

**ADMINISTRATIVE DIRECTIVE
OF THE
CHIEF JUDGE OF THE COURT OF COMMON PLEAS
OF THE STATE OF DELAWARE**

NO. 2006-2

POLICY ON ASSISTING SELF-REPRESENTED PARTIES

The purpose of this policy is to ensure self-represented parties seeking access to court services receive appropriate assistance and direction from clerks of the court and other court personnel. Assistance and direction shall be provided in a manner that ensures adequate information is available, but acknowledges limitations concerning the scope of assistance that can be provided.

I. GENERAL GUIDELINES

Assistance made available to self-represented parties must comply with the following general guidelines:

1. Court staff must have an understanding of the court procedures involved in civil and criminal cases that are within the jurisdiction of the Court.
2. Court staff cannot advise a party whether to bring their case before the Court or what relief to seek.
3. Court staff must abide by a duty to treat all parties equally.
4. Court staff must adhere to the basic principle that neither parties nor their attorneys may communicate with a Judge without the opportunity for the other party to be present.

**II. IMPLEMENTATION OF GENERAL GUIDELINES –
LIMITATIONS**

1. Court staff may explain what the requirements are to have a case considered by the Court.
2. Court staff may provide general information about court rules, procedures, and practices and may provide information regarding case scheduling.
3. Court staff may provide samples of court forms adopted by the Court.
4. Court staff cannot tell a party how to complete the forms or what specific words must be used in court filings.
5. Court staff cannot offer guidance to a party concerning what to say in court, nor can court staff offer an opinion about the consequences of filing a particular case.
6. Court staff cannot contact a Judge on behalf of a party or potential party regarding the merits of a case, nor can court staff explain the substantive meaning of an order signed by a Judge.

/s/ Alex J. Smalls
Chief Judge

Effective March 2006

cc: Judge Bradley
Judge James
Judge John Welch
Judge Flickinger

Judge Trader
Judge Beauregard
Judge Clark
Judge Charles Welch
Commissioner McDonough
Commissioner Maybee
Carole B. Kirshner, Court Administrator
Deborah Mowbray, Clerk of the Court
Theresa Bleakly
Michelle Jackson
Kathy Holstein
Karen Gallagher
Teresa Lindale
Wanda Smith