Case Management &   
Advocate Handbook

Updated: May 20, 2025

\*This handbook is to provide additional information for the role of an Advocate. Please contact your supervisor if you have any questions. Nothing in this handbook supersedes guidance shared in a Public Defender employee handbook.\*

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# Advocate Role

## Defining the Role: Client Advocate

The primary role of an Advocate is directly supporting clients to reach their goals through social service connections, civil legal representation, legal system navigation, and criminal case mitigation.

While we use the term “Advocate” in this handbook, this term encompasses any non-attorney staff engaged in direct client service delivery and attorney support (e.g., mitigation specialists, case managers, social workers, etc.).

The inherent nature of the Advocate role is one of support, which may invite role confusion and overreach. There may be instances where you are providing services outside the scope of the role or are asked to assist in other ways. However, you are encouraged to try and stay within the parameters parameters of your role and responsibilities. While it is not possible to envision every scenario, the following is a list of things that are typical for an Advocate to provide and things that are generally not within the expectations of your role.

### Within the Purview of an Advocate

* Interviewing clients to learn about their backgrounds, understand their priorities, and identify potential issues
* Gathering information about the client’s circumstances and the support you are providing to help the attorney make a case for a better criminal case outcome
* Interviewing family, friends, and support systems and collecting letters of support
* Gathering and analyzing mental health, substance use treatment, school, and other records from the client’s life
* Drafting memos that present the client's story
* Helping clients navigate confusing aspects of the legal system (e.g., court dates, bail requirements)
* Researching and building relationships with community-based organizations or agencies that can benefit clients
* Maintaining knowledge of available services and resources
* Identifying civil, family or immigration legal issues in the clients’ lives, especially related to their arrest, and connecting them to legal service providers in the community
* Helping clients get vital documents and services, such as IDs and health insurance, to create more stability in their lives
* Connecting clients to local resources for housing, mental health care, substance use treatment, transportation, etc.
* Modeling collaborative, client-led approaches in your office and demonstrating the value of collaborative, client-led practices
* Proactively and gently encouraging the attorneys on your cases to be involved in the work you’re doing
* Collecting data to track the impact of this work

### Things Outside an Advocate’s Role

* Practicing law or providing legal advice
* Providing any kind of clinical assessment or recommendation for which you are not licensed
* Telling the client what is in their best interest
* Becoming the only source of support in the client’s life
* Providing emotional support to the client in the absence of other service goals
* Record collections absent any other service goals (e.g., mitigation)
* Serving as an administrative assistant, investigator, or paralegal

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# Client Services

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## Scope of Services

The mission of an Advocate is to support clients navigating the penalties of the criminal legal system and to help them meet their goals outside the criminal case. Clients' lives are complex, which necessitates the ability to work on a diversity of goals and services simultaneously. Generally, there is no limit on the service areas with which you can work with clients.

Creating a framework for the primary services that an Advocate can offer can bring clarity to the team’s goals and scope of practice, ways for attorneys to collaborate with the advocate, and opportunities to engage external partners. Based on the needs most commonly identified by clients and their attorneys, whether preexisting or a result of their interaction with the criminal legal system by, the most important service areas where Advocates are typically requested include:

| * **Substance Use**: Identification of treatment providers to meet clients unique needs, navigating challenges in accessing and facilitating connections to providers * **Mental Health**: Identification of treatment providers to meet clients unique needs, navigating challenges in accessing and facilitating connections to providers * **Housing**: Assistance in locating emergency and long-term housing * **Employment**: Job readiness assistance and connections to employers * **Transportation**: Access to transportation for court and appointments * **Vital Docs/Driver's Licenses:** Obtaining identification and the foundational documents necessary for them * **Public Benefits**: Access to benefits including SNAP, disability, Medicaid, etc. * **Civil Legal Support:** Referrals to civil legal aid providers |
| --- |

Supplementing these service goals is the regular **criminal case support** that Advocates provide. This can include both informal and formal advocacy to support better outcomes in the criminal legal case, such as:

| * **Mitigation**: Providing formal memos or mitigating information to the attorney * **Home/Reentry Plans**: Creating plans to help clients be released from jail or prison |
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## Referrals

Advocates receive client referrals from their assigned attorneys. These may be provided directly by criminal defense attorneys, but may also come from other relevant staff members. Referrals typically fall into two categories: Mitigation or case management (client services). Sample referral forms are below, including an initial set of streamlined samples with more comprehensive approaches that follow.

### Client Services Referral (Streamlined)

❐ Mental Health Services ❐ Substance Use Services

❐ Housing/Home Plans ❐ Transportation

❐ Public Benefits (Disability, SNAP, Medicaid) ❐ ID/Vital Documents/Driver’s License

❐ Employment Assistance ❐ Other (please specify below)

1. Provide details on the assistance requested.
2. What is the status of the criminal case (e.g., next court date, charges, anticipated outcome) and how is this assistance related?
3. Please tell us anything we should know about your client and/or how to communicate with them.
4. Is there a deadline for the assistance requested? ❐ Yes ❐ No
5. Please provide your contact information.

❐ Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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### Client Services Referral (With a Mitigation Supplement)

❐ Mental Health Services ❐ Substance Use Services

❐ Housing/Home Plans ❐ Transportation

❐ Public Benefits (Disability, SNAP, Medicaid) ❐ ID/Vital Documents/Driver’s License

❐ Mitigation ❐ Reentry Plan

1. Provide details on the assistance requested.
2. What is the status of the criminal case (e.g., next court date, charges, anticipated outcome) and how is this assistance related?
3. Share what we should know about the client that may impact service delivery. (e.g., diagnosis, particular challenges, Civil Protection Order, etc.).
4. Is there a deadline for the assistance requested? ❐ Yes, \_\_\_\_ ❐ No
5. Please provide your phone number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Mitigation Request Supplement**

1. Would you like: ❐ Formal memo ❐ Informal outline ❐ Other
2. What is the outcome you are looking for (e.g., dismissal/amendment of charges or a particular sentence)?
3. What is the theory of the case you are seeking to support with this mitigation?
4. Who is your audience and is there relevant information about the assigned prosecutor/judge that could be helpful for this mitigation?

