

Superior Court of California  
County of San Luis Obispo



**SELF-HELP CENTER  
FAMILY LAW FACILITATOR  
OFFICE**

**INSTRUCTION MANUAL  
FOR INTERNS &  
VOLUNTEERS**

**WELCOME  
TO THE SELF-HELP CENTER / FAMILY LAW  
FACILITATOR OFFICE  
&  
THANK YOU FOR VOLUNTEERING  
YOUR TIME AND TALENTS**

Thank you for agreeing to help provide services to self-represented litigants at the Self-Help Center / Family Law Facilitator Office (Center). This manual should help to explain our policies and procedures, and will hopefully answer many of the questions you might have about working at the Center.

Our ability to assist the public is greatly enhanced by the participation of student interns and volunteers. We know you have busy schedules, and many demands for your time. We sincerely appreciate your willingness to share your time and talents with us and with the public we serve.

Alicia Valdez Wright  
Family Law Facilitator

## TABLE OF CONTENTS

1. Basic Rules for Working in the Center. ....	4
2. Check-In & Triage Guide .....	8
3. How to Provide Neutral Legal Information .....	15

### List of Important Documents:

1. Legal Resource List
2. Customer Complaint Resolution Procedures
3. Guidelines Regarding Children
4. Rules of Conduct
5. Protocols Re: Assisting SRL Only
6. Referral Protocols
7. List of Videos
8. Emergency Evacuation Plan

## **BASIC RULES FOR WORKING IN THE CENTER**

1. **Do not solicit business from people using the Center.** Volunteers in the Center may be asked for business cards from those whom they are assisting. It is vital that you do not give people your business card or refer them to your office while in the Center. You are also prohibited from referring people to any other private business or enterprise, but we do make referrals to other government entities and non-profit programs. We can refer people to the Lawyer Referral and Information Service, or other non-profit legal services organizations, but not to private attorneys or firms.

2. **Do make sure everyone signs a disclosure intake form before you assist them.** The intake form has important disclosures about the type of services we provide. Those seeking assistance must sign the disclosure statement. The Center cannot provide information or assistance on their case without a signed disclosure statement. Other information on the intake form is optional, although we encourage people to complete the form to gather statistics that will assist in securing future funding for our program.

The income information is requested so we can justify to the private bar that we are not taking away lawyers' clients. Most of the people we see in the Center cannot afford an attorney, although anyone seeking assistance may be helped regardless of his or her income. By providing income information, we are able to prove to private attorneys that we are not taking their clients from them. Often when the public understands the reason for requesting this information, they are more than willing to provide it.

If the person is illiterate or does not speak English make sure the disclosure statement is fully translated and explained to the person before he or she signs the intake form. The person translating should add near the signature, "translated by" and include his or her name. For those who are Spanish speaking, we have intake forms in Spanish.

3. **Do request each person who has received help to complete an evaluation form.** One month per year, we ask persons to evaluate our services so we know how we can improve the Center. We have Customer Exit Survey forms in Spanish and English. Sometimes people will be rushing to file a Response in a Dissolution of Marriage case, or have to meet some other filing deadline. In these cases, it is more important that they get to the clerk's office in time, than complete an evaluation form. We should ask them to come back after filing their papers and complete an evaluation form, but we should never delay people from meeting a filing deadline by insisting they complete an evaluation form first.

4. **Do not make estimates about the outcome of motions or other matters pending before the court.** Many times people will ask what their chance of prevailing on a motion may be, or they might ask about the other side's chances of prevailing. We should never estimate the chances for failure or success. We can explain what the court requires to grant, for example, a motion for relief from default, or a motion for summary judgment, but we cannot state what the

likely outcome will be. Doing so goes beyond providing legal information, but borders on advocacy which is solely within the realm of private legal counsel.

