

I WANT TO ACT PRO SE

WHAT DO I DO NEXT?

I like America. If I were born in Kenya, I would walk to America in my bare feet, change my birth certificate, and do whatever Americans do to make a living. It's a Wonderful Country. George Bailey is a great American. Mr. Potter is a capitalist pig, and must be opposed in every manner. This is your roadmap. BTW, this is purely educational; I'm not an attorney; I don't give legal advice; your own affairs are your own business; blah, blah, blah...but call me anytime with any juicy gossip, we're all in this together.

DESCRIPTION	HOURS	COST	Y/N
Read The Bible	80	FREE	YES
Read Blackstone's Commentaries on English Law - 4 Books	80	\$ 16.00	YES
Congratulations! You now have completed the complete educational curriculum of an old-timey Harvard Lawyer, such as Oliver Wendell Holmes. And you are probably better educated than 50% of your counterparties. So you can probably win your case.			YES
Read some biographies of successful trial lawyers. Gerry Spence at least. The unsuccessful ones don't have biographies. They haven't read The Bible. They don't know who Blackstone is. Maybe they can fill out a LegalZoom form correctly, but probably not.	160	\$ 50.00	YES
Write up your case, in less than 30 pages. If it takes more, write more. Your initial complaint must fully describe all aspects of the issue. You cannot add to complaint as you go. You will supply evidence later in support of your claims.	10	\$ 1.00	YES
Write up your case, without all the fluff, in 10 pages or less. Double spaced, 14 point type, 1" margin, you might as well get used to it.	20	\$ 2.00	YES
Write up your case, in one page. Pretend you're selling a Toyota to one person. This is the forty-second car he's looked at. Why is a Toyota better than all the others? Why blue? It's 8:58 pm and you close at 9:00 pm. Be complete. You only need 30 seconds. Tell him he can drive the Toyota home, come back tomorrow and fill out the papers.	30	\$ 3.00	YES
Write up your case, in ten words maximum, for your craigslist ad. Your reader is looking at 3813 results, 50 per page. He's not going to read all 3813 results. Maybe he'll click on 9. Maybe he'll call you and ask for more information. Make sure he does.	48	\$ 4.00	YES
Put yourself in your adversary's position. What will he say to oppose your claim? Have you addressed his opposing viewpoint in your brief? He will not agree, he is being paid. Are his responses necessarily foolish?	10	\$ 1.00	YES
You have ten YES boxes checked. Now you have a bedrock legal education, and possibly you can persuade someone else to your viewpoint. Do you still want to do this?			YES
INTERMISSION - CLEAR YOUR MIND - VISIT georgegordon.org			

WHY DON'T YOU JUST PAY THE MONEY? IT'S CHEAPER.

DESCRIPTION	HOURS	COST	Y/N
Read The Constitution of the United States, and The Federalist Papers	4	FREE	YES
Read Federal Rules of Civil Procedure, rinse, and repeat.	4	\$ 10.00	YES
Read Federal Rules of Criminal Procedure, rinse, and repeat.	4	\$ 10.00	YES
Read Federal Rules of Bankruptcy Procedure, rinse, and repeat.	4	\$ 10.00	YES
Read Local Court Rules, rinse, and repeat.	4	\$ 10.00	YES
Research your case. Read successful and unsuccessful claims and learn from each.	200	\$ 100.00	YES
Research your judge. Read his written opinions. Are you asking for a judgment? Is a favorable judgment likely? Probably...NOT!	40	\$ 10.00	NO
ALTERNATIVE DISPUTE RESOLUTION CHECKLIST - You must make an honest and sincere effort to resolve your problem without tying up precious court resources. The court's time is very valuable and not to be wasted. Frivolous disagreements are for your KXAN investigator and the other talking heads, or the weather lady.			
Have you stated your problem to your opponent?	1	\$ 1.00	YES
Has your contact been acknowledged by a human?	1	\$ 1.00	YES
Is their offer unsatisfactory?	1	\$ 1.00	YES
Is there a regulatory agency designated for your problem? -DOJ, CFPB, SEC, MMC, Inspector General	1	\$ 1.00	YES
Have you filed your problem with them?	1	\$ 1.00	YES
Has your contact been acknowledged by a human?	1	\$ 1.00	YES
Is their offer unsatisfactory?	1	\$ 1.00	YES
Is there an administrative judge already appointed by a previous court order, such as a consent judgment, for problems such as yours?	1	\$ 1.00	YES
Have you stated your problem to that judge?	1	\$ 1.00	YES
Has your contact been acknowledged by a human?	1	\$ 1.00	YES
Is their offer unsatisfactory?	1	\$ 1.00	YES
Is there a legislative committee already researching and preparing remedial legislation for problems such as yours?	1	\$ 1.00	YES
Have you filed your problem with them?	1	\$ 1.00	YES
Has your contact been acknowledged by a human?	1	\$ 1.00	YES
Is their offer unsatisfactory?	1	\$ 1.00	YES