## Case Management

How each Advocate is able to provide services will vary based on your office, client needs, availability of resources, and many other factors. In short, there is not necessarily a tried and true roadmap for service delivery that is replicable for each client or referral.

Every referral and every client will have unique needs, novel information, and deadlines that will guide an Advocate’s provision of services. However, to ensure high-quality support is consistently delivered while maintaining flexibility where needed, there are some general guidelines that can be helpful for case management.

This section includes:

1. [Documenting in Case Management System (CMS)](#_heading=h.49x2ik5)
2. [Defender Team Communication](#_heading=h.147n2zr)
3. [Communication with the Client](#_heading=h.3o7alnk)
4. [Conducting Client Intake](#_heading=h.1hmsyys)
5. [Staying Organized and Managing Time](#_heading=h.28h4qwu)
6. [Maintaining Complete Case Notes](#_heading=h.1mrcu09)
7. [Case Closure](#_heading=h.3l18frh)

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## Initiating Client Services

Upon receipt of a referral, Advocates should review the request and determine if any immediate follow-up is required from the attorney or staff member who made the referral. Additionally, take special note of any deadlines or court dates.

### Documenting in Case Management Systems (CMS)

Advocates should open a new matter in their CMS for each referral no later than the close of the business day after the referral is received by the Advocate. This ensures there is a mechanism to keep track of all new and ongoing client matters.

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### Defender Team Communication

Robust and regular communication with defender team members, including attorneys and other staff, is the foundation for successful collaboration to meet client goals.

After receiving a referral, Advocates should send a brief note to the referring team member within a week (unless greater urgency requires) to introduce themselves, if applicable, and let the referring team member know that they are working on the matter. In this opening communication, Advocates should make sure to ask about any relevant information required for the referral and take note of any upcoming court dates or deadlines.

After this initial communication, Advocates should periodically provide updates to the team members as necessary, but at the very least at these times:

* Prior to any upcoming court dates
* When substantive action or any milestone has occurred on the referral
* If clients lose contact
* Upon completion of services or closing of a matter

| **Key Tips:** Everyone has different needs and preferences. Best practice is to intentionally learn as much as you can about your colleague at the outset. This means you should ASK (and not assume) about:   * The goals of the referral and case * Timelines * Working style and habits   + Communication style   + Meeting preferences   + Rhythm of work day |
| --- |

### Client Communication

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Client communication is paramount to supporting clients. Advocates should contact a new client within one week, unless necessity or urgency dictates earlier contact is required, and document all attempts to make contact.

Check in with each client on a bi-weekly basis afterwards, at a minimum. If you are unable to make initial contact with the client within a week of referral, you should update the referring attorney, confirm contact information, and pursue any alternate methods of reaching the client.

Lost Contact: If a client is out of contact, you should call the client at least once per week and make a reasonable effort to reach them by other means until the fourth week (about 30 days), at which point you can close their case. If a client appears not to be able to meet a critical requirement (for court, probation, diversion, etc.), you should update the attorney immediately.

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## Client Intake

During intake, your goal is to get an idea of the client’s situation so you are able to identify service goals and discuss them with the client. If the lawyer has already identified a service goal for your work with the client (e.g., the lawyer requested a mitigation memo, the lawyer referred the client for help finding somewhere to do community service, etc.), focus on those first, but don’t miss the opportunity to check whether there are other ways you can serve the client. The information in this section is meant to assist you as you go through the intake process, but note that the way you manage intake will depend on each client’s needs, the lawyer’s goals, and your own unique approach. If this is your first interaction with the client, it is also an important initial step in building trust and rapport with them, which will grow as you work together more regularly.

### Introducing Yourself

When meeting a client for the first time, introduce yourself and explain your role as an Advocate. It can be helpful to make clear that you are not a lawyer, distinguish how your role differs from that of a lawyer, and remind clients that they maintain confidentiality in their conversations with you.

| **Example: “**My name is Justina, I am an Advocate and I work with your lawyer, Rashawn. I am not a lawyer, but I am a member of the defense team, so anything you say to me today will be confidential. Rashawn asked me to reach out to you to see if I can help you get a new ID. I am here to help with that and any other needs you may have outside of the legal parts of your criminal case.” |
| --- |

### Setting Service Goals

A service goal is a priority related to the client’s criminal case or another aspect of their life that may be the topic of the original referral or arise after the Advocate has begun working with the client. A service goal related to the client’s criminal case could be something like writing a mitigation memo or helping the client set up a payment plan for court fees. A service goal related to improving the client’s quality of life could be something like finding employment or accessing substance use treatment. When you identify client service goals, you can draw on the lawyer’s referral, issues that you spot during the intake process, and the client’s questions, concerns, and priorities. Deciding on service goals is a collaborative process, and the client’s wishes are the ultimate decider. Make sure the client consents to the services — a client may refuse services; if that happens, you can simply close the case.

| **Example: “**You mentioned that you are not working right now. Are you interested in looking for a job? If so, I can help you with making a resume, practicing interviewing, and looking for jobs that are hiring.” |
| --- |

| **Example: “**Your lawyer asked me to contact you about engaging with mental health treatment. Is that something you’re interested in? If so, I can help you find a program that takes your insurance and help schedule the first appointment.” |
| --- |

### Sharing Responsibility

You will identify a set of tasks necessary to achieve the client’s service goals. You need to determine whether you or your client should be responsible for those tasks. Consider these questions in determining whether you or your client should be responsible for completing tasks:

* Who is better positioned to complete the task?
* How long will it take you vs. the client to complete the task?
* Will it be significantly more difficult for the client vs. you to complete the task?
* Will you or the client be able to get a better outcome?
* Are there clear instructions to complete the task or is there ambiguity about the process?
* Are there logistical challenges or special circumstances preventing completion of the task?

