

CLIENT INTERVIEWING

How to interview your clients so they'll keep coming back for more

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There are FOUR basic components of a good client interview

A. Information Gathering

Information gathering is the most important aspect of the client interview, but it's the **type** of information you get and **how** you go about gathering it that counts. This includes more than work information and family support.

1. The information you get could be the difference between your client being found guilty and not guilty.
 - a. Ask open-ended questions. Instead of: **do you have children? Why not: tell me about your family.**)
 - b. Ask the same questions in different ways (and more than once)
 - c. Give your client some opportunity to tell you his/her story in their own way.
2. Go into each interview knowing the basic information you have to get from your client
 - a. have in interview sheet or checklist (see attachment A)
 - b. don't be afraid to deviate from the "script."
3. Present the information in a way that is helpful to your client.

And even though you could sum up your client's life in 30 seconds, doesn't mean you should.

B. Forming relationship with client

Whether you it's for fifteen minutes or over several months, at soon as that case is assigned to you a relationship has begun. How successful that relationship will be is largely up to you.

1. Talk to your client not at him/her

2. Establishing trust
 - a. know the law –that includes affirmative defenses (**your client needs to trust you as an attorney. Be prepared with your elements of the crime and their defenses**)
 - b. let the client know that you are comfortable in the courtroom and with the way things work.
 - c. Keep them informed.

3. Making a connection
 - a. How do you appear to your client?
Do you?
 - Make eye contact with your client
 - Appear distracted
 - Constantly look at your watch or around at the foot traffic
 - Talk to other court personnel in the middle of your interview.
 - b. Are you able to relate your client on a personal level
Can you?
 - Relate their situation to something in your life
 - Reassure them that you are on their side while remaining objective

Points to Ponder:

*If you're not focused on your client s/he will know it.

*It's important that your clients know that while they are speaking with you their case is the most important one you have. **Otherwise**, the perception that they are left with is the one we try to fight: we're working with the state, they are not important to us and we're not real lawyers.

4. Treating client with respect

All of us will hear at some time in our life: How can you represent those people
I could never deal with people like that?
Don't you feel guilty getting guilty people off?

Translation: The People You Deal With Are The Scum of the Earth!!!

- a. your job while interviewing your client is to let them know that is not your opinion
- b. how you treat your client while speaking with them lets them how you will represent them

C. Making sure your client understands you

1. Don't speak over the client's head
 - a. Legal jargon is not necessary to explain most charges or defenses
 - b. Just because your client has a long record, doesn't mean s/he understands what's happening. Maybe no one else ever took the time to explain it.
2. No two are alike
 - a. Some clients will have had little or no experience with the system and quickly become intimidated, let them know that you can address them on their level
 - b. Talk to them about what they are going to hear in court and assure them it will be explained afterwards if they don't understand.

D. Making sure you understand your client

1. What are his/her issues?
 - a. Mental Illness
 - b. Retardation
 - c. Youth
 - d. Stubbornness
 - e. Fear

Each of these will warrant that you approach your client in a different way. Sometimes there will be a combination and only through talking with (**not at**) your client, will you figure out how to best deal with him/her.

2. What is his/her motivation for the crime?
 - a. Drug use
 - b. Peer Pressure
 - c. Retaliation
 - d. Fear

Even though a judge or a DA may not excuse his/her actions, knowing underlying issues will go along way in negotiation and sentencing

Things that lead to Trouble (not in order of importance)

Not going over the elements of the crime in a way to bring out possible defenses or legal issues. Unfortunately your clients aren't going to hand you the information on a silver platter. You may have to do a little digging.

Not going over consequences (punishment). A client always wants to know the worse case scenario and it important that you tell them all the things that could happen **and** based on your experiences what could happen.

Not getting witness or alibi information. The last thing you want to happen is for your client to say: Well my boss was there and he saw the whole thing. Always ask.

Not developing rapport. We represent people we don't like all the time. However, you can't effectively represent someone that you can even tolerate speaking to and who refuses to speak with you. So utilize all the points to make sure that you have a working rapport with your client.