



Checklist for Court Attorneys¹

Respect

Positive Behaviors

1. introduced him or herself at the beginning of the proceeding
2. personally welcomed the litigants into the room
3. made eye contact when speaking and listening to the litigant
4. used body language (nodding, tilting forward, eye contact) that conveyed a willingness to listen
5. referred to the litigants by surname (for example, Ms. Brown rather than the “mother” or the “father”.)
6. was routine and business like with no visible emotional display
7. used plain language that avoided legal jargon or acronyms

Negative Behaviors

8. used a harsh, critical or irritable tone of voice
9. used sarcasm or irony
10. appeared bored or distracted
11. looked at documents, computer screens more than people

Neutrality and trust

Positive Behaviors

12. clearly explained the purpose of the proceeding and the court process
13. was prepared for the proceeding
14. listened carefully and patiently
15. treated all of the participants (litigants and attorneys) the same
16. demonstrated interest in the needs, problems and concerns of litigants

Voice

Positive Behaviors

17. gave litigants the opportunity to speak and voice their perspectives
18. spoke directly to the litigants in a manner that encouraged dialogue
19. asked open-ended questions that invited more than a simple “yes” or “no” response
20. asked litigants if they had any questions

Negative Behaviors

21. rushed or interrupted speakers

¹ Developed by Dr. Vicki Lens, MSW, JD, PhD <http://sssw.hunter.cuny.edu/ssw/staff-members/lens-vicki-msw-jd-phd/>

22. discouraged litigants who wished to speak from doing so
23. delivered questions or explanations through the attorney, rather than speaking to the litigants directly

Support

Positive Behaviors

24. made supportive comments, such as praising, complimenting or reassuring the litigants
25. conveyed a sense of caring, compassion or empathy
26. acknowledged litigants emotional responses to the case or court events
27. maintained a neutral tone, conveying no negativity or positivity regarding the litigant's behaviors or actions

Negative Behaviors

28. lectured, admonished or criticized the litigants behavior or actions
29. was confrontational or argumentative when discussing the litigants behavior or actions