Legal Aid Association of California

Unified Voice of Legal Services

Building Effective Client Interview Skills

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Legal Aid Association of California
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Agenda

- **Interviewing Basics**
- **Goals for Client Interviews**
- **Five Steps for a Successful Interview**
- **Sensitivities in working with clients in need**

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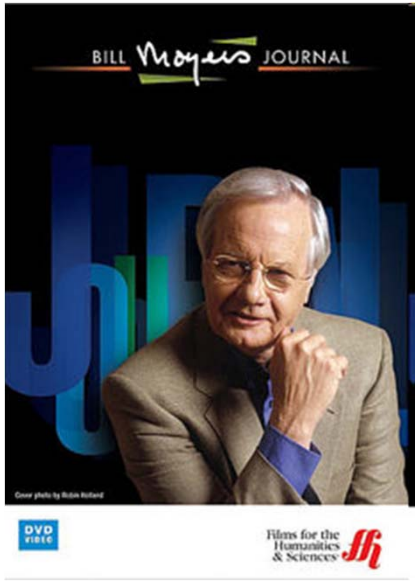
Interview Basics

What makes a good interview?

- **Think of an effective interviewer.**
- **What makes that person a good interviewer?**



Interviewing Basics

- **There is no "wrong" way to do this.**
- **Layer your own personality and style onto proposed structure.**

No One is Perfect!

- **Even the best interviewers can have bad interview habits**
  - **Multiple questions at one time**
  - **Long-winded questions**
- **Healthy sense of curiosity and willingness to ask follow-up questions.**
- **Building effective client interview skills is an art, so create your own style!**

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Client Interview Goals

Client Interview Goals

- **Get a sense of the client's situation and legal questions/needs**
- **BUILD TRUST**
- **Assess client's goals**
- **Assess credibility**
- **Be sensitive to possible disabilities**

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Five Steps to Effective Interviews

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Establish a Rapport While Retaining Control

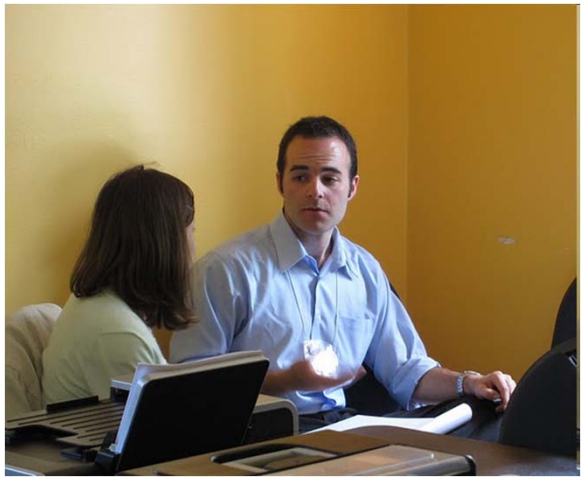
- **Step 1: Getting into the interviewing space**
- **Step 2: Getting started – interview roadmap**
- **Step 3: (Turbo) Trust-building**
- **Step 4: Gather and narrow information**
- **Step 5: Closing**

Step 1: Getting into the Interview Space

- ***TIP: Be explicit!***
- **Lead the way**
- **Invite the clients to be seated and indicate which seats.**

Step 2: Getting Started - Roadmap
Three points at the beginning

1. **Your role as a law student**
2. **Confidentiality**
3. **The timing and the process:**
   - **45 minute appointments =**
   - **30 minute interview**
   - **15 minutes with the attorney**



TIP: Be Concrete!

Step 3: Launching Turbo Trust-Building

- **Start with one open question "*So, why don't you tell me what brought you into the clinic today?*"**
  - **Warn them you will ask questions "*And as I have questions, I'll jump in.*"**
- **Attentive and empathetic listening (head nodding, etc.)**
- **Minimize note taking at this time**

Why Open-Ended?

- **Helps the client summarize his/her issues**
- **Builds trust that the client gets to tell his/her story at the beginning**
- **Client relaxes**
- **You get more relevant information**

Step 4: Gathering Information

- **Explain that you are going to start checking your understanding**

"Now that you have described what generally happened, let's go back over some of it so I can make sure I understand (or so I can get more details)."

Starting to control the interview

- **Sign-posting – break down the issues to give both you and the client a way to organize the information (different organizational choices depending on type of case)**
  - **Chronologically**
  - **By substantive content**
  - **By family structure**
- **Use open-ended and closed questions to control the information flow.**

Communication Tips

- **Restate: ask for clarification**
  - **"Let me summarize what I think you are telling me….."**
- **Reflect: on perceived feelings**
  - **"So you feel…" "It seems difficult to…"**
- **Interpret: offer an interpretation of the desired outcome**
  - **"So you would like help to make sure that…"**
  - **"You mean you want the agency to…"**
- **Summarize: help focus the information**
  - **"From everything you have said, it seems like your main question is…"**
  - **"You have identified these two issues for me…"**

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Getting both sides of the story

- **Why does it matter?**
- **How to do it?**
- **Assess credibility**

Other interviewing tips

- **Active listening to gain access to more sensitive information**

- **Documents – make sure to ask clients for documents, but check with supervising attorney what to do with the documents.**

Step 5: Closing the interview

- **Final open ended question**
  - **"Before consulting with the attorney, do you have any additional information?"**
- **Explain next steps**

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Working with Clients in Need

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Working with an interpreter

- **Speak directly to the client, not to the interpreter**
- **Ask the client to speak to you, not to the interpreter**
- **If you have to leave the room, ask interpreter to come with you or ask him/her to fill you in on all conversation when you return.**
- **Same idea if the client is a person with a disability and brought someone to the appointment with them for support.**

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Sensitivity & Disability Access

- **35 million Americans have some form of a mental health condition or impairment in any given 6 month period.**
- **In any given year, about 5 million Americans have a severe form of mental health impairment.**
- **33% of individuals who are homeless have a severe mental health impairment.**

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Access to Legal Services Programs

- **Legal services and other nonprofits are covered by the federal Americans with Disabilities Act (ADA) and related state civil rights laws.**
- **Programs must provide reasonable accommodations to persons with disabilities to ensure equal access to the services provided.**
- **Check with the supervising attorneys in terms of specific policies or procedures.**
- **Be willing to ask questions – don't make assumptions.**

Disability Access Issues

- **Cal. Rules of Professional Conduct**
  - **Rule 1.14 prohibits discrimination based on disability in the practice of law**
  - **Rule 2-4000: prohibits discrimination in decision to accept or terminate atty/client relationship**

- **ABA Model Rule 1.14:**
  - **An attorney should as far as reasonably possible maintain a normal client-lawyer relationship.**

- **California Rules of Court, Rule 989.3**
  - **Persons with disabilities are guaranteed equal and full access to the judicial system. There is a process for requesting accommodations.**

"People First" Language

- **General Rule: Use "people first" language, rather than phrases that lead with the disability**
  - **Ex: Person who uses a wheelchair**
  - **NOT: person "in a" wheelchair, or "confined" to a wheelchair.**
- **Careful about phrases like "it makes me crazy" or "she's insane."**

Review

- **No wrong way to do this!**
- **Healthy Sense of Curiosity**
- **Five Steps:**
  - **Get into the interview space**
  - **Lay out the clear road map**
  - **Launch with open-ended question & build trust**
  - **Then start to control the information flow**
  - **Closing – explain what happens next**
- **Sensitivities**

THANK YOU!

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to see what resources we have for law students.