

Multnomah County Procedural Fairness Staff Training Recommendations

Tips for Every Day

Respect

- *Greeting (good morning/afternoon)
- *Formal address and ask preference
- *Do not interrupt, use active listening
- *Eye contact, full attention, tone of voice
- *Be compassionate, encouraging
- *Acknowledge their situation; consider their state of mind
- *Be consistent in serving people (fair)
- *Be kind and assertive (patience)
- *Don't treat the person like the crime
- *Be proactive
- *Don't pass off to next clerk, but if you don't know, find someone who does
- *Provide assistance, directions
- *Listening, guidance, feedback
- *Give enough time to answer their questions

Understanding

- *Use visual aids when possible
- *Refer to facilitators/navigator
- *Inform litigants of expectations
- *Provide informational handouts – terminology, processes, etc.
- *Short, easy-to-understand language
- *Be ready for same questions more than once – may not be ready to take everything in
- *Provide info in multiple languages
- *Provide help at all steps of the process
- *Clear instructions on accessing further information (phone, office hours, etc.)
- *If staff doesn't have answer, provide a resource to find it.
- *Provide resource list of external partners (treatment, attorneys, etc.)
- *Explain why a rule is the way it is
- *Don't rush litigants – be sure to understand what they're really asking

Voice

- *OARS – open questions, affirmation, reflective listening, summarize reflections
- *Address writing difficulties – everything is in writing, many find it hard to tell story
- *Use follow-up questions
- *People want to be heard/vent/release
- *Be patient and empathize
- *Remember trauma will affect how people communicate
- *Use team approach – help each other
- *Bridge language gaps with interpreters, language line
- *Be patient in overcoming barriers to assisting customers: language, cognitive, outside influence

Neutrality

- *Increase transparency about time constraints on cases
- *Don't give retained cases preferential treatment over self-represented litigants
- *Acknowledge people in courtroom with equal treatment/ friendliness
- *Social services handouts/resource lists in courtroom
- *Respect differences (language, education, culture)
- *Check your own bias
- *Explain impartiality
- *Don't take things personally, remain professional
- *Be aware of how “buddy” interactions may appear to others
- *Approach each “customer” the same, i.e., attorneys/agency/public
- *Maintain boundaries about legal advice (“only you can decide”; “I can't tell you what to do/write”), but provide information about process, resources, and services
- *Provide same info regardless of role in litigation, and inform that all interested parties receive same info

Policy/Practice Recommendations

- Provide more interpreters in more languages
- Conduct better training on how to use language lines – for all staff
- Implement better charts (detailed) and signage
- Create pamphlet on legal terms (definitions), other helpful handouts
- Update/improve resource list
- Provide self-represented litigant (SRL) orientation
- Explore mentor program for SRLs, e.g., could attorney be available to explain?
- Include complete explanation in orders
- Increase availability of legal representation or guidance (unbundling)
- Adopt handout and/or signage re: what we can/can't provide (e.g., Arizona handout)