

# 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 Guidelines and incorporate them into the Court's Code of Conduct for Court Staff.

# 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

- Approve the manual that includes policy, guidelines, glossary of common terms, and question and response handbook and assure that it is included with court staff training.

# 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.

# RECOMMENDATIONS

- Make the manual, glossary, and questions and helpful response handbook, as well as interactive review modules available for court staff on the intranet.

# Coming Events

- Broadcast – March 27, 2007
- Training Opportunity at Judicial Staff Conference – April 2007

# Coming Events

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