| **Example:** To access school records, you must go to the school board and request them. You need a valid state ID to make the request, but your client does not have an ID. This is a time when you are better positioned to complete the task. |
| --- |

| **Example:** For a mitigation memo, you have one week to gather medical records and letters of support from the client’s pastor. You can subpoena medical records and receive them within the week. The client’s close relationship to their pastor allows them to quickly get the letters of support. |
| --- |

### Ending the Intake Meeting

At the end of an intake meeting, it’s important to leave the client with a clear understanding of what you will be working on together and what the next steps are. Specifically:

* Provide a recap of the service goals you agreed to work on together
* Remind the client of their next steps and your next steps
* Ask the client about any outstanding issues or topics not addressed
* Plan when and how you will next be in contact with the client
* Provide your contact information
* Verify client information (Name [spelling], DOB, phone number, address, etc.)
* Get any releases signed that you may need (e.g., HIPAA, release of records)

| **Example: “**I am going to refer you to [community provider] by the end of the day. I am also going to contact your brother to let him know what is going on in your case. I will also be looking into treatment programs for you. Does this sound like everything we discussed? I will see you next Wednesday, but if you need me before then, I can be reached in the office at \_\_\_\_\_\_\_\_ .” |
| --- |

## Intake Questionnaire

Practice and experience will help dictate your process for gathering the information necessary from your client during an initial intake interview. To assist in that process, you may find it helpful to utilize the resources below.

1. [Model Intake Form](#_heading=h.2u6wntf)

The intake form is a streamlined reference to utilize during a client interview to ascertain the minimum amount of information needed to determine client needs. You may modify the form to best meet your interview style and as each situation dictates. Allow clients enough time to respond to each question to build their sense of comfort.

1. Intake & Next Steps

While there is no one roadmap for client service delivery, understanding the purpose of the intake questions, how you can utilize that information, and what some possible next steps are can help you begin to create service plans.

### 

### Model Intake Form

Client Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Emergency Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Gender: ❐ Woman ❐ Man ❐ Transgender ❐ Non-Binary/Non-Conforming

❐ Other ❐ Prefer Not to Answer

Race: ❐ American Indian & Alaska Native ❐ Asian ❐ Black or African American

❐ Native Hawaiian or Pacific Islander ❐ White ❐ Other race ethnicity, origin

Are you a veteran? ❐ Yes ❐ No ❐ No Answer

Were you born in the United States? ❐ Yes ❐ No ❐ No Answer

Do you have reliable access to a phone? ❐ Yes ❐ No ❐ No Answer

Do you have reliable transportation? ❐ Yes ❐ No ❐ No Answer

Do you have valid identification? ❐ Yes ❐ No ❐ No Answer

**Income**

Are you currently employed? ❐ Yes ❐ No ❐ No Answer

* *If yes*, what is your job title? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* *If no,*  is your unemployment related

to your case? ❐ Yes ❐ No ❐ No Answer

How long have you worked there? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Do you receive any governmental assistance? ❐ Yes ❐ No ❐ Unsure ❐ No Answer

* *If yes*, which one(s): ❐ SNAP ❐ SSI/Disability ❐ Social Security ❐ Medicaid ❐ Other\_\_\_\_\_
* *If yes*, how much do you receive? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* *If no*, are you interested in obtaining benefits? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Housing & Household**

Do you currently have a stable place to live? ❐ Yes ❐ No ❐ No Answer

* *If no*, where are you currently living? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Who do you live with? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Do you have any children? ❐ Yes ❐ No ❐ No Answer

* *If yes*, what are their ages? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Health**

Have you ever received a diagnosis from a mental health provider? ❐ Yes ❐ No ❐ NA

Are you interested in any mental health counseling or treatment? ❐ Yes ❐ No ❐ NA

Are you currently taking any prescribed medications? ❐ Yes ❐ No ❐ NA

Are you currently using any alcohol, marijuana, or other drugs? ❐ Yes ❐ No ❐ NA

Are you interested in any treatment for drug or alcohol use? ❐ Yes ❐ No ❐ NA

In the following section, we include the sample intake questionnaire, the purpose behind each question, and the next steps you can take depending on the client’s response.

