

# **The People's Court: Engaging with the Community**

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# Roadmap and Goals

- Understand how Justice Courts interact with the public every day
- Identify best practices for customer service while maintaining neutrality and ethics
- Distinguish between legal information vs. legal advice and avoid ex parte pitfalls
- Apply practical strategies to make courts more welcoming and understandable
- Recognize opportunity and risks regarding social media
- Feel more confident handling real-world interactions

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## Why “The People’s Court”?

Justice Courts are frequently the only courts people ever encounter

We have a huge role in framing the perspective of the judiciary of hundreds of thousands of Texans

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# What is the Court's Environment to an Outsider?

- High-volume
- High-emotion
- High-confusion

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Role of the Clerk in “The People’s Court”



Information gatekeeper



Translator of court “language” and process



Representatives of the court’s professionalism

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## Find Your Why

- Why do you choose to be a justice court clerk?
- Think about this for a few minutes, and write down your why if you'd like to share it with the group, bring it up during the break

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## Interacting With the Community

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## Everyday Points of Contact



In-Person Counter



Phone Calls & Voicemails



Email & Correspondence



Website Content



Social Media (Official)



Community Events

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## What Can We Do Better?

- Choose two of the “everyday points of contact” from the previous slide and come up with a way your court can improve how they are used to interact with your community.

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## **Best Practices for Public Education**

- Clear court hours and procedures
- Payment options and deadlines
- What the court can and cannot do
- Explaining the process without giving advice

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## Practical Examples



Plain-language signage



FAQ-style website content



Standard scripts for common questions



Resource handouts (legal aid, SRL packets)

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# Customer Service vs. Legal Advice

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## Where the Line Actually Is



### Legal Information

Explaining the process, procedures, requirements, and deadlines



### Legal Advice

Recommending strategy, predicting outcomes, or telling someone what to do

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# Legal Advice vs. Legal Information Tips

Often, there is a very fine line between legal advice and legal information.

You can't provide advice, but can provide information that ends up helping them make a decision.

Whether you can answer a question or not, and what you can say sometimes comes down to how it is phrased.

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## Example 1

If they say "I've been locked out, what should I do?", you can't advise them, because there are several possible options (writ of re-entry; sue the landlord for money; terminate the lease).

*You could instead direct them to the Property Code, and TJCTC has a SRL packet on Tenant Rights available.*

If they say "I've been locked out and need to get back in", you can explain what a writ of re-entry is and provide an application. They told you what they are trying to do, even if they don't know the words.

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## Example 2

If someone says "I don't think they should be able to sue me in this county."

It's OK to say "We can only transfer the case if a motion to transfer venue is filed. You can take a look at Rule 502.4 and decide if you want to file one. If you still aren't sure, you could discuss with a lawyer, there is lawyer referral info at [tjctc.org/SRL](http://tjctc.org/SRL)."

It's not OK to say "You need to file a motion to transfer venue."

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## Tricky Scenarios

For each scenario, ask yourself:

- **What can you say?**
- **What shouldn't you say?**
- **How do you redirect without sounding dismissive?**

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## Scenario 1

*"What should I say to the judge to get my ticket dismissed?"*

**Discussion: What can you say? What should you avoid?**

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## Scenario 2

*"If I file this case, will I win?" or "Do I need to file an eviction in this situation or can I just kick them out?"*

**Discussion: How do you respond without predicting outcomes?**

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## Scenario 3



*One party asks procedural questions while the other party is absent*

**Discussion: Is this appropriate? What are the risks?**

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## Scenario 4



*A frequent filer who expects 'extra help'*

**Discussion: How do you maintain consistency and fairness?**

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# Ex Parte Concerns

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## What Ex Parte Looks Like in Real Life



Counter  
conversations



Phone calls



Emails



Community events

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## **Ex Parte Risk Areas**

- One-sided conversations about pending cases
- Casual comments that sound harmless but aren't
- "Off the clock" interactions at community events
- Social media messages or comments
- Even just being at Dairy Queen or Whataburger!

## **Ex Parte Scenario 1**



*A community member approaches you at a civic event about their pending case*

**Discussion: How do you handle this appropriately?**

## Ex Parte Scenario 2



*A friend messages you privately on social media asking about court procedures*

**Discussion: Where's the line between helping and creating problems?**

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## Ex Parte Scenario 3



*A law enforcement officer who you engage with frequently starts telling you about how irritating a person was who got a ticket that is filed in your court*

**Discussion: Is this also ex parte? How to handle this situation?**

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## Table Discussion

- Share a situation that you found difficult involving either legal advice or ex parte and how you handled it (whether successfully or unsuccessfully!) and what, if anything, you'd do differently next time.

## Welcoming the Public

## Why Neutrality Protects Everyone

- Protects the clerk from liability
- Protects the court's impartiality
- Ensures fairness for all parties
- Maintains public trust



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## Key Tools for Staying Neutral



### Neutral Scripting

Use clear and understandable language that doesn't favor either party



### Referrals to Resources

Direct people to self-help centers, legal aid, and other support



### Consistent Language

Ensure all staff members use the same explanations and information

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## Ways a Court Might Not Look Neutral

- Remember that it isn't just **being** neutral in processing cases, but **appearing** neutral that is critical in ethics.
- How might a court fail to appear neutral?
  - Do you feel like one side is more likely to be “right” in evictions? Criminal cases?
  - Do you treat parties differently if they have an attorney or not?
  - What if the clerk is chatting with a prosecutor or officer? Wearing a political button? Wearing a “POLICE” jacket?