5. **Do not gossip or discuss what you may know about a person or case with people using the Center.** You may personally know someone involved in a case, or may be asked personal questions by people using the Center about others involved in their case. Do not discuss or share your personal knowledge of other people or their cases with members of the public who use the Center. It compromises the court's impartiality, and detracts from the professionalism of the Center.

6. **Do not be afraid to tell people you do not know the answer.** Often we will be asked questions for which we do not know the answer. It is best to be honest with people and tell them we do not know. We should, however, try to find out the answer. Sometimes we can call a court clerk, or another agency, to get the answer while the person waits. Other times we will have to wait until someone gets back to us before we can get the information we need. Still other times we might have to research the answer ourselves. In cases such as these, it is permissible to write the person's telephone number on his or her intake form, and to get back to him or her by telephone after we have located the necessary information.

7. **Do make sure you are referring the person to the correct place before sending him or her there.** There is nothing worse than being shuffled from one place to another. We should not be adding to people's frustration by sending them to the wrong place. Make sure you understand what the person needs, or where they have to go, before sending them someplace else. Sometimes it is best to call the referred agency or department to make sure it can accommodate the person before sending him or her there.

8. **The Center has walk-in and in-person appointments. Do not provide information by telephone.** We are not equipped to provide information, other than location and what we do, over the phone. It is necessary for people to read and sign the disclosure statement on the intake forms in the Center before we discuss their case with them so they understand that we are not providing confidential consultations or legal advice.

The Center is set up as a walk-in or in-person appointment center and in order to serve persons coming in the door, we cannot stay on the phone. Also, it is important to see what papers people have been served with in order to know the type of response they need to file. Often people give inaccurate descriptions over the phone, which can result in us giving incorrect information. It is important to look at a person's papers before determining which forms they need to obtain.

There will be occasions when someone calls in from out of state needing information about a pending case. Coming into the Center is not an option for a person who resides a long distance away. Use your discretion in answering questions, and be sure to emphasize that you cannot guarantee the accuracy of the information you are providing because you have not seen the papers. You might say: "If such and such happened, then you can do such and such," always prefacing the information you provide with "if."

9. **Do dress appropriately.** You are representing the courts, and should dress in a professional manner. We want people to know how to appear in court, so we should set an example by the clothes we wear. Volunteers should adhere to the Personnel Policies and Procedures **POLICY 18 – PERSONAL APPEARANCE:**

Maintaining a professional appearance reflects positively on the Court and its employees. Consideration for appropriate work attire, grooming and cleanliness standards contribute to the morale of all employees and affect the business image the Court presents to customers. Toward this end, it is the policy of the Court that each employee's dress and grooming should be appropriate to a Court setting and to his or her work situation.

- Hair should be clean and well-maintained in a style appropriate to a Court setting.
- Facial hair should be freshly shaved; mustache or beard should be neatly trimmed.
- Fingernails should be neat, clean and trimmed.
- Employees should not offend others with either bad breath or body odor.
- Make-up should be used sparingly and be natural looking.
- Moderation should be exercised in the use of personal fragrances and perfumes; one's scent should not linger after one leaves.
- The Court prefers that employees have no visible tattoos or body piercings, with the exception of pierced ears. However, the Court recognizes that subtle tattoos and piercings have become increasingly acceptable in the workplace, and will allow limited tattoos and piercings, as long as they are not so bold as to be unprofessional.
- Clothing should be clean, neat and properly fitted.
- Footwear should be functional, clean and in good repair.

#### **Appropriate Attire for Male Employees**

All men who might be required to enter a courtroom while court is in session should wear slacks with a dress shirt and tie. A suit or sport coat is appropriate but not required. Men who work outside the courtroom should wear slacks and a dress shirt, and are encouraged but not required to wear a tie. Dress shoes and socks are appropriate footwear.

#### **Appropriate Attire for Female Employees**

The following are appropriate: dresses, slacks or skirts; suits (jacket and skirt or slacks); culottes (cut full to resemble skirts); dress shirts, blouses, sweaters; appropriate leg covering.