### Intake & Next Steps

| QUESTION | PURPOSE | NEXT STEPS |
| --- | --- | --- |
| DEMOGRAPHICS | | |
| Are you a veteran? | Veterans are often eligible for additional or supplemental benefits through the Veterans Administration (VA).  This can also be useful information for mitigation. | *If yes*, ask the client if they have or can get discharge paperwork and confirm they are connected to or are interested in connecting with their local VA. |
| Were you born in the United States? | If they are a noncitizen, the client must be advised about the immigration consequences of an arrest/conviction.  Immigration status can dictate removability (deportability) due to a criminal conviction. Additionally, immigration status determines eligibility for many public benefits. | *If not a U.S. citizen*, ensure that the attorney is already aware.  If the client is a lawful permanent resident (Green Card holder), they may be eligible for many public benefits. |
| Do you have reliable access to a phone? | Reliable access to a cell phone is necessary for any functioning person in the United States, especially those dealing with the courts and other social service needs. | *If no*, direct the client to an appropriate free phone program. |
| Do you have reliable transportation? | Transportation is a challenge for many clients and is necessary to attend court, make appointments, attend work, school, etc. | *If no,* note as a service goal and offer assistance for any subsidized public transport, discounted car share, etc. |
| Do you have valid identification? | ID is a vital resource to obtain many services. | *If no,* note as a service goal and offer assistance with procuring identification and requisite documents. |
| INCOME | | |
| Are you currently employed? If yes, what is your job title? How long have you worked there? | An arrest/conviction can put a client’s job in jeopardy due to the allegations themselves, missing time from work, or contractual agreements.  Additionally, a lack of employment may necessitate a need for other benefits.  A positive employment record can also be useful mitigating information. | *If yes,* determine if it will be impacted by arrest or if the client has other employment/ professional development goals.  *If no*, determine employment needs: Does the client need a resume, interview skills, application assistance? Is their criminal record impacting employability, etc.? |
| Do you receive government assistance (SNAP, SSI/Disability, Social Security, Medicaid, other public benefits, etc.)? | Non-employment sources of income can be disrupted or terminated due to an arrest/conviction. For example. SSI is suspended after a month of incarceration. | *If yes*, determine if benefits will be impacted.  *If no*, determine eligibility, note service goals and support benefits application (if the client is interested). |
| HOUSING & HOUSEHOLD | | |
| Do you currently have a stable place to live? | Housing is one of — if not the most — crucial foundational life components for community members.  An arrest can jeopardize a client’s living situation, making them ineligible for certain public housing benefits, violating their lease agreements in private housing, or causing an order of protection that bars them from entering their home. | *If yes,* determine whether arrest will affect the client's housing stability.  *If no,* note as a service goal. |
| Who do you live with?  Do you have any children? | Knowing who clients live with can provide details about their type of housing and support networks, as well as pinpoint any stability issues with housing.  An arrest can threaten a parents’ custody or lead to family court proceedings. | Note information for the future as needs arise.  *If yes*, determine custody status or if there are any family court proceedings for which they may need representation |
| HEALTH | | |
| Have you ever received a diagnosis from a mental health provider?  Are you currently in need of mental health counseling or treatment?  Are you currently in need of treatment for drug or alcohol use? | Clients may need ongoing treatment and/or this can be useful information for potential mitigation. Could lead to information that could screen for SSDI/SSI applications. | If *yes*, get Release of Information (ROI) for records (if applicable).  *If no,* determine if the client is seeking any mental health or substance use treatment. Note as a service goal if yes.  *If yes*, determine prior assessments or evaluations and when they were completed, locate service provider(s). Request any records of diagnosis or assessment from providers. |
| Are you currently taking any prescribed medications? | While in custody, clients are often denied access to necessary medication or released without the necessary medications to which they are entitled. Clients may also face challenges paying for medications or accessing medications if not incarcerated. | ● If incarcerated, determine what medication(s) and the frequency of doses with the facility to ensure client gets appropriate dosage(s)  ● You may also want to contact the client’s current doctor for a letter regarding their medication to provide to the facility where they are being held  ● If applicable, get ROI regarding mental health (often different than a standard medical release)  ● If client needs help paying for medication, help coordinate health insurance enrollment or prescription assistance |

## Organization and Time Management

You will be working in a dynamic and deadline-driven environment where the stakes are very high. Without proper structure, you might miss key dates and tasks with severe consequences for your clients. It is critically important for you to find effective caseload management strategies. This section includes some tips and ideas, but you will have to find the best ways that work for you.

### General Advice

There are two main parts of organization and time management:

1. Knowing what you need to do (planning your day, managing emails, calendars, tasks) and keeping track of what you've done (records, database, file retention)
2. Knowing how you handle all of your different inputs (emails, calls, texts, attorneys, supervisors) and organizing them in a workflow that makes the most sense for you.

### Organizational Management

Develop a system to keep track of your active clients, their goals, what you have already done for them, and what you still need to do for them. It can be helpful to distinguish between immediate and long-term to-dos to help you stay organized and deliver timely and impactful results.

1. **Immediate Tasks:** Tasks that can be done quickly (within one day).

| **Example**: If you are assisting a client in applying for SSI, you may have a list of tasks that include:   * May 1: Interview client * May 1 : Get HIPAAs signed * May 2: Send record request to hospital, PCP, and treatment center * May 10: Check status of record requests |
| --- |

1. **Long-Term Tasks:** Some tasks can’t be completed within a day or a week — they are bigger projects. Make sure to break these up into individual steps and keep these in a separate list. It may be helpful to sort these tasks based on the deadline (rather than the date that you’ll do them).

| Example: Continuing with the client’s SSI application   * June 1: First draft of SSI application * June 7: Review application with client * Jun 10: Final application * June 14: Review application with caseworker * June 17: Submit SSI application |
| --- |

1. **Managing Emails:** Emails can be the most important documents! Important emails might include instructions from attorneys, referrals, or information sharing with community partners. Some tips to manage your emails include:

* Create a separate folder or label for each client.
* Arrange your email so that your visible folders are for clients whose cases are currently active.
* Create an umbrella folder for closed cases. Closed cases are still saved by client in case the client returns.
* For unresolved emails (meaning you still have to take some action or make a response), keep them marked as unread in your inbox as a reminder that something needs your attention. This provides an incentive to just DO things (e.g., send a confirmation, quick response, etc.).
* For resolved emails (meaning you don’t have to take any additional action based on the email) should be moved out of your inbox and into another folder. Sort (resolved) emails by client.
* For emails with long-term tasks, resolve (move to folder) when you respond AND update the task in your to-do list.
* Separate emails about clients from other emails (e.g., administrative notes from supervisors, community resources, etc.).

1. **Managing Documents (Paper and Electronic)**

You will undoubtedly need to manage a variety of documents, including your notes, your written work products (e.g., mitigation reports, client resumes), letters to/from incarcerated clients, client records (e.g., medical, mental health, court), documents from clients (e.g., prescriptions, pictures, receipts, etc.), and materials from community partners. Some helpful tips for managing these documents include:

* Make a folder for each client, either on paper or electronically.
* As recommended for emails above, create an umbrella folder for all closed cases where you can keep documents sorted by client (physical or virtual).
* Use a consistent naming system. This might include client initials, document description, and a date.
* Upload documents to the CMS and attach them to the client’s record.
* Scan any hardcopy documents so you have an electronic copy of all records.

1. **Calendar Management**

Calendars can quickly get overwhelming as you balance client appointments, external meetings, and office commitments. Some calendar management tips include:

* Keep only one calendar, in whatever format you prefer, wherever you prefer to keep it, either print OR electronic.
* When taking personal time, remember to block it off on your work calendar. You do not need to say what it is; you can simply label it personal/out of office.
* Don’t neglect invites from different calendar services. If you are asked to attend a meeting by a community partner or external stakeholder, it may appear as an invitation outside of your organization that may look different than your typical scheduled events.
* Be sure to include planned meetings and events.
* Make sure your calendar is easily accessible to update in real time at the office or in the field.
* Put due dates for tasks in your calendar with scheduled alerts to remind you when the due date is near.

