

Legal Advice- Legal Information Guidelines Task Force

Providing access is Goal One in *Good to Great, the Strategic Agenda for Arizona's Courts.*

- The Legal Advice-Legal Information Guidelines Task Force was established by Administrative Order on May 3, 2006.
- The Task Force has been ordered to develop and implement ways to assist self-representing litigants.

MISSION:

- Develop standards adopting authoritative distinctions between legal information and legal advice for guidance of court staff.
- Develop useful guidelines and written policies
- Publish, post, and disseminate these guidelines and policies in appropriate areas.
- Recommend and develop training programs that instruct court staff in the skills needed to effectively provide information and access to courts and to distinguish between legal advice and legal information.

Task One:

The Task Force

- reviewed and evaluated materials and information gathered from the thirty states that have guidelines or policy statements.
- reviewed articles by experts in the field.
- reviewed training materials used in Arizona.

TASK TWO:

- The Task Force divided itself into three work groups, each with a specific task:
 - Creating Guidelines
 - Developing helpful questions and responses
 - Recommending implementation methods

Roles/Responsibilities of Court Personnel

- To provide access to the courts
- To provide customer service
- To provide accurate information
- **Reminder:** *It is not up to the Court to determine who needs information. It is the Court's responsibility to provide appropriate assistance to ANYONE who requires it.*

What is legal advice?

Any written or oral statement that

- interprets the law or recommends a specific course of litigant conduct in an actual or potential legal proceeding,
- applies the law to the litigant's specific factual circumstances, or
- requires the court personnel to have knowledge of the law and legal principles beyond familiarity of court rules, procedures.

Why not give legal advice?

- Remain Neutral
- Be Impartial
- Do not engage in the unauthorized practice of law

Great Court Customer Service: Strategies for Answering Difficult Questions

- Listen closely
- Ask questions
- Be patient
- Explain your answers and reasons
- Be culturally competent

Great Court Customer Service: Strategies for Answering Difficult Questions

- Do not hide behind the phrase “I can’t give legal advice.”
- Offer options to court customers
- Remember to say “Thank You”

*Helping make the court customer friendly
helps the court-customer relationship*

Objectives for Guidelines

- Understand the difference between legal information and legal advice.
- Learn techniques for answering difficult questions accurately and ethically.

RECOMMENDATIONS

- Approve the Signage and Order it to be prominently displayed at court service counters, self-service centers, and law libraries open to the public.

RECOMMENDATIONS

- Require that a legal advice-legal information component be included in new employee orientation, and require that a review program be available for training.

Coming Events

- Web access: intranet for court personnel.
- Web access: internet for consumers