#### **Inappropriate Attire**

Inappropriate attire includes but is not limited to the following:

- Casual clothing – jeans, warm-up suits (jogging or sweat suits), shorts, T-shirts, tank tops, strapless dresses or tops, sandals or flip-flops (thongs or beach sandals).
- Short dresses or skirts (mid-thigh or higher).
- Hats or caps of any kind, other than those with religious or cultural significance.
- See-through clothing of any type.
- Spaghetti strap or strapless tops, halters, tube tops, low-cut blouses
- Very tight or revealing clothing exposing the midriff, chest or thighs
- Clothing with logos or slogans (except the Superior Court patch or small name-brand logos such as the Nike "swoosh").
- Shoes with extremely high heels.

#### **Casual Business Attire**

Except for employees who will be working in a courtroom, casual business attire is allowed on Fridays.

Casual business attire must still be professional and reflect positively on the Court. Jeans and tennis shoes are allowed if clean and in good condition.

Employees who are outside the public's view engaged in physical activities (moving files, equipment, furniture, etc.) may dress casually during those periods of time. However, extremely casual attire such as shorts, beach sandals or flip-flops, and ragged jeans and/or t-shirts may not be worn at any time. With prior approval of their supervisor, employees working in off-site file storage areas which are not air conditioned may be allowed to wear shorts during periods of high temperatures.

### **Enforcement**

Any employee reporting to work improperly dressed or groomed may be sent home by their supervisor to change clothing, and will not be on paid work time until back at work in proper attire. In such a situation, the employee will be required to use paid leave time, if available, for the time missed.

10. **Do treat everyone with respect.** Many of the people coming to the Center will be irritable and frustrated because they have already been to different agencies or departments and did not receive the information they needed. Others will be frustrated because they discover they are unable to accomplish what they are trying to do. Even though we may not be able to tell people what they want to hear, we can always treat people with respect.

Sometimes people have disabilities that make it difficult for them to speak, or be understood. It may take time to listen to them before you will understand what they are trying to say. Try to be patient, and let people express themselves; however you can help direct the conversation by asking key questions so the person will be able to get to the point, and provide the information you need to assist him or her.

11. **Do let us know when you are available and unavailable to work.** We certainly appreciate any time you can give us. However, we do request that you schedule the hours you will work in advance, and that you notify us if you will be unavailable during any time you have already committed to work. This way we can try to schedule full coverage for the Center at all times.

12. **Do not allow food or drink in the Center.** If we are to maintain cleanliness and quality of the materials, we need to keep people from eating or drinking in the Center. We can direct people to the cafeteria, and ask them to finish their food or drink before using the Center.

13. **Do keep an eye on the materials so as to minimize theft.** Unfortunately we have experienced theft of some of our materials. Maybe people take things inadvertently, and then are afraid to return them, or maybe they take things intentionally. In either event, we need to watch people in the Center to make sure they return materials to the shelves. Those materials that have already been stolen once and have had to be replaced may be secured where staff sits.

14. **Do ask people to control their children.** Children often get restless in the Center and can easily damage equipment and materials if they are not supervised. If someone in the Center has a child who is disruptive, we should ask them to keep their child quiet and controlled or come back when they have someone to watch their child.

## **Check-In & Triage Guide**

All customers of the Self-Help Legal Center are first triaged to determine their needs and whether we will be able to assist them. The goal of Triage is to allow all customers to speak to a staff person as quickly as possible upon arriving at the Self-Help Legal Center in order to reduce or eliminate unnecessary wait times. The triage staff person should be sure that each customer has placed their name on the sign-in sheet along with a brief statement as to the reason they need help, in addition to providing them with a copy of the survey and disclosure form to complete. Once the sign-in sheet is complete, the triage staff person will spend approximately 2-3 minutes speaking to the customer to determine whether the Center is able to assist him/her. The customer will be given any appropriate reading material including instructions and sample forms to review while waiting to be seen by a staff person.