1. **Planning Your Work Day**

In considering how to plan your day, it is useful to begin with emails and phone calls. This provides people an opportunity to respond later in the same business day; if you wait until 4 p.m. to send emails, you’re unlikely to get a response until the next day.

* Caveat: In limited cases, it may be more strategic to make a call or send an email at the end of the day if you would like to receive a delayed response.

| **Example:** A client has been calling every day asking for updates on their case. There is no change in status, and you have said that each time they have called. The client is talkative and it is difficult to get them off the phone. This is where it is beneficial to call at the end of the day so as to not disrupt the tasks you have for that day. |
| --- |

* Block off time to complete longer projects (e.g., mitigation) or routine tasks (e.g., case notes).
* Avoid scheduling more than two long client meetings per day. Aim for one in the morning and one in the afternoon. You can also schedule out of office tasks for the same day (e.g., jail visits, client service provider appointments, etc.).
* To avoid burnout, try working in 50-minute intervals so you can build in short breaks throughout the day. Consider when your energy is naturally the highest (e.g., late morning, the end of the day) and lowest (e.g., first thing in the morning, after lunch); schedule tasks accordingly. Make sure you take your lunch break.
* Keep time open on non-court days to complete tasks such as making calls or sending emails.
* By Friday, many people are tired from the week, so Friday afternoon is a good time to plan your to-do list for Monday!

## Case Notes

The purpose of this section is to provide best practices on writing high-quality case notes about the work that you complete on behalf of/in conjunction with a client. Taking case notes makes it so much easier to do a good job. Case notes are necessary because they:

* Facilitate sharing information with the defense team,
* Preserve information that will be useful throughout the case, as well as for future members of the defense team (i.e., if the client is rearrested),
* Allow service continuity if a case has to be reassigned or covered (e.g., vacation),
* Help supervisors know what Advocates are working on and to monitor workload,
* Provide supervisors with the information needed to intervene tactfully in any conflicts.

| **Example *with no case notes*:**  “I see that the Advocate made the referral on Jan. 13, but it looks like we haven’t heard anything from the agency since then.” | **Example *with good case notes*:**  “I can see that Ms. Smith (Advocate) has been emailing the state agency every week to check on the status of your application. Unfortunately, it seems like the delay is coming from the agency, but Ms. Smith is doing everything she can to make sure this is not slipping through the cracks.” |
| --- | --- |

1. **Information to Put in a Case Note**

* Date of action
* Type of action (e.g., call, email, referral)
  + If the action was a call or email, note the number or address
  + If you’re having trouble reaching someone, it can be useful to double-check that you have been using the correct information
  + If you have successfully contacted someone, make a note of the best mode of contact. Also note any other factors that led to success, if noted (e.g., the person is usually available mid-mornings on Fridays, or other specific details).
* Time spent on the action
  + This is not always necessary, but it can be helpful to note when you have an especially – or surprisingly – long or short interaction
* People involved (including name, title, and contact information)
  + This is especially important with outside contacts
* Summary of what was said/done, including topics covered
  + When you contact someone who is not responsive, make sure you notate all the days you attempted contact and include a date that you will follow up
* Reference any written/printed materials
  + When you receive records, it is important to not only notate the date of when they are received, but also where the records will be kept
  + If only paper copies are available, it is beneficial to scan them into your database so that you have electronic versions for safe keeping
* Next steps
  + Make sure you note who is responsible for each task going forward
* Whether the client requested or authorized you to complete an action on their behalf
  + It is equally important to document if a client declined an offer for help (e.g., client does not want substance use treatment) or did not authorize you to do something (e.g., client allowed you to request some records, but not others)

1. **Timing of Notes**

Case notes should be taken throughout the entirety of a case. Below are some best practices to ensure you capture case notes in a timely fashion:

* Don’t let it pile up — if you stay on top of case notes, it will be less overwhelming
* Take notes as events occur or at a consistent, regular time (e.g., the last 30 min of every workday)
* Take notes in only one place, namely your electronic case management system, so you don’t have to do the work twice (don’t take notes once on paper and then write another version into the database)

## 

### Case Note Examples

| **Client intake** | CALL to client: 123-456-7890   * Introduced myself and my role * Completed intake form (in user folder) * Client needs assistance getting new identification   + Has birth certificate already * Gave client list of docs to bring for meeting * Scheduled in-person follow up meeting for Tuesday, Feb. 7, 2023 to review steps necessary to get driver’s License |
| --- | --- |
| **Mitigation interview** | MEETING with client   * 1.5 hour mitigation interview (notes scanned into user folder) * Client OK’d requesting records from Mt. Pleasant High School, Christiana Hospital (signed ROI in user folder) * Client expects to get letters from parents, pastor, and a former boss in 2-3 weeks – check back in 3 weeks (May 10) |
| **Attorney meeting** | CALL with Alanna: 123-456-7890   * I will email her about my call with client’s probation officer about interstate compact request so she can forward the travel pass extension request to the client’s probation officer * I will send her a draft of the client narrative to include with the interstate compact request * She will follow up with Leslie from RCA about back-up options in DE |
| **Outside contact** | CALL to DMV with client: 123-456-7890   * 5 min, spoke to Lisa in Driver Improvement * Client must resolve child support and then call back to lift suspension * Client should call 123-456-7890 when ready to lift suspension |
| **Referral** | REFERRAL to Jaclyn at DCRAC: 123-456-7890   * Advised that I gave client her contact information for housing issue * Asked her to keep me updated (sent client’s signed ROI) * I will follow-up in 2 weeks (August 22) |
| **Records request** | FAX to Community Provider: 123-456-7890   * Sent record request letter and signed release (in user folder) * Transmission successful @ 3:43 p.m. |
| **Records receipt** | RECEIVED records from community provider by fax   * 394 pages, drug treatment records from 2015-present * Scanned into user folder and case docs |
| **No answer** | CALL to Ms. Garcia, client’s mother: 123-456-7890   * No answer, left voicemail, sent follow-up text (brief intro, requested call back) * Ask for letter of support for mitigation report * Will try again in two days (June 25) |
| **Follow up** | EMAIL to Alyssa at Community Safety Network: ajones@csn.org   * Initially emailed on June 10 * Follow-up emails sent 6/17, 6/24, and 7/2 |

## Case Closure

At the outset of each case, you will collaborate with the client and the client’s attorney to understand the nature of the referral and identify service goals to work on with the client. This request and the service goals form the core of your client-Advocate relationship and provide a roadmap of services to be completed.

