

# HANDLING A MISDEMEANOR CASE FROM A-Z

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## Client Interviewing



# Client Interviewing

- 1<sup>st</sup> Challenge of your case
  - You schedule an appointment and hope your client shows up
  - Explain your role and obligations
  - Client background/Social Data
  - Complaint/Penalties/Discovery
  - Determine potential witnesses
  - Client's expectations and goals
  - Answer Client questions

# Client Interviewing

- Establish Rapport
  - Get to know your client
- Clients are unique but may have common characteristics
  - Apathetic
  - Disrespectful
  - Dreamers
  - Know-it-alls
  - Fearful/emotional
- Get to know your client– not just the case!



# Client Interviewing

## ■ Interview Goals

- Build client confidence and trust
- Gather information from client
- Communicate information to client

# Client Interviewing

- Building Client Trust

- Communicate—Don't just talk at the client



Communicate—Don't just talk at the client

# Client Interviewing

## ■ Building Client Trust

- Communicate with client—Don't just talk at them
  - Attorney role/obligations
  - Provide your client with the information they need to make informed decisions
    - Copy of criminal complaint
    - Discovery
    - Jury Instructions/Elements
    - Any preliminary Offers for Resolution

# Client Interviewing

- Use an interview Form
  - Get the Information Now That You Will Need Later
    - Contact Information
    - Social History
    - Criminal History
    - Signed Releases
    - Potential Witnesses
    - Client Goals

# Client Interviewing

## ■ Building Client Trust

- Listen to your client
  - Who are they and what is their story?
  - Stay objective
  - Develop empathy but maintain boundaries
  - Show respect to your client
  - What are Your Client's Goals
    - It's THEIR Case

# Client Interviewing

## ■ Building Client Trust

- Answer your client's questions
  - If you don't know tell them
  - Tell your client what you are going to do to find out
  - Then do it
- Communicate with your client
  - Return your client's calls
  - Write your client – give them status updates

# Client Interviewing

- It's Not an Exact Science
  - Adjust Your Style For Each Respective Client
  - BUT
    - Don't Try and Sell Yourself and Your Abilities
    - You are a Lawyer NOT a Social Worker
    - Don't Expect Immediate Trust & Respect
    - Listen, Listen, **LISTEN**
    - Respect Your Client's Decisions

# Client Interviewing