### **Preparation:**

At the end of each, check that there are a sufficient number of Sign-In Sheets and Disclosure Forms. If copies are needed, make them before the “doors open” at 8:30 a.m. the next clinic day.

At the end of each session, the sign-in sheet along with the Spanish and English disclosure forms should be put away in a designated area.

### **First Customer Contact:**

When a customer first approaches the Center, the triage staff person reviews the sign-in sheet to confirm that the customer’s name and reason for coming is printed on the sign-in sheet. If the customer does not indicate what s/he needs help with or it is clear that s/he needs help in an area outside our scope, then the triage staff person should ask the following:

### **What do you need help with today?**

A one or two word answer is sufficient at this point and should be noted on the sign-in sheet. At this point, there may be some customers that are clearly in the wrong place, e.g. they need help with a criminal DUI case or need a copy of their marriage certificate. These customers should not complete a survey or disclosure form and should be told that they are in the wrong place as quickly as possible and directed to the correct agency or location. If the triage staff person is uncertain about whether the Center can assist, then a survey and disclosure form should be completed and a supervisor should be consulted as soon as possible.



## **Second Customer Contact:**

Once all the customers have signed in and have been given a survey and disclosure form then it is time for the second round of screening questions. If the customer is in need of a service that is provided in the Self-Help Legal Center, ask the following questions to determine whether we are able to assist them:

1. What do you need help with today?
2. Do you have an attorney assisting you at this time?
3. Do you have a case in San Luis Obispo County?

## **What are you trying to do today?**

Due to funding and staff limitations, not all court customers can be assisted in the Self-Help Legal Center. It is the primary duty of the staff person conducting triage to re-direct those customers we are not able to assist. This determination is made based upon the issue the customer is seeking to address.

The following is a quick reference list of the legal issues that we can and cannot assist with.

- Annulment
- Arrears
- Birth Certificates
- Child Abduction or Concealment
- Child Custody
- Child Support
- Contempt
- Dissolution of Marriage or Domestic Partnership (Divorce)
- Domestic Violence Restraining Order
- Driver License Reinstatement
- Entry of Judgment
- Ex Parte / Emergency Hearing
- Financial Disclosures
- Genetic/Paternity Testing
- Grandparent Visitation
- Guardianship
- Income & Expense Declaration
- Joinder
- Judgment Preparation
- Legal Separation
- Name Change
- Nullity
- Order Preparation
- Pension Joinder
- Petition for Custody and Support of Minor Children
- Property Division
- Publication
- Responding to Papers Served Service of Process
- Spousal Support
- Stipulations
- Summary Dissolution
- Support Arrears
- Uniform Parentage Act
- Visitation
- Wage Assignments

The following is a quick reference list of the legal issues we cannot assist with:

- Adoption
- Bank Levy
- Conservatorship
- Criminal
- Dependency (Juvenile/CPS)
- Discovery (subpoenas, interrogatories, and production of documents)
- Elder Abuse
- Emancipation
- Enforcement of Orders
- Estate Planning
- Eviction/Unlawful Detainer
- Termination of Parental Rights
- Representation

### **Do you have an attorney assisting you at this time?**

The Center is prohibited from assisting customers who have hired attorneys to represent them. If a customer has an attorney assisting them then we must know whether the attorney is an attorney of record, meaning that the attorney has signed on to represent the customer in the case. If the customer needs help firing the attorney then we can help otherwise we need to send the customer back to the attorney of record.

### **Do you have a case in San Luis Obispo County?**

It is always a good start to find out if the customer has an existing case or needs to start a brand new case. If the customer states that a case is open in SLO County then find out if s/he has the case number and/or any copies of court documents related to that case. If the customer states that there is no case in SLO County, it is helpful to know if there is a case in another County or State. Sometimes, the customer will have to go back to the County or State where the case was file to obtain court orders.