Here are some best practices for deciding when it is time to close a client’s case. When making the decision whether to close a case, it is helpful to consider:

* What were the service goals when I first met the client?
* Are my service obligations to the client complete?

Closing cases in an efficient manner ensures that your clients are receiving timely and responsive services while also helping you manage your caseload to better serve more clients. Additionally, reaching milestones related to client service goals can provide clients with a sense of accomplishment. These guidelines are not meant to be exhaustive but rather offer a basic starting point for assessing when services have come to an end.

### When to Close a Case

Generally, there are several circumstances that can signal it’s time to close a client’s case:

* **Conflict**: If the client is conflicted out of the public defender’s office, it is imperative that the case is closed immediately.
* **Alternate counsel**: If the client has hired private counsel to take over their case, it is time to close the case, even if there are service goals outstanding.
* **Service goals/referral completed**: Once all of the client’s service goals have been met and there remain no services left to provide, it is time to close the case.
* **End of the criminal case**: If the client’s criminal legal case is now closed and there are no outstanding services to be provided, it is time to close the case.
* **Client declines services**: Clients maintain their autonomy and should they choose to decline services at the outset or during any point of the relationship, the case should be closed.
* **Client out of contact**: After several good faith attempts, if the client cannot be located or contacted, it is time to close the case. An example of a good faith attempt is calling a client once a week for four weeks and, after receiving no response to those repeated attempts, at that point, you can close the case.

### Case Closure Process

It is important to set aside time each month to audit open cases to assess whether any cases need to be closed. Staying current with data entry can help you efficiently assess when to close cases and when they should remain open. When you have determined that a case should be closed, complete the following steps:

1. Communicating With the Defense Team
2. Contact the attorney to advise them of the status of the request and permission related to closing the case.
3. If the attorney doesn’t respond, email again within 48 hours stating that you will close the case in one week, unless you hear otherwise.
4. In some situations, a client’s case results in them being sentenced to prison or jail time. If a client is curious about prolonged services or inquires about reentry support after their sentence, reach out to the attorney to determine the office’s policy on post-conviction service delivery. Each office varies in their capacity to work with clients during incarceration or after case closure, and your supervisor or attorney will be able to determine the appropriate scope of what can be offered.
5. *Note*: If the criminal case is closed and the client services being provided are unrelated to the criminal case, it may not be necessary to contact the criminal defense attorney prior to closing.
6. Closing the Case in your CMS
7. Upload or digitize any hard copies of information so that it is documented in the CMS.
8. Review all case notes or other documentation of services provided to ensure it is accurate and complete.
9. Close the case out in your CMS, following any steps unique to the software program.

## Preparing for Time Off

Taking care of yourself and taking time off is necessary to ensure you get the appropriate break from your work. Refer to the list of basic needs below to ensure things will run smoothly in your absence. Always make sure to communicate your plans with your supervisor.

1. Handling Cases and Clients

* **Deadlines**: Examine your cases to identify any deadlines that may fall during the time that you will be out that necessitate coverage.
* **Coverage**: Prepare a coverage memo for any cases that require such. Identify the team member or supervisor who will handle the matter and provide them the memo.
* **Notify Clients**: Clients that need to be aware of your time off should be notified and provided with contact information for the person handling their case while you are out.

1. Case Management System

* **Update**: Ensure the CMS contains the most recent activity performed, case notes, and up-to-date contact information for clients, partners, and any other important resources.
* **Files**: Any physical files should be accessible to your team and supervisor. Electronic documents related to a case should be uploaded to the relevant electronic database or drive.

1. Referrals

* **Create a Plan**: Any referrals that are made while you are out should be handled appropriately. Create a plan with your team and supervisor. This may include:
  + Pausing all referrals
  + Team members cover referrals
  + Supervisors review and hold referrals
* **Communicate**: Once an approach is finalized, please make sure to communicate this plan with your colleagues, team members, and supervisor.

1. Email/Phone

* **Out-of-Office**: Create an email auto-response indicating you are out of the office and change your voicemail, as well. Make sure to specify when you will return and be able respond to any emails and voicemails.
* **Emergency Assistance**: Direct clients who need emergency assistance to the appropriate team member or supervisor and provide their preferred contact information.

1. Emergency Contact Information

* Hopefully this does not need to be utilized, but please make sure your supervisor has your emergency contact information.

1. Notifications (Disconnect)

* It can be challenging to disconnect and really take the well-deserved breaks that everyone requires to make this work sustainable. In support of this, you are highly encouraged to turn off notifications for your email, phone, etc. while you are out of the office.

## Case Transfers

There may be times when cases or clients need to be transferred to other team members. Your supervisor will work with you to ensure an orderly transition. To support this transition, you can utilize the following checklist and guidelines.

1. Client Transfer Checklist

* Update the CMS
  + Input case notes
  + Update client contact information
* Upload any electronic files to a shared drive
  + Pass any hardcopy files to your supervisor
* Prepare transfer Memos (using instructions below)
  + Prepare a transfer memo for each transferring client (open cases)
  + Upload the transfer memo as an attachment in your transfer case notes
* Notifications (when transferring a client)
  + Advise the client by phone about the transfer of their case. If necessary, conduct a three-way call with the client’s new staff member
  + Advise defense team members via email about the case transfer
  + Advise any relevant external partners about the case transfer

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1. Case Transfer Memos

Every case that changes hands should be accompanied by a memo containing the information below. These memos should generally be short and concise, but also need to include enough information that the receiving team member can quickly learn what they need to catch up to speed on the case.

