

# 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. You can read the policy and find additional resources at: <http://www.illinoiscourts.gov>.

## 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: Responding when court patrons ask for legal advice**

Court patrons may ask for legal advice (“What **should** I do?”). You can still respond by providing legal information, instead of advice.

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

# Self-Help Resources and Referrals

Private Attorneys	Illinois LawyerFinder: Call (800) 922-8757 or visit <a href="http://www.illinoislawyerfinder.com/">http://www.illinoislawyerfinder.com/</a>
Legal Aid & Pro Bono Attorneys	CARPLS (Cook County): Call (312) 738-9200 or visit <a href="https://www.carpls.org/">https://www.carpls.org/</a> Prairie State Legal Services (Northern Illinois): For contact information visit <a href="https://pslegal.org/">https://pslegal.org/</a> Land of Lincoln (Southern Illinois): Call (877) 342-7891 or visit <a href="http://lollaf.org/">http://lollaf.org/</a>
Mediation & Arbitration	List of programs in Illinois: <a href="http://courtdr.org/sourcebook/">http://courtdr.org/sourcebook/</a>
Public & Law Libraries	Check your local resources
Legal Self-Help Centers	List of programs in Illinois: <a href="https://www.illinoislegalaid.org/get-legal-help/lshc-directory">https://www.illinoislegalaid.org/get-legal-help/lshc-directory</a>
Pro Bono Clinics & Help Desks	Check your local resources
Social Service Providers	Mental health programs in Illinois: <a href="http://www.dhs.state.il.us/page.aspx?item=3089">http://www.dhs.state.il.us/page.aspx?item=3089</a> Emergency and transitional housing programs in Illinois: <a href="http://www.dhs.state.il.us/page.aspx?item=646863">http://www.dhs.state.il.us/page.aspx?item=646863</a> Supportive housing programs in Illinois: <a href="http://www.dhs.state.il.us/page.aspx?item=64687">http://www.dhs.state.il.us/page.aspx?item=64687</a>
Standardized Forms	Statewide forms and instructions available in six languages: <a href="http://www.illinoiscourts.gov/Forms/approved/">http://www.illinoiscourts.gov/Forms/approved/</a>
Language Access Tools	Circuit plans and statewide interpreter registry: <a href="http://www.illinoiscourts.gov/CivilJustice/LanguageAccess/default.asp">http://www.illinoiscourts.gov/CivilJustice/LanguageAccess/default.asp</a>
Domestic Violence Programs	DV programs in Illinois: <a href="http://www.dhs.state.il.us/page.aspx?item=31886">http://www.dhs.state.il.us/page.aspx?item=31886</a>
Illinois Legal Aid Online	Free legal information and forms for civil, domestic, expungment, and traffic legal problems: <a href="https://www.illinoislegalaid.org/">https://www.illinoislegalaid.org/</a>

## Tips for Making Strong Referrals



### Double Check

Check your resources periodically to see if services, hours, eligibility, or contact information has changed.



### Write It Down

Litigants may be overloaded with information at court. Write it down or use a referral sheet to help.



### Be Specific

Provide information about the scope of services available, the application process, and any eligibility criteria



### Manage Expectations

Inform litigants of possible limitations (e.g. referral cannot take all cases, may require waiting)



**The AOIC Can Help!** For more information on access to justice resources, including the Safe Harbor Policy; standardized forms; language access tools; courthouse signs; and self-help templates, please contact Danielle Hirsch at [dhirsch@illinoiscourts.gov](mailto:dhirsch@illinoiscourts.gov) or (312) 793-2014.