### **Instruction and Sample Form Packets**

Once you have established that we can assist the customer, you will need to determine if we have an instruction and sample form packet that we can give the customer to review while they are waiting. You may need to ask additional questions before the correct packet can be determined. The following questions may sometimes be helpful:

- Do you need help starting a case or has one already been filed?
- Did you start the case (Petitioner)?
- Do you need help responding to something you were served with?
- Do you need help obtaining some temporary orders or modifying existing orders?

- Do you need help figuring out what the next step is?

The following is a list of the packets we most commonly give out to customers at this stage:

**Disso 1:** This packet is given to customers who want to start a case and have not yet started a divorce, legal separation or nullity case in this County or any County or State. Please note that in order to request a divorce in this County, one of the parties must have lived in this County for the last 3 months and in the State of California for the last 6 months.

**Response to Disso 1:** This packet is given to Respondents who need to file a Response to the Petition filed by the Petitioner. The Respondent may file a Response so long as 30 days have not passed from the date of service or if the 30 days have passed so long as the Petitioner has not filed a Request to Enter Default (FL-165). If 30 days have passed from the date of service then while the customer is waiting to be called s/he should check their court file at the Clerk's Office to determine whether default has been entered, i.e. FL-165 filed.

**Disso 2 Petitioner:** This packet is given to Petitioners who have filed a divorce, legal separation or nullity case and have not completed their financial disclosures. We generally call this the second step.

**Disso 2 Respondent:** This packet is given to Respondents who have not completed their financial disclosures and want to proceed to trial (Response previously filed) or by agreement of both parties. We generally call this the second step.

**Disso 3 Default No Hearing (No Kids & No Property):** This packet is given to a Petitioner who did not list any minor children or property in the Petition for divorce, legal separation or nullity that was filed with the Court in this County and no Response was filed and 30 days have passed from the date that the Respondent was properly served. In this instance, it will be helpful for the Petitioner/customer to have a copy of their Petition (FL-100) and Proof of Service of Summons (FL-115). If the customer does not have these documents please direct him/her to the Clerk's Office to obtain copies while they wait to be called.

**Disso 3 Default Hearing (Kids and/or Property):** This packet is given to a Petitioner who listed minor children and/or property on the divorce, legal

separation or nullity Petition that was filed with the Court in this County and 30 days have passed from the date that the Respondent was properly served. This packet should only be provided if no Response was filed and the customer has completed Disso 1 and Disso 2, i.e. step 1 and step 2. It will be helpful for the Petitioner/customer to have a copy of their Petition (FL-100), Proof of Service of Summons (FL-115), Declaration of Disclosure (FL-141) and Income and Expense Declaration (FL-150). If the customer does not have these documents please direct him/her to the Clerk's Office to obtain copies while they wait to be called.

**Disso 3 Trial:** This packet is given to either a Petitioner or Respondent who wants to finalize their divorce when a Response (FL-120) was filed by the Respondent and there is no agreement between the parties and the party has completed his/her Step 2 financial disclosure documents and attended the parenting class if there are minor children of the relationship.

**Paternity 1:** This packet is given to parents who are not married who want to obtain custody, visitation or child support orders and there is no case open with the Department of Child Support Services in San Luis Obispo County, i.e. there is no FS case filed in San Luis Obispo County. Sometimes a parent will not know if a DCSS court case is opened. In those instances, you may want to ask whether there is a court order that requires him/her to pay child support or whether a case was ever filed requesting that s/he pay child support. If yes, then there is a court order and the customer should be instructed to obtain a copy of their child support order from the Clerk's Office while s/he is waiting to be called.

**Petition for Custody and Support:** This packet is given to 2 types of people. (1) Married person who only wants custody and support orders regarding their children of the marriage, i.e. does not want a divorce, legal separation or nullity and does not want orders regarding division of assets and debts or spousal support. The second most common reason we give out this packet is to an unmarried parent who signed a Voluntary Declaration of Paternity at a California hospital after 1996. The signing of the Voluntary Declaration of Paternity after 1996 creates a legal relationship between the father and the child and therefore there should be no issue of who the legal father is, i.e. Paternity. If there is a question as to who the legal father is, please consult with Center staff.

