | Janka Katića 6, 11400 Mladenovac |
| 43 | Urban Municipality of Surčin | Vojvođanska 79, 11271 Surčin |
| 44 | Urban Municipality of Zvezdara | Bulevar Kralja Aleksandra 77, III sprat, kanc. 308, 11000 Belgrade |
| 45 | Urban Municipality of Zvezdara, Office for Legal, Psychological and Social Assistance to Victims of Family Violence | Bulevar Kralja Aleksandra 77, I sprat, kanc. 104, 11000 Belgrade |
| 46 | Urban Municipality of Zvezdara, Office for Support to Persons with Disability | Dimitrija Tucovića 83, 11000 Belgrade |
| 47 | Urban Municipality of Vračar | Njegoševa 77, 11118 Belgrade |

| Type of service | e-mail | Phone number |
|----------------------------------------------------------------------------|-----------------------------------|------------------------------------------|
| Free legal aid | opstinazagubica@beotel.net | 00381 12 443 686 |
| Free legal aid | sovgradiste@ptt.rs | 00381 12 662 120 |
| Free legal aid | officeler@vlasotince.rs | 00381 16 875 122 |
| Free legal aid | sozabalj@eunet.rs | 00381 21 831 035 |
| Free legal aid | kabinet@lebane.org.rs | 00381 16 843 710 |
| Free legal aid | sobb@open.telekom.rs | 00381 31 865 280 |
| Free legal aid | becej@becej.rs | 00381 21 68 11 888 |
| Free legal aid | office@bojnik.org.rs | 00381 16 821 214 |
| Free legal aid | soivanjica@hotmail.com | 00381 32 664 760 |
| Free legal aid | kabinet@pirot.rs | 00381 10 305 532 |
| Free legal aid | office@raska.org.rs | 00381 36 736 281 |
| Information service | info@opstinaub.org.rs | 00381 14 411 622, 00381 14 411 260 |
| Free legal aid | info@mladenovac.rs | 00381 11 8241 600, 00381 11 8230 145, |
| Free legal aid | opstina@surcin | 00381 11 8442 111 |
| Free legal aid | dusica.kuzmanovic@zvezdara.org.rs | 00381 11 3405 791, 00381 11 3405 683 |
| Legal, psychological, and social assistance for victims of family violence | leila.ruzdic@zvezdara.org.rs | 00381 11 3405 989 |
| Legal aid for persons with disability | ivana.malikovic@zvezdara.org.rs | 00381 11 7822 547 |
| Free legal aid | sovracar@vracar.rs | 00381 11 30 81 442 |



Kingdom of the Netherlands



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra



SWEDEN



WORLD BANK GROUP