Memos should include the following information:

* All relevant identifying information about the client and their contact information, as well as for any other involved parties (e.g., the client’s attorneys, social workers, family members, etc.). That could include:
  + The date of the most recent contact with the client
  + A basic background/history of the case/client and the desired goals
  + What has already been done on the case (tasks completed)
  + What is pending/needs to be done (with deadlines, if relevant)
  + Suggested next steps

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### Sample Transfer Memo

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| **Name & address** | Joe Smith  23 Second Chance Way, Dover, DE 19904 |
| --- | --- |
| **Contact information** | 555-555-5555  (more responsive to texts, but listens to voicemails) |
| **Type of case** | DUI Criminal Case |
| **Next appearance/court date(s)** | April 25, 2024 |
| **Team members** | Jasmine (Advocate), Alex Trantham (defense attorney) |
| **External contacts** | Jeremy Davis (DMV) 333-333-3333 |

**Case** **Summary:**

Joe Smith is a longtime client that we helped previously with rental assistance. Because of his most recent case, he has to complete 20 hours in a DUI class to get his license back. I last spoke to Joes on April 4, 2022, at 3 p.m. (case note in CMS).

Joe is occasionally frustrated and his frustration boils over. He gets off work at 3 p.m., and usually has more time and is in a better mood between 3 p.m. and 5 p.m. In the past, he has listened to voicemails and generally responds to texts once he gets off of work. He has a complicated relationship with his family, who he lives with, and has requested that we do not leave messages on his home phone (888-888-8888) or with his family members.

I found two course options for Joe: Course 1 (online, $450) and Course 2 (in-person, $600). Once the client completes the course, he should be eligible for license reinstatement. If he chooses Course 1, he may have to learn how to download the app required for the program on his phone *or* make plans to visit the library. He does not have a computer. The in-person course may be preferable despite the cost because it is at 4 p.m. and not far from his work.

**Next Steps:**

* April 12, 2022 - 4 p.m. phone call with Joe, call at 555-555-5555
  + Ask about course preference
  + Discuss course next steps
* Talk Joe through signing up for and paying for course
* Follow-up:
  + Check to see that Joe signed up for the course
  + Call Joe a day prior to and a day after the first course to ensure it went smoothly

## Maintaining Client Boundaries

Having the opportunity to work directly with clients can be an incredibly rewarding experience for Advocates and provide an impactful relationship for clients. The work can also be challenging, exhausting, and overwhelming. A way to combat some of those issues is to maintain appropriate boundaries with clients. These best practice guidelines for maintaining boundaries are to help you exercise your own judgment in navigating client situations.

### General Principles

* **Timing**: Set boundaries at the outset of the client relationship in initial meetings and communications.
* **Reasonable expectations**: Set boundaries that are both practical for you and respectful of the client’s potential limitations.
* **Long-term stability and client independence**: Set boundaries that encourage clients to identify their own solutions and supportive networks that outlast the Advocate/client relationship.
* **Self-care and sustainability**: Set boundaries that include prioritizing your own well-being and mental and physical health.
* **Friendship versus client relationship**: Set boundaries that clearly distinguish a professional relationship from a personal one.

### Communication

**Preferred methods of communication**: It is often best to initiate communications with clients via phone calls. Text messages are more informal and may encourage client communications outside of preferred contact hours. You set the tone for how you communicate with clients; for instance, once you start texting with clients, it may be hard to shift to other methods. For some clients, texting is the only form of contact; however, where possible, opting for a phone call over text messaging will encourage professional boundaries.

**Confidentiality and privilege**: When communicating via text, make sure to avoid providing any information that could possibly be construed as legal advice or sensitive case information. It is easy for this information to be misconstrued and you do not want to create unnecessary written records of confidential or sensitive conversations.

**Work hours**: It is important to set working, in-office hours and communicate them to your clients. Emergencies happen and for this reason, it is acceptable to offer clients license to contact you outside of set work hours. Be sure to clearly communicate the kinds of matters that constitute an emergency.

**Non-emergency communication**: While you want to maintain a healthy relationship with clients and stay informed about their lives, it is important to delineate healthy and unhealthy communications. Texts and calls about general wellbeing that are too frequent may suggest that the client needs assistance building out an appropriate support network.

| **Example**: A client frequently texts you about their personal hobbies, which are totally unrelated to their legal case.  *Suggestion*: Set up a phone call to have a general check-in and loop the conversation back to their case.  *Suggestion*: Encourage your client to join a social group like a religious organization or hobby-related group in their area. |
| --- |

| **Sample language for setting communication boundaries:**  “Typically, I’m in the office from 9 to 5, so please don’t hesitate to reach out to me if you need something.”  “I’m normally out of the office on the weekends and after 6 p.m. on weekdays, but if you have an emergency like your housing falls through or problems with your ankle monitor, feel free to call me.”  “Here is my number where you can reach me generally from 9-5 by phone. It’s easier for me to take calls but if there’s an emergency and you need to text me, please feel free to do so.” |
| --- |

### Client Emergencies

An emergency is defined as a need that must be met within 72 hours and, if not resolved, it would have a significant negative impact on the client’s life.

| **Example**:  *Emergency*: A client is served a notice that they are being evicted and must vacate the property within the next 48 hours.  *Non-emergency*: A client is served a notice that their landlord is taking them to court to begin eviction proceedings. |
| --- |

**Determining the appropriate resource**: When a client contacts you about an emergency, your initial instinct may be to meet that need for the client. To promote long-term stability, it may be better to think of other resources that the client can access, during this emergency and in the future should the need arise again after your relationship with them has ended.