**OSC Custody/Visitation:** This packet is given to a party who has a family law case filed and wants to establish temporary orders for custody/visitation or modify

existing orders for custody/visitation in a divorce, legal separation, nullity, domestic violence prevention act (DVPA), paternity or petition for custody and support case. See below if there is a DCSS case filed.

**OSC Custody/Visitation CP:** This packet is given to a custodial parent who only has a DCSS child support case filed and wants to establish temporary orders for custody/visitation or modify existing orders for custody/visitation.

**OSC Custody/Visitation NCP:** This packet is given to a non-custodial parent who only has a DCSS child support case filed and wants to establish temporary orders for custody/visitation or modify existing orders for custody/visitation.

### **III. Procedure for viewing videotapes.**

We have one video station. Only one video may be given to each viewer at a time. You should be familiar with the list of videos we have available and remember to offer their viewing to customers who might be interested.

### **IV. How people can use the materials in the SHLA Center.**

Most of the materials in the Center cannot be removed. The only materials we can give people to take with them are brochures that are provided to us in bulk, free of charge, or brochures that the court generates for public distribution. State Bar pamphlets and brochures generally cannot be removed from the Center, since we have limited copies. If you have any questions about what can be distributed to those using the Center, check with the Center staff.

### **V. Referring people to other community resources.**

We can refer people to other community resources. The Lawyer Referral & Information Service (“LRIS”) is a program that will benefit many people who need some legal guidance, but cannot afford to hire an attorney to handle an entire case. The LRIS charges a nominal administrative fee for a thirty-minute consultation with an attorney in a specified field. If the attorney is hired for services or consultation beyond the initial thirty minutes, the client must pay his or her regular hourly rate. It is important to stress when referring people to the LRIS that they tell the receptionist what type of lawyer they need. We need to remind people that many lawyers practice in limited fields, and a lawyer who does divorces, for

example, may not know what to do about a boundary dispute between two neighbors.

We have brochures to distribute on the LRIS and we also have court generated Legal Resource List to distribute on free and low cost legal services.

For other county agencies, use the directory on local non-profit and social service agencies, or any of the many resource guides we keep in the center. When we refer someone to another agency, we need to note at the bottom of the intake form where we referred him or her.

## **VI. Public education.**

People's perception of the judicial/legal system is probably influenced more by their personal experiences, than by any media coverage, movie or television show they watch. Most people coming to court wish they were not here. We will probably not make their court experience enjoyable, unless they are perhaps getting married or adopting a child, but we can make the experience less frightening and more understandable. We will not have all the answers people want, but we can always treat them with respect. By explaining due process, the rule of law, and the reasons we have procedures that they may view as unnecessarily complicated, we can do much to educate the public about our judicial system, and the valid reasons for the complexities they encounter. In so doing, we will hopefully engender greater respect for our democratic institutions, our legal system, and the rule of law.

**THANKS FOR HELPING US HELP OTHERS!**

**SUPERIOR COURT, COUNTY OF SAN LUIS OBISPO  
SELF-HELP CENTER / FAMILY LAW FACILITATOR**

**HOW TO GIVE NEUTRAL LEGAL INFORMATION**

One of the most difficult challenges we face is providing self-represented litigants with the vital information they need in a neutral fashion, without rendering “legal advice.” As representatives of the court, we must remain ever mindful of our absolute duty of impartiality. We must not give information or advice for the purpose of giving one party an advantage over another. We must not give information to one party, which we would not give to another party.

We can tell a party how to do what the party desires, however we are prohibited from recommending to a party what we think a party should do. Advising a party about *what* to do, crosses the impartiality line. Communications and explanations should always be rendered in an impartial manner, so as not to advantage or disadvantage any litigant. The following guidelines may help in assisting you to provide neutral legal information.

