

# 2008 Client Counseling Competition Memo

TO: Student Attorney Teams  
FROM: Client Counseling Board  
RE: Client Counseling Competition Introductory Memo  
DATE: December 16, 2007

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Welcome to the 2008 Client Counseling Competition (CCC). This competition gives students the opportunity to learn valuable interviewing and counseling skills. Student teams conduct simulated initial lawyer-client interviews and are scored and critiqued by a panel of judges. The winning team advances to the regional competition.

The CCC is conducted by the Client Counseling Board. Those serving on the Client Counseling Board, composed of students who successfully completed the prior year's competition, receive one hour of graded or non-graded credit (depending on their position). The CCC tests competence of counseling skills; ability to conduct initial client interview and to deal with client's non-legal goals and concerns; and ability to suggest preventive law techniques.

You are receiving this packet because we have you listed as a participant in our upcoming competition in January. Please note that you may receive correspondence from the board over winter break via e-mail. However, you should find all necessary information included here. In this packet, you will find the attorney schedule indicating the dates and times you will be competing. The contents of this packet also include:

- (1) Introductory Memo
- (2) Attorney Schedule – be sure to double check your assigned time slot and mark your calendar now. If there is a problem with your assignment, please let us know ASAP!
- (3) Competition Participation Instructions – read carefully!
- (4) General Interviewing Tips – these are just a general guide.
- (5) Attorney Fee Schedule
- (6) Standards for Judging
- (7) Judges Evaluation Form
- (8) Sample Law Firm Brochure – This is for your reference if you choose to create one. (attached separately)
- (9) Creighton Law Review Article entitled “*Some Suggestions for Successful Interviewing in the A.B.A. Client Counseling Competition.*” (attached separately)

If you have any questions, please feel free to contact the board at [clientcc@iupui.edu](mailto:clientcc@iupui.edu) or call the Law Clinic at 274-1911 and ask to speak with either Professor Joanne Orr or Ginger Smallwood. **Remember:** the competition starts the same day that classes begin for the spring semester! We'll see you in the spring and Good Luck in the competition.

**FINAL**

## 2008 Client Counseling Competition Schedule!

The Client Counseling Board is pleased to announce the pairings and schedule for the 2008 Client Counseling Competition. Please check the listings below to find your name, your assigned partner, and your assigned date/time. Note that due to the impressive response, we were unable to give all pairings their first choice time slot. **NOTE TIME CHANGES** and that due to course scheduling, **TUESDAYS** will begin **LATER** than all other nights of the competition.

Contestants should arrive **15 minutes early** to check in for their appropriate competition time, as listed below. Each competition will last approximately one hour and all effort should be made to be on time. Competition rounds will start as soon as all participants are present.

**MONDAY – WEDNESDAY – WEDNESDAY  
GROUP 1A,  
6:30pm Wednesdays and Monday -  
Beginning January 14<sup>th</sup>**

Adithi Chandrashekar & Morgan Decker  
Megan Francis & Ryan McCormick  
Caleb Kacarab & Ravi Kumrah  
Eszter Lengyel & Lena Masri  
Stephen Davis & Cody Coombs

**TUESDAY – THURSDAY – TUESDAY  
GROUP 2A,  
7:00pm Tuesdays, 6:30pm Thursday - Beginning  
January 15<sup>th</sup>**

Mikel Bradley & Annie Chey  
Lindsay Degnan & John Lira  
Tanisha Grooms & Ebony Hall  
Kate Winter & Heidi Reed  
Bobbie Sierzputowski & Susan McGinty  
Shelly Barnes & Gregory Garrett

**MONDAY – WEDNESDAY – WEDNESDAY  
GROUP 1B,  
7:45pm Wednesdays and Monday -  
Beginning January 14<sup>th</sup>**

Chris Bagnato & Diomedes Tsitouras  
Jake Bradley & Lee Veazey  
David Fleischhaker & John Maurovich  
Courtney Jones & Majenica Springer  
Jackie Landess & Shuray Ghorishi  
Jason Ma & Jeff Pitts  
Payal Shah & Dawn Marie White  
Steve Sothmann & Jennifer Tudor  
Janice Steck & Shantelle Ransdell  
Jennifer Lemmon & Renee Black  
Christin Keeney & Julie Paulsen  
Allysyn Overton & Amanda Reynolds