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FILE YOUR COMPLAINT - with the court by presenting it to the clerk, within business hours. Pay the filing fee, or petition to file In Forma Pauperis if you don't have any money. Your complaint will include a service page, needing only a court signature. The court will address any deficiencies of form before approval for service, and you will make any necessary changes. You will serve complaint on the defendant(s), to a person, such as a corporate officer, or designated legal counsel. Your defendant(s) will be required to file their answer within thirty days, or be put in jail. Or state why not.	1	\$ 500.00	YES
-or...you may be a defendant. You can expect that your plaintiff has done all the above. If not, ask 'Why Not?' in your response.	1	\$ 500.00	YES
NOW - Both parties have written their complaint and response out on a piece of paper, and in a new spirit of understanding, may reach an agreement without further ado. They will jointly prepare a consent judgment, which will be acknowledged by the court and become guidance and precedent for unknown future parties with similar disputes. Of course, each dispute has individual unique circumstances which may set it apart from precedent, and require adjudication on it's merits, for just dispensation.	1	\$ 1.00	YES
In absence of an agreement, a case will be docketed and set for trial before a judge. Get in line. Everyone will play by the rules, from here on. You have read the rules in Step One, n'est ce pas?	1	\$ 1.00	YES
You have decided to act pro se, on behalf of yourself, and are now authorized to represent your own interest in any proceeding, at any time, in any location. Don't complain about this later. You have sworn not to bear false witness or create unsubstantiated charges, and also not to conceal facts relevant to any aspect of the inquiry. Basically, Thou Shalt Not Lie, and Thou Shalt Not Steal, nor Tolerate Those Who Do. You are presenting yourself as qualified, of sound mind, and both able to understand complex issues and able to present complex issues. You're now accepted into the debating society. The court may accept your appearance, or may appoint counsel, usually working pro bono with fees paid by the court. The court may not deny justice for those who have no money. Didn't I say what a Great Country we live in? You will not base any future appeal on lack of qualified counsel. The court is not able to order payment of any kind beyond filing fees, which fees cover all costs of the court. If you do not prevail, the court may order you to pay costs incurred by your counterparty, due to your action, or the court may not. If you do prevail, the court may order your counterparty to recompense your costs, or the court may not.	1	\$ 1.00	YES
DEMAND A JURY - Juries are not bound by precedent. Juries don't publish opinions. Tell your story to a jury. Ask for their decision and judgment. This is your bedrock right, in America. There are no other rules.	100	\$ 0.00	YES

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DESCRIPTION	HOURS	COST	Y/N
You will need a library. ACFE has a nice library in downtown Austin. I keep all my books in electronic form on my kindle, my i-pad and my other little computers. You will need a computer and a printer, and a connection. Sometimes I go to work at the yogurt place, which has a nice high speed connection. Everything after your first complaint will be e-filed as a .pdf file. The court will authorize your subscription to PACER. PACER doesn't take PayPal. Take the tutorial for each court you practice in; it's an antique JAVA system and each court has it's own idiosyncrasies. You can read your counterparty's filings twice for free, then pay ten cents per page. Save it the first time. There are millions of documents on PACER to serve as templates. GOOGLE is free. Google everything. Cut and paste. Save everything. Whatever you write, someone will object. Don't take offense. FUGGEDABOUTIT!	1000	\$ 1,000.00	YES
PRE-TRIAL			
Discovery - Rule 26	1	\$ 1.00	YES
You must find people who support your claim by their own experience. If you read about it in the WSJ, it's not evidence. You must interview (depose) that person, who talked to the WSJ reporter. While you are deposing your witness, your counterparty must have the same opportunity of deposition, at the same time. If your witness prefers not to be deposed, you can ask the judge to subpoena him or her. You must leave no stone unturned in seeking justice, as an agent of the court. Maybe there are several hundred people. You may depose them all. There is no rush. Or you may ask that a Class be certified, and save some time. Certification of Class is a separate proceeding, like an intermission.	100	\$ 1,000.00	YES
DEPOSITIONS are a way to obtain testimony from a person equivalent to his appearance in court as a witness, without the inconvenience of a court appearance at an indefinite time in the future, for an unknown duration. A person can be deposed by arrangement, with all the protections he would otherwise have in court. He has a right to his own counsel. Opposing counsel have rights to be present and protect the interests of their own client. You have the right to interrogate the person concerning any of his relevant knowledge. A court reporter will preserve the information thus obtained and protect the record for presentation of all or part to a jury. Possibly the eight hours of deposition can be reduced to a sworn statement, agreed by all, that can be stipulated and entered into the proceedings and save everyone valuable time. Someone pays the cost immediately or in the future.	1	\$ 1,000.00	YES

