

Definitions

A. “Legal Information” is a written or oral statement by a court employee that:

1. describes court facilities and procedures, legal terminology, or possible permissible course of conduct for litigants;

2. provides general information applicable to a class of litigants rather than only to the specific litigant being assisted; and

3. requires the court employee only to have knowledge of generally known legal concepts and court practices.

B. “Legal Advice” is a written or oral statement by a court employee that:

1. interprets the law or recommends a specific course of conduct to a litigant in an actual or potential legal proceeding;

2. applies the law to the individual litigant’s specific factual circumstances; and

3. requires the court employee to have knowledge of the law and legal principles beyond familiarity with court requirements and procedures.

SUPREME COURT WESTCHESTER COUNTY



SUPREME COURT HELP CENTER

Westchester County Courthouse
111 Martin Luther King Jr. Blvd.
White Plains, New York
Office is located in the 9th floor
Supreme Court Library.
Monday-Friday, 9am - 5pm

Hon. Alan D. Scheinkman
Administrative Judge
Ninth Judicial District

The Help Center has been established in Westchester County by Hon. Alan D. Scheinkman, Administrative Judge of the Ninth Judicial District, to insure that unrepresented litigants have clear and unencumbered access to Supreme Court. The Center provides basic information to unrepresented litigants on procedural matters, court rules and statutes. Some forms, informational brochures and computer resources are also available.

WHAT TO EXPECT

The Help Center may provide information or explain court procedures and policies. Additionally the Center may identify different options available to a litigant. Selected forms and instructions as well as informational (how-to) brochures are available. Unrepresented litigants may also have computer access to CourtHelp at www.nycourts.gov where they can access general information about the courts and the law, access various court forms and find suggestions about locating an attorney for representation. Finally, computers with a Do-it-yourself (DIY) program for selected legal topics are available and capable of producing completed legal documents in final form.

Court Personnel cannot advise a litigant whether to start a case, recommend which process or procedure to use or do legal research for you. Furthermore, while court personnel may answer question with respect to the Help Center forms, court personnel may not assist you in filling out these forms and may not advise you as to wording or legal sufficiency. You must do your own legal research to determine the legal content of the forms.

The Help Center works in partnership with the Supreme Court Library. Librarians may assist you in researching the procedures, statutes and legal definitions obtained from the Help Center, however, they also may not provide you with legal advice.

LEGAL INFORMATION VS. LEGAL ADVICE

Court Personnel can only provide you with legal information, not legal advice.

This chart will help explain the difference between legal information and legal advice.

We Can:	We Cannot:
Provide Legal Information—General Information about the Courts, Procedures, and Legal Terminology.	Provide Legal Advice—Specific Information Related to a Litigant’s Case and the Law which could Affect the Outcome of a Case.
Explain Court Rules and Procedures	Explain Application of Rules and Procedures to a Litigant’s Specific Situation.
Provide List of Options available to litigants.	Provide Opinions as to which option to choose.
Provide Information about what the Court has done.	Predict what the Court will do.
Provide cites of statutes, court rules, and ordinances.	Research statutes, court rules, or ordinances.
Explain public court operations and the roles of court personnel.	Explain confidential or internal court operations.
Explain what records are kept by the court and can be made available to the public.	Provide access to court records that are sealed or made confidential by the law.
Provide public case information.	Provide confidential case information.
Explain how and where to file a complaint concerning a Judge, Court Employee or Private Attorney.	Provide Opinions about the conduct of a Judge, Court Employee, or Private Attorney.
Provide general referrals to other offices or persons.	Provide referrals to others based upon personal reference.
Provide forms and instructions.	Provide or suggest the information that should be entered on the forms.