**Information we CAN provide:**

1. Data contained in docket reports, case files, indexes, and other reports.
2. Answers to questions concerning court rules, procedures and ordinary practices. These questions are frequently phrased as “can I . . .” or “how do I . . .”
3. Examples of forms or pleadings to help guide litigants.
4. Answers to questions about completing forms.
5. Explanations as to the meaning of terms and documents used in the court process.
6. Answers to questions concerning the computation of deadlines or due dates.

**Information we CANNOT provide:**

1. Information we are unsure about.

2. Answers that involve advising a litigant whether or not to take a particular course of action. Questions phrased as “should I . . .” must be referred to private legal counsel, or we can direct people to various books in the law library where they can read about the law and form their own opinion.
3. Answers that involve taking sides in a case or proceeding pending before the court.
4. Information to one party that we would be unwilling or unable to provide to all other parties.
5. Answers that disclose the outcome of a matter submitted to a judge for decision, until the decision is made public, or the judge directs disclosure of the matter.

John M. Greacen, a court consultant and former Clerk of the United States Bankruptcy Court, District of New Mexico, has written articles on the subject of legal advice versus legal information. He suggests the following five points be followed in dispensing information to the public:

1. **We have an obligation to explain court processes and procedures to litigants, the media and other interested persons.** Court staff have a unique understanding of the way in which the court functions, which is often superior to the knowledge of attorneys who practice before the court. It works to everyone’s advantage for court staff to share their knowledge, and the court will operate more efficiently when everyone is operating under the same expectations regarding the ground rules and procedures applied.

2. **We have an obligation to inform litigants, and potential litigants, how to bring their problems before the court for resolution.** It is entirely appropriate for the court staff to apply their specialized expertise to go beyond providing generalized information, such as answering a question, “How do I file a lawsuit?” to giving detailed procedural guidance on how to request a hearing. We can also answer questions about what the court looks for in an application for award of attorneys fees, a request to enter default judgment, a child enforcement order, etc. We can also refer people to applicable statutes and rules, published case decisions, and sample pleadings. It is entirely appropriate to inform people as to the reason behind the rules, such as explaining due process requirements in relation



to a proof of service. We want the public to understand that the rules are not there to thwart them, or make things difficult for non-lawyers; the rules are there to ensure due process and allow disputes to be decided on their merits.

3. **We cannot advise litigants whether to bring their problem before the court, or what remedies to seek, although we can inform about alternatives to litigation, and we can direct litigants to sources of information about potential remedies.** We cannot advise litigants whether to avail themselves of a particular procedural alternative, since we cannot possibly know enough about a litigant's personal position to know what is in the litigant's best interest. This is uniquely the role of private legal counsel, where a confidential attorney/client relationship exists.

4. **We must always remember the absolute duty of impartiality. We must never give advice or information for the purpose of giving one party an advantage over another. We must never give advice or information to one party that we would not give to an opponent.** Giving procedural information, or suggestions on where to access legal information, applies to all sides. Having informed litigants helps the process for all concerned. Advising a party *what to do*, as opposed to *how to do* something the party has already chosen, crosses the line from impartiality to partiality. We owe equal duties to both sides.

5. **We should be mindful of the basic principle that counsel may not communicate with the judge *ex parte*. We should not let ourselves be used to circumvent that principle.** We must not allow ourselves to be used as *ex parte* "messengers" to the judge or court clerk who will decide a particular matter. Some court clerks can enter judgment, and perform other functions traditionally relegated to a judicial officer. We must be careful not to advocate on behalf of a litigant in our communications with decision makers in the court.

Knowing where to draw the line is one of the most difficult challenges we face in helping people to help themselves. Practical considerations sometimes blur the lines, but we must remember, above all else, not to give information if we are uncertain about its accuracy, and to treat all persons and all parties to a controversy with the same level of respect, and with equal assistance.

Any questions about whether a question is appropriate for us to answer should be referred to the SHLA Center coordinator.