

Client-Centered Interviewing

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An introductory skills workshop

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Training Learning Objectives

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- Identify the goals and structure of a client-centered legal interview, with special focus on the initial client intake
- Apply learned best practices of client-centered interviewing to improve the delivery of legal services.

Agenda

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- **Introductions & Training Disclaimers** (Hint: It's interactive!)
- **Interviewing Goals**
- **Interviewing Best Practices**
 - Preparing for the interview
 - Conducting the interview
- **Learning by Observation**
- **Interviewing Take-Aways**

Welcome & Disclaimer

Interactive Exercises Ahead!

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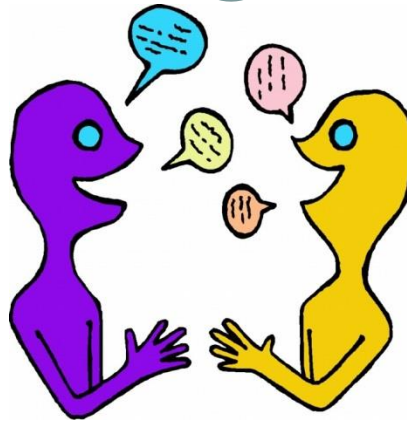


Image of two cartoon individuals interacting with speech bubbles

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Learning How to Hear Isn't Easy

Introduction

Interview Goals

**Interview Best
Practices**

Preparing

Conducting

Training Exercise

Interview Wrap-up

- Develop strong **customer service skills**
 - Avoid interviewing pitfalls
- Develop specialized **legal interviewing skills**

Interviewing Goals

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An overview of twelve goals of the legal interview.

The 12 Goals of Interviewing: 1-2

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Motivate Client to Communicate with You

1. Build rappport with the client
1. Inspire client's confidence in the you as the advocate

The 12 Goals of Interviewing: 3-5

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Learn Client's Perspective

3. Determine client's understanding of the problem
4. Determine client's goals
5. Obtain client's story

The 12 Goals of Interviewing: 7-8

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Assess Legal Case

6. Identify relevant documents and witnesses
6. Evaluate client as potential witness
7. Evaluate scope of representation

The 12 Goals of Interviewing: 9-10

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Set Professional Boundaries

9. Establish an appropriate attorney-client relationship

10. Create a contractual bond

The 12 Goals of Interviewing: 11-12

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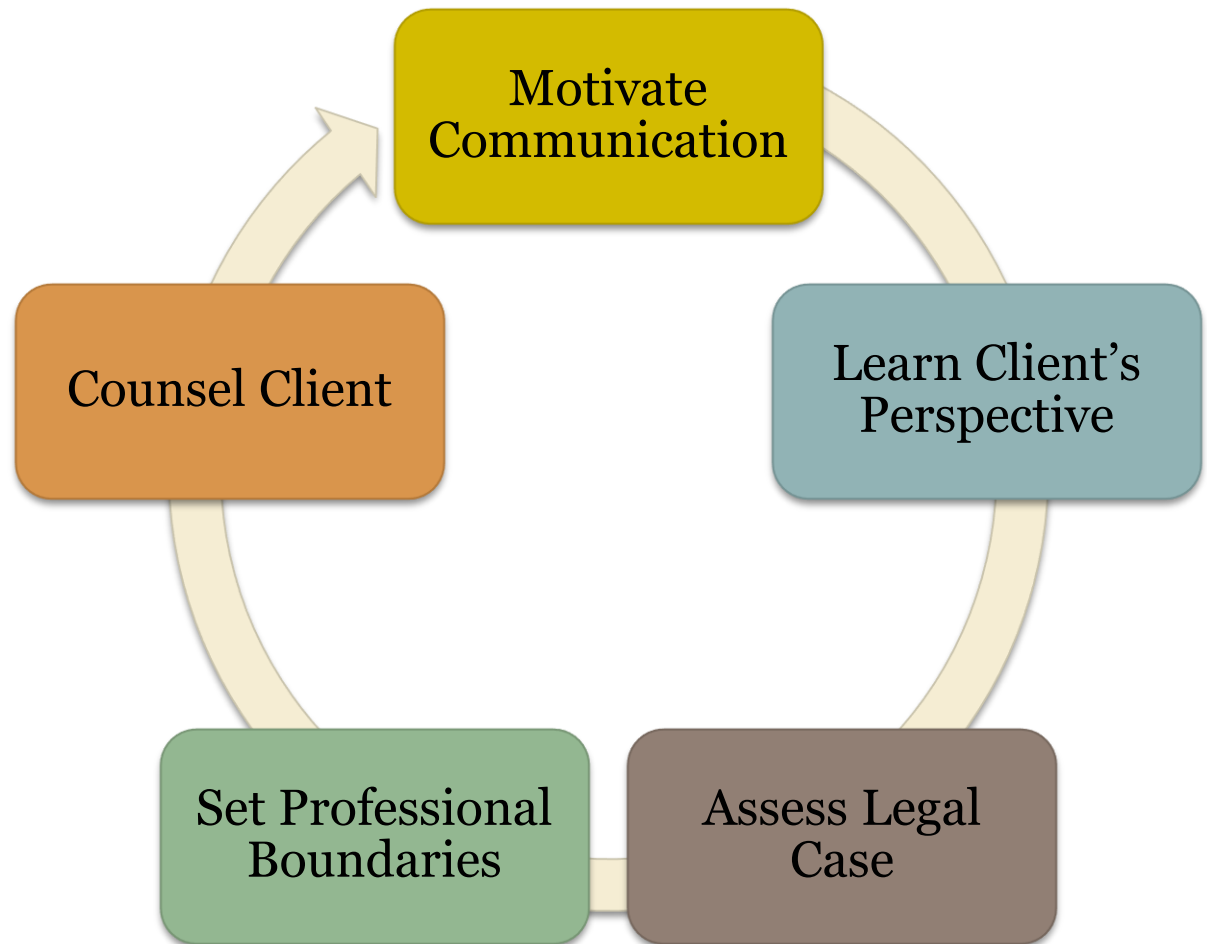
Counsel Client