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DESCRIPTION	HOURS	COST	Y/N
You or your counterparties may have business records, or possibly ELECTRONICALLY STORED INFORMATION. You must inquire (file interrogatory) to discover such information, in it's raw form, and depose the custodians of that information. Possibly, you may obtain a warrant of the court, send a marshal to the business or record storage facility, and seize the records for examination. You must make an effort not to interfere with the business in process, maybe even work Sunday to make a forensic copy. The forensic copy will be maintained in the care of the marshal, and provided for examination by either party as arranged. When both parties are happy, the information , or digested information, may be stipulated (agreed by both parties) and offered in evidence. The information may be contested by one party, and offered in evidence with that qualification. The jury is able to determine the facts, to the best of their ability.	200	\$ 10,000.00	YES
EXPERT WITNESSES Possibly you know of an expert witness, with special knowledge, training or expertise concerning the matters in dispute. (S)He must be identified and offered to your opponents for examination. (S)He may appear in court, or merely send a sworn statement. Maybe (s)he wants money. Any reasonable fee must be disclosed, and someone must pay, now or later.	1	\$ 10,000.00	YES
Your son knows how rockets work, and all the key safety features to be observed so he doesn't get burned or damage something downrange. Werner von Braun knows a little more about escape velocities, and how a slide rule works. Alfred Nobel (unfortunately deceased) knows a little more about solid explosive design, manufacture, and use. He gives out prizes. Richard Feynman knows a little more about how o-rings work. And how they don't. Maybe there is someone with specialized knowledge, training, or relevant experience who is able to share valuable information with the jury to aid their judgment, though he is totally ignorant of your particular circumstances. He can appear, give a deposition, or supply a sworn statement. Find (s)him. Pay (s)him.	1	\$ 10,000.00	YES
In the course of discovery, you may find it necessary to amend your COMPLAINT, or amend your RESPONSE. Do it. Immediately. Don't waste time.	1	\$ 1.00	YES
In the course of discovery, you may reach an AGREEMENT and require no further time in Court. Write this AGREEMENT down, both parties sign, submit it to the judge, apologize for wasting everyone's valuable time, and have the case dismissed. This AGREEMENT is complete. This case cannot be reopened if you change your mind. Under Common Law, your AGREEMENT becomes precedent for others, and guidance for future similar disputes.	1	\$ 1.00	YES

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In the course of discovery, you will probably encounter conflict. Each individual issue must be referred to the judge for resolution by Motion, and Reply. The judge will write an Order, addressing that one individual conflict. This will not be a Judgment, just an instruction about how the conflict must be fairly resolved, for presentation to the jury. Or sometimes the judge will resolve the conflict by entering a judgment, and decide the case. in order to clear his docket. Everyone must be careful not to commit an error, or there may be an appeal to a higher court. Errors are not tolerated.	100	\$ 100.00	YES
TRIAL			
The judge has now called a random panel of citizens for a selection of 12 to serve on a jury, hear a fair and balanced presentation of the facts and issues, and render a true verdict. There have been many motions and replies up to this point that this is not required, the facts and issues are clear, and this is a complete waste of everyone's valuable time. Nevertheless, the two parties continue to have differing views. There can be only one. In a criminal trial, the verdict must be unanimous, or the case will be dismissed. In a civil trial, merely about worldly things, a majority of the jury may render a verdict, and the judge will order implementation. You have the right to examine each juror, and satisfy yourself that the juror is honest and impartial, and has no personal agenda or conflict of interest in the case at hand, or ask the judge to excuse him from service. The judge's role is to ensure a fair and complete exposition of facts and issues in conflict. The juror's role is to listen, confer with his associates, and render a true verdict.	12	\$ 12.00	YES
Motion to Dismiss, for Good Cause.Think something up.	1	\$ 1.00	YES
LET'S MAKE A DEAL! This is crazy!	1	\$ 1.00	YES
Opening statement - Tell your story to the Jury. Try not to put them to sleep. The jurors have already decided. They might change their mind.	1	\$ 10.00	YES
Presentation - All evidence must be filed as Exhibits two weeks prior to presentation and accepted by the judge. Either party may protest, and communicate their concern to the jury. Read the rules.	1	\$ 100.00	YES
Closing - Now the presentation is complete; the jury knows All Things Necessary, and is excused to Deliberate.	1	\$ 10.00	YES
Motion to Dismiss, for Good Cause.Think something up.	1	\$ 1.00	YES
LET'S MAKE A DEAL! This is crazy!	1	\$ 1.00	YES

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JUDGMENT - The jury now returns from deliberation and issues it's verdict and recommendations to the Judge. The judge issues orders in accord with jury verdict. The case is now precedent and a matter of common law for future disputes. Justice has advanced, in step with the times.	1	\$ 1.00	YES
BUT WAIT! THEY MADE A MISTAKE! JE M'APPELLE! Please don't kill me, or take my money! That one juror was asleep almost the whole time!	1	\$ 1.00	YES
APPEAL - Describe the mistake to a higher court. They'll consider the situation. Maybe your problem is unique, or addresses a timely social issue of common interest. No new evidence, facts, or issues may be raised. A true verdict cannot be changed. Discussion is limited to the specific mistake Justice has made in the lower, less experienced and less knowledgeable court. The Court of Appeals will remedy the problem. Read the Rules. They are different now.	1	\$ 1,000.00	YES
Millions for Defense, but Not One Cent for Tribute.' - Robert Goodloe Harper, The Last Diplomat		\$ (0.01)	NO

LIVE LONG AND PROSPER. And above all, **'DON'T PANIC!'**

It's unprofessional.

For Truth, Justice, and America,

/s/ David McCrae, pro se