



United States District Court
Southern District of New York

Frequently Asked Questions: APPEARING PRO SE

These questions are intended to address common questions that arise regarding the experience of appearing in court without a lawyer. The statements in this guide do not constitute legal advice and may not be cited as legal authority. This document does not take the place of the Federal Rules of Civil Procedure, this court's Local Civil Rules, or the individual rules of practice and orders of the judges of this court. Parties consulting this document remain responsible for complying with all applicable rules of procedure.

What does it mean to appear “pro se”?

Pro se is a Latin term meaning “on one’s own behalf.” In the court system “to appear pro se” means that a litigant does not have an attorney.

I cannot afford a lawyer. How can I obtain legal advice and/or representation?

The City Bar Justice Center runs a clinic called the Federal Pro Se Legal Assistance Project. The Clinic provides free, limited-scope legal services to plaintiffs and defendants with civil cases in the U.S. District Court for the Southern and the Eastern Districts of New York who cannot afford to hire an attorney. The City Bar Justice Center, which is not part of or run by the court, assists litigants with federal civil cases including cases involving civil rights, employment discrimination, and disability discrimination. Litigants in need of legal assistance should complete the City Bar Justice Center’s [intake form](#) to make an appointment. If a litigant has questions about the intake form or needs to highlight an urgent deadline already disclosed in the form, the clinic can be contacted by phone (212-382-4794) or email fedprosdny@nycbar.org.

If you would like to request that the court appoint pro bono counsel for in-court representation, you must [make a request](#) to the presiding judge. The application for the appointment of counsel requires you to show that you cannot afford attorney

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fees and that your case presents certain complexities, legal or practical, that prevent you from litigating pro se.

Can I initiate criminal charges against someone?

No. A plaintiff cannot direct prosecuting attorneys or the court to initiate a criminal proceeding against someone because prosecutors possess discretionary authority to bring criminal actions.

My corporation has been sued, can I file papers in court on behalf of the corporation?

In general, a pro se litigant cannot bring a case on behalf of a corporation and cannot defend a corporation. There are exceptions, however. Please consult with the [City Bar Justice Center](#).

Can I bring a case on behalf of my child?

It depends. Generally, as a pro se litigant, you may not file a case on behalf of another person. There are some exceptions for a parent, however. For example, a parent can file an appeal of a Social Security Administration's decision regarding a child's benefits or file a case brought under the Individuals with Disabilities Education Act (IDEA).

I am a pro se defendant. What do I need to know?

If you have been served with a complaint and are named as a defendant, and you do not have a lawyer, you will need to respond to the Complaint. You can either file an Answer or a Motion to Dismiss the Complaint. If you plan to file an Answer, you will have 21 days after you are served with the summons and complaint.

Please refer to [How to File an Answer](#) for more information. If you plan to file a Motion to Dismiss, you must do so before filing an Answer. Please refer to the [Federal Rule of Civil Procedure 12\(b\)\(6\)](#), the [Motions Guide](#), and the presiding judge's individual rules for procedural requirements.

If you need an extension of time to file a motion, you must review the judge's rules and speak with the plaintiff's counsel, or the plaintiff, if proceeding pro se.



If you proceed without an attorney, you must file a [Notice of Pro Se Appearance](#). This will ensure that the court understands you are proceeding without representation and that you receive all necessary information. If you do not file this notice, the court will not have your address, and you will not receive court filings. If you would prefer to participate in your case entirely electronically, you must file a [Motion for Permission for Electronic Case Filing](#). If you wish to receive documents electronically, you must file a [Consent to Electronic Service](#).