

How Can I Best Assist Self-Represented Litigants?

The Illinois Supreme Court Policy on Assistance to Court Patrons by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers outlines the services that can be provided to self-represented litigants and other court patrons. Services offered in accordance with this policy do not constitute the unauthorized practice of law. View the full text at: http://www.illinoiscourts.gov/SupremeCourt/Policies/Pdf/Safe_Harbor_Policy.pdf.

Legal Information Is...

general, factual information about the law and the legal process that is both neutral and objective.

Legal Advice Is...

guidance regarding an individual's legal rights and obligations in light of their unique facts and circumstances.

Should versus Could: Turning Legal Advice into Legal Information

Court patrons may ask for legal advice ("What **should** I do?") but by changing one word, you can turn legal advice into legal information.

Example: How **should** I serve someone?

Answer: I can't tell you what to do, but I can explain your options. There are three approved methods of service you **could** choose.. Here are some resources with more information...

I Can...	I Cannot...
Tell a litigant what they can do	Tell a litigant what they should do
Explain a process to a litigant	Make a prediction for a litigant
Share all available options	Suggest one particular option
Give a litigant information that may help them make an informed decision	Make a decision on behalf of a litigant
Provide forms and basic instructions	Fill out forms (except for specific exceptions)
Refer to bar associations and legal aid	Refer to individual private attorneys
Help individuals with disabilities or low literacy by reading documents out loud and/or writing down their answers word-for-word	Make suggestions about what to write on a form or change a litigant's words in any way
Refer a litigant to legal and non-legal resources inside or outside the courthouse	Represent a litigant in the courtroom
Assist a litigant with self-guided research	Provide legal analysis or legal research
Share publicly available case information	Share information from sealed cases
Review forms for completeness	Review forms for accuracy
Give information about requesting interpreters and reasonable accommodations	Limit access for litigants with limited English proficiency or disability
Inform all litigants about fee waivers	Decide who should get their fees waived