

## **What Court Staff Can and Cannot Do**

The court, including the judges, the magistrates, clerk's office personnel, and all court staff, **must remain impartial at all times**. This basic rule protects everyone coming to court, including you, from unfairness and injustice.

This rule means that no one connected with the court can take sides in any matter before the court. Court staff will give limited information to people on both sides of a case, but they cannot provide legal advice to anyone. Please note that any information parties or witnesses provide or share with to court staff is not confidential.

- Court staff **can provide you with phone numbers** for the Dayton Bar Association's local lawyer referral service, the Volunteer Lawyer Project, Legal Aid, etc. A list of these numbers can be found [here].
- Court staff **CANNOT provide you with specific names or phone numbers of attorneys to hire and CANNOT give you advice about which attorney to hire.**
- Court staff **can explain and answer questions about how the court works**. This is limited to very basic information such as court hours of operation, hearing schedules, and the type of proceeding on the docket.
- Court staff **can provide you with basic information about your case** such as when and where your next hearing will be held.
- Court staff **CANNOT tell you what will happen in your next hearing or predict what the outcome may be.** The hearing officer will decide based upon what is presented at your hearing.
- Court staff **CANNOT advise you on whether or not you should file something or what steps to take or what exhibits or witnesses you should bring with you.** It is your court case, and you will need to prepare your case to the best of your ability.
- Court staff **CANNOT tell you what to say in court.**
- Court staff **can provide you general information about where to find court rules, procedures, and practices**. Montgomery County's Domestic Relations Court Local Rules can be found on the Montgomery County Domestic Relations Court website at [www.mcoho.org/dr](http://www.mcoho.org/dr) under the Local Rules tab.
- Court staff **CANNOT interpret rules and procedures and tell you what they mean.** Only an attorney of your choosing can interpret the law for you.

- Court staff **can review your papers for completeness** by checking for signatures, notarization, correct county name, and correct case number. Court staff **can answer specific questions about the instructions on a form.**
- Court staff **CANNOT tell you what to write or what “the right answer” is to questions on any paperwork.**
- Court staff **CANNOT fill out paperwork for you or sit with you while you fill out your paperwork.** If you are unable to fill out the paperwork yourself, you will need to make arrangements to get help outside of court staff.
- Court staff **can provide certain forms for your use**, such as Domestic Violence Civil Protection Order paperwork.
- Court staff **CANNOT provide all paperwork and does not provide paperwork for initial divorce and dissolution filings.** It is your responsibility to obtain this paperwork from the Montgomery County Domestic Relations Court website at [www.mcoho.org/dr](http://www.mcoho.org/dr) under the Forms tab or the Supreme Court of Ohio website.
- Court staff **CANNOT provide legal advice, interpretations, or recommendations about what to do.** Only a lawyer can give you legal advice. Staff can answer questions that call for factual information, but they cannot answer questions that call for an opinion or guidance about what you should do. Court staff may be able to define a legal word or phrase that you are unfamiliar with, but they cannot tell you what steps to take in light of that definition.
- Court staff **CANNOT let you talk to the judge or magistrate outside of the courtroom.** They also cannot talk to the judge or magistrate on your behalf about your case. The only time you will be able to convey information to the judge or magistrate is when you have a scheduled hearing in front of the judge or magistrate.
- Court staff **CANNOT change an order signed by the judge or magistrate or interpret an order signed by the judge or magistrate.** Further, court staff cannot explain the legal meaning or effect of a court order to you.