11. Provide initial legal assistance, *if permitted*

*Assistance = Legal Information,
Referral, Advice, Pro per Help, or
Representation*

11. Protect client from engaging in
damaging behavior

The 12 Goals of Interviewing: Summary



Interviewing Best Practices

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An overview of interviewing considerations & best practices to prepare and conduct a client-centered legal interview.

Practice Active Listening

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Motivate Honest, Open Communication

- Verbal communication
- Non-verbal communication
- Paraphrase
- Disarm
- Empathize
- Normalize

Practice “Cultural Humility”

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Cultural Awareness

- Be aware of cultural context
- Know your cultural context
- Learn the client’s cultural context
- Mind the Power Differential

Ask Appropriate Questions

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- Hi! What's up?
 - Open-ended question: Listener has total freedom of response
- How are you feeling today?
 - Open-ended question selecting topic
- How's your cold?
 - Narrower question, selects aspect of topic
- What did the doctor say about your cold?
 - Narrow question, selects aspect of topic
- Did the lab reports show strep throat?
 - Yes/no question
- You really feel awful, don't you?
 - Leading question: suggests answer, attempts to force the response

Excerpted from Deborah Maranville, "The Very Basics of Legal Interviewing"

Research the Law

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Instill confidence in yourself

- Develop or review substantive handouts and checklists
- Create an interview flowchart

Structure the Interview

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Basic Interview Structure

1. Introduction
2. Identify the Issue(s)
3. Learn the Client's Story
4. Engage in Fact Development
5. Provide Legal Assistance
6. Conclude Interview

The Interview Introduction

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Fulfill interview goals to motivate client communication & set professional boundaries

- Break the ice
- Introduce yourself fully
- Explain what will happen during the interview (structure, time constraints, etc.)
- Explain Confidentiality

Interview Introduction - Sample

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Ask your organization if they have a preferred intro

- **Introduce yourself:** “My name is [first and last name]. I’m a law student here at [organization name].”
- **Lay out scope of interview:** “Our meeting will last about 30 minutes today.” “I am going to ask you some questions today to see whether we can help you.” or “I am going to give you advice and we are not going to do anything else, unless I let you know.”
- **Confidentiality:** “I have an ethical duty to maintain confidentiality. This means that I cannot share anything you tell me outside of our office without your permission. I will talk about it with supervisors and team members to make strategy decisions, but none of us will discuss the case outside our office unless you give us permission.”

Identify the Issue(s)

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Fulfill interview goals to learn client's perspective

1. Obtain client's description of the:
 - Problem
 - Goals
2. Rephrase client's problem and goals to confirm understanding

Identify the Issue(s) Exercise

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Rephrase this problem

“I’m scared for our safety. I’ve tried to leave my husband, but he keeps following me and threatening to take the kids or to report me to child protective services. They are everything to me. If he took them away, I’d be devastated.”

Identify the Issue(s) Exercise

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Rephrase this problem

“I have bad kidney problems and I’m in a lot of pain. My housing case worker hasn’t approved my new apartment yet and I’m living in my car. They were supposed to approve it weeks ago and I don’t understand what’s taking so long. My health benefits are going to stop because I don’t have an address. I’m really fed up with all the bureaucracy.”

Learn the Client's Story

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Fulfill interview goals to motivate client communication & learn client's perspective

Whose Story Is It Anyway?

Engage in Fact Development

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Fulfill interview goals to assess legal case

Ask Who, What, When, Where, Why, & How

- Ask appropriately worded questions
 - Begin with open questions
 - Narrow questions to elicit relevant facts
 - Use leading questions to confirm facts
- Cull out bad facts
- Identify & copy relevant documents
- Take notes, not a transcription

Engage in Fact Development

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Eviction Defense Example

Law

A landlord must give a tenant a 3-day to “Pay Rent or Quit” before filing an eviction.

Interview

Law student: “What happened?”

Client: I’m getting evicted.

Law student: Write down two appropriate who, when, why, or how questions.

End the Interview

- Provide initial assistance, if permitted
- Give client concrete next steps, preferably in writing

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**When in doubt,
ask a supervisor.**

Best Practices: Summary

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1. Practice active listening & cultural humility
2. Use appropriately worded questions
3. Instill confidence in yourself
4. Follow a basic interview structure
 - a. Introduction
 - b. Identify Legal Issue(s)
 - c. Learn Client's Story
 - d. Engage in Fact Development
 - e. Provide Legal Assistance
 - f. Conclude Interview

Interviewing Practice

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Watch and critique legal interviews

Client-Centered Interviewing: Take Aways

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Reflecting on the Client-Centered
Interview process and interviewing
exercise

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Post-Interview Best Practices

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- Active Listening
- Preparation
- Note-taking
- Timekeeping
- Supervision

Thank you

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BEST OF LUCK!