

Company Policy for Onsite Employees

CANNOT Provide:

Cannot provide legal interpretation

Reason: Court support staff cannot provide legal interpretations because it would be considered the unauthorized practice of law and would violate the concepts of neutrality and impartiality.

Cannot provide procedural advice

Reason: Court support staff cannot give procedural advice, because in doing so they may favor one party over another or may encourage or discourage a party from a particular course of action. You must remain impartial and neutral at all times. You can, however, point out various factors that individuals can consider to make the decision themselves.

Cannot provide research of statutes, court rules and ordinances

Reason: You cannot research statutes, court rules and ordinances for parties because it would be considered the unauthorized practice of law and violates the concepts of impartiality and neutrality.

Cannot provide confidential case information

Reason: Court support staff cannot disclose non-public or confidential information. It is very important that clerks understand what information is confidential.

Cannot provide confidential information about court operations

Reason: Court employees cannot disclose confidential information about court operations or ex parte communications because it can give one side an unfair advantage.

Cannot provide opinions

Reason: You cannot give an opinion on or otherwise advise parties to use a particular procedure or remedy.

Cannot deny or discourage access, nor encourage litigation

Reason: Most people are not familiar with court procedures or terminology. Legal advice should not be used as an excuse not to provide service. If the question is not asked in the right way, take the time to clarify what is being asked.

Cannot provide subjective or biased referrals

Reason: Employees of the court must remain neutral and impartial and cannot make referrals to specific individuals.

Cannot fill out forms unless there is a handicap or physical disability that prevents the person from filling out the form

Reason: Court employees should not fill out forms for parties because it violates the principles of neutrality and impartiality. However, there may be some situations where it is appropriate for clerks to record information on a form. Some examples include language barriers (illiteracy or foreign language) and physical handicaps (blindness or deafness).