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## The Human Side of Court Experience

People come to court experiencing:



Stress & Anger



Fear & Confusion



Embarrassment

*Plus language barriers and accessibility issues!*

*Also remember, you come to court every day, litigants have to get off work, secure childcare, secure transportation, figure out how to get to the court, and navigate unfamiliar waters.*

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# 7 Qualities of Good Customer Service

- Problem-solving skills
- Patience
- Attentiveness
- Emotional intelligence
- Clear communication
- Product knowledge – what is the product in this example?
- Positive attitude

Pick one or two of these and share how you can be sure to improve the quality of your customer service.

*Source: insidea.com*

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# Practical Ways to Improve Experience



## Tone & Body Language

Use welcoming, professional communication



## Explain the Process

Break down steps in plain language



## Clear Signage

Make it easy to navigate the court



## Manage Lines

Acknowledge frustration, set expectations

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## **CUSTOMER SERVICE TAKEAWAY**

**You can (and must!) be kind, patient, and professional without advocating or advising.**

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## **Social Media**

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# Social Media Statistics

2019 Pew Research Center

- 2.7 Billion monthly active users (MAU)
- 500,000 new per day or 5 new per second
- 2.1 billion log on daily
- 70% of Americans
- 28 minutes per sign on
- 5 times a day times 28 minutes per sign-on
- 96% access via Mobile

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# Social Media Statistics

2024 Pew Research Center

- Platform Popularity (percentage of adults using in the U.S.):

• YouTube: 83%	• TikTok: 33%	• Twitter/X: 22%
• Facebook: 68%	• LinkedIn: 30%	• Reddit: 22%
• Instagram: 47%	• WhatsApp: 29%	• BeReal: 3%
• Pinterest: 35%	• Snapchat: 27%	
- Adults under 30 are more likely to use platforms like Instagram (78%), Snapchat (65%), and TikTok (62%).
- News Consumption: Over half of U.S. adults (54%) say they at least sometimes get news from social media.

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## **Discussion:** Social Media

- What ways do you use social media for general office purposes?



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## Policy and Training

- Every office should have policies and training to ensure that official posts:
  - Are on the desired topics and only the desired topics.
  - Do not give out any information that should not be shared.
  - Are useful and occur in a timely manner.
  - Are professional and courteous and reflect positively on the office.
- Be careful about what is posted on personal/private accounts as well, if those accounts can be associated with the office.

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## Official vs. Private Accounts: Potential Liability

- A government official's decision to block citizens from their personal social media accounts implicate the First Amendment and risk liability if the public servant has:
  - 1) actual authority to speak on behalf of the governmental entity, and
  - 2) Purports to exercise that authority
- *Lindke v. Freed*

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## Official vs. Private Accounts: Best Practices

- Can help protect against liability if you:
  - Add “This is the personal page of Peter Parker” or “The views expressed are strictly my own”... and then **don’t** invoke the office.
  - Set personal profiles to not public, keep your personal social media accounts and official social media accounts separate, and do not ask any employees to post or maintain your personal accounts.

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## Tips

- Assume everything you say & do can become public
- Educate yourself on policies and privacy controls
- Update security settings
- Monitor contents of page
- Be dignified in every comment, photograph, and status update
- Be aware of location sharing

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## Official Court Communication



Informational posts about hours, deadlines, processes



Commentary on cases, opinions, or community disputes

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## Personal Social Media Pitfalls

- Talking about cases (even vaguely)
- Speaking 'for the court' unintentionally
- Commenting on local disputes or community drama
- "Private" posts that aren't actually private

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### **"Why'd You Like It?" Game**

- We'll review real social media posts and discuss:
  - Are these good examples?
  - What improvements would you suggest?

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## Examples

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## Building Relationships

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## Who Do You Work With? Group Discussion

- Name examples of offices and community partners your court works with regularly and how those relationships are working.

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## How to Find & Foster Relationships



Always look for opportunities — be involved in civic organizations



Minimize courthouse drama or gossip



Foster a positive work culture

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# Why It Matters



**Better resources for the public**



**Fewer frustrated litigants**



**Stronger public trust in the court**

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## Role Play!

Spin the Wheel of Emotion

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## Wheel of Emotion

Your table has a number for the emotion assigned:

- 1) Nervous
- 2) Confused
- 3) Angry
- 4) Scared
- 5) Rude

For each scenario, roleplay with one person being a customer displaying your table's emotion and another person being a clerk who is attempting to help the situation. If you have extra time, choose another emotion!

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## Scenario 1

- A litigant failed to appear for their scheduled criminal court hearing.
- Clerk skills – neutrality, explaining next steps, calming fear

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- A litigant is struggling to read or complete court paperwork.

### Scenario 2

- Clerk skills – accessibility, patience, avoiding legal advice

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A party begins telling their story and/or arguing their case at the window.

### Scenario 3

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Clerk skills – setting boundaries, redirecting to resources or procedures, allowing a person to “be heard” within the rules

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# Wrap Up

## Takeaways & Discussion

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### Key Takeaways

- Clerks shape the public's trust in the justice system
- Consistency and neutrality protect everyone
- Clear communication prevents conflict
- Professionalism extends beyond the courthouse walls
- Talk to your judge about procedural concerns
- Stay grounded by your why

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## Stay Grounded By Your Why

There is a lot we cannot control, but we can control what motivates us

Nothing can save you forever, but a lot can save you today

*Discussion of previously-shared “why” statements!*