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## Clients Threatening Self-Harm

As an Advocate, you will be working with people who are going through a very difficult experience in the criminal legal system and who may have suffered substantial trauma in their past. The unfortunate reality is that mental health issues will be common among your clients. Because Advocates often develop trusted relationships with their clients, you may find yourself in a situation where a client discloses an intention to attempt suicide or otherwise harm themselves. The purpose of this guidance is to give you some tools to understand suicide and to respond if you are in a crisis situation.

1. Language to describe suicide

* When someone tries to end their life, it is called a suicide attempt.
* When someone completes a suicide attempt, we say that they “died by suicide.”

1. Facts About Suicide

* Thinking about suicide is very common. Most people have thoughts about suicide at some point throughout their lives. Attempting or completing suicide is less common.
* Talking about suicide or asking someone whether they are thinking about suicide will not make someone suicidal.
* People who think or talk about suicide do not necessarily want to die. They want the pain they are experiencing to end.
* Only licensed mental health practitioners and doctors are qualified to assess suicidality.

1. Protocol

* If a client mentions wanting to hurt or kill themselves, and they have access to the means, and have a plan for how to commit suicide, they are in imminent danger.
* If you are concerned that one of your clients is in imminent danger, encourage them to call 911. You can also encourage a client to call a suicide prevention hotline or call with them.

**National Suicide Prevention Lifeline: 800-273-8255**

**The Trevor Project (LGBTQ support line): 866-488-7386**

**Crisis Text Line: Text HOME to 741741**

* If your client is unwilling to call an ambulance, you can call an ambulance for them.
* If one of your clients is exhibiting any signs of depression, anxiety, or acute mental health issues, connect them with mental health services as soon as possible.
* Report all concerns and any steps taken to your supervisor.

**It is essential to take all suicide threats seriously.**

1. How to Speak with a Client About Suicide

It can be hard to know what to say in the moment if a client indicates that they are considering suicide or self-harm. Below are some suggestions that can help empower the client and encourage them to seek help.

* **Ask how you can help**. Give the power back to the person who is struggling. Ask how you can be helpful, whether that’s connecting with a family member, working through a safety plan, or helping them choose a doctor.
* **Avoid giving advice.** Trying to rush through fixing the situation can make it seem like the client is just a problem to be solved. That can erode trust between a client and their Advocate.

1. Setting Appropriate Boundaries with Clients

Having appropriate boundaries will help you have a productive and healthy relationship with your client. This will result in fewer crisis calls, especially if you are also working to build a broader support network for the client. Boundaries are different for everyone; however, there are some key things to keep in mind. Make sure to review the [Maintaining Client Boundaries](#_heading=h.1rvwp1q) portion of this handbook for more guidance.

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## Conflicts

There may be times when the collaborative relationship between your role, the attorneys, and other defense team members is not its most productive. In an ideal world, you will always have perfect collaboration and perfect collaborative partners at all levels, including the attorneys you work with. In reality, it sometimes requires actively managing these working relationships.

1. Preventing Conflicts

The easiest way to avoid conflicts is to prevent them in the first place. That takes prep work. Conflicts among defense team members can often be attributed to poor communication. Ensure that you follow the suggestions for [communication](#_heading=h.147n2zr) with the defense team to establish a solid foundation and routine. Having a routine will demonstrate that your team members can rely on you.

1. Understanding Conflict Drivers

Some conflicts with defense team members, especially attorneys, are not actually related to the work being performed on a referral. A few things to remember about attorneys:

* They generally have a lot of cases and care a great deal about the outcome of those cases (for a variety of reasons).
* They are not always accustomed to working in teams, and may not have extensive practice including non-attorneys as thought partners in planning their strategy.
* Their attention may be divided by a variety of issues beyond their caseload or outside the office, both good and bad.
* No matter how well they handle it, attorneys lose a lot of fights on behalf of the people and causes they care about, and that is painful.

Navigating conflicts will require an understanding that when attorneys are unresponsive, are setting unrealistic expectations, or seem disengaged, the real problem likely has nothing to do with you. So don’t take it personally!

1. Escalating Conflicts

If a conflict still arises, first take time to connect with your colleague to understand what issue exists and whether any remedies exist. To support you in this process, remember to talk to your supervisor when issues arise and to work through possible remedies.

## 

## Testifying in Court

As an Advocate, your expertise can be critical to ensuring positive outcomes in criminal cases. From time to time you may be asked to support clients at court appearances and perhaps testify in court. If you receive a request to testify in court, you should notify your supervisor and take time to speak with the attorney prior to the court appearance.

### Courtroom Etiquette

Courtrooms have different and more formal norms than office spaces, from how one is expected to dress to how one behaves. Each courtroom is different, but there are some general principles that are typically universal.

* **Preparation:** 
  + Arrive early
  + Plan extra time for security
* **Dress**:
  + Always wear business attire, even as an observer
* **Courtroom expectations**:
  + No food or beverages
  + Silence your phone and do not use it during proceedings (if you must, do so outside of the courtroom)
  + Stand when the judge enters and exists (unless told not to)
  + Be prepared for the judge to address you

### Testifying

Work with the requesting attorney on the scope and substance of your testimony in preparation for the court hearing. Ensure you have defined the scope of your testimony, which typically includes information about your role in the office, what services you are working on with a client (after discussion with the attorney), and any agreed upon actions you have taken.

| Tips on what to say in court:   * “Good morning/afternoon, Your Honor.” * “My name is (state full name).” * “I am a [Job Title] with the Public Defender's Office.” * Limit comments to what you are specifically asked by the judge * If needed, ask for a moment to consult with a supervisor * End with “Thank you, Your Honor” |
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Almost as important as knowing what is best to say is knowing what you are ethically not allowed to say. Proper preparation with the attorney or your supervisor will ensure you are aware of what you can and cannot cover. Most importantly, as a member of the defense team, your communications with a client are covered by attorney-client privilege.

| Tips on what not to say:   * Avoid any statements that begin with the “client told me” (Such statements would be considered privileged.) * Harmful statements * Reporting on things a client has not done |
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