**TUESDAY – THURSDAY – TUESDAY  
GROUP 2B,  
8:15pm Tuesdays, 7:45pm Thursday -  
Beginning January 15<sup>th</sup>**

Chris Ferguson & Brandon Milster  
Jaclyn Fredericks & Matt Kubal  
Travis Glick & Jess Riley  
Clare Hendrix & Megan Masengale  
Bryan Strawbridge & Laura Kight  
Alexandria Assareh & Jennifer Eckert  
William Beyers & Oni Harton  
Jillean Long & Kyle Ring  
John McLaughlin & James Williams  
David P. Johnson & Maria Mesolaras  
Christin Cogley & Brian McGivern

Please note that next week you will each receive the final schedule along with the competition's rules and interviewing tips in your mail folders. You will be e-mailed a notification when these packets are ready and any additional correspondence over the winter break will be distributed via e-mail. Please be aware that the competition takes place beginning the **FIRST DAY OF CLASSES** in January. Mark your calendars now! If you have any questions or concerns please contact us at [clientcc@iupui.edu](mailto:clientcc@iupui.edu) as soon as possible. Good luck on finals and we'll see you in January!

**Good Luck!**

# 2008 Client Counseling Competition Information

## PRIOR PREPARATION

- **Scheduling.** Review the time slot at which you and your partner are scheduled to compete. Though we tried to accommodate scheduling preferences, unfortunately not everyone will be competing during at their first choice time. If you and your partner advance to the Final Round, you will compete Thursday, January 24, 2007. The winners of our the Final Round will compete in the ABA Regional Competition the weekend of February 9, 2007 in South Bend at the Notre Dame Law School.
- **Problem Prompts.** The one-sentence problem prompts for each round will be posted on the Competition's Website, located at: [<http://indylaw.indiana.edu/clinics/counseling/>]. All interviews will be based on issues within Civil Rights and Civil Liberties law this year and any basic knowledge of the subject matter may assist you in formulating types of questions to ask during your interviews.
- **Team Work.** Meet with your partner to discuss how you will proceed in the interviews as a team.
- **ABA Registration:** You must be a member of the ABA law student division in order to participate in the ABA regional Competition, but not our intra-school competition. However, since the winner of our competition will represent our school at the Regional, we advise that you may want to apply prior to the start of our school's Competition. We will place an ABA application in your student folder.

## DAY-OF LOGISTICS

- **What You Need to Wear:** You will need to wear appropriate attire (i.e. "lawyer clothes") suits, slacks, shirt and tie, skirts, dresses, etc.
- **When You Need to Check-In:** You and your partner should check-in at the Receptionist's Desk in the Law Clinic Office *at least* 10 to 15 minutes before you are scheduled to compete. You will be directed to the room where you will compete.
- **What You Need to Bring:** You should bring a note pad and a pen or pencil. You can bring the memo you received earlier from the secretary. You may also bring or use props that would be appropriate in a law firm setting such as brochures, business cards, plants, water bottles, etc.
- **What You Need to Do:** When you begin the round, you will be seated in a room with your judges. They will ask your names for the evaluation forms. Once they are ready to begin, you and your partner can let the client into the room. Remember, this is an initial client interview. You will basically do introductions and ask background questions (i.e. what is your address, phone number, etc.). A suggested outline for the interview is included in your packet.

## COMPETITION

- You will generally ask your client why he or she is seeking your assistance. Ask pertinent legal questions and gather facts relative to the problem. You must cover legal fees and confidentiality. Information about legal fees for the consultation is also included in this packet.
- Judges will be evaluating your performance by the following types of factors; teamwork, analysis of client's problems and goals, legal or alternative solutions, post-consultation reflections, and professional conduct. A copy of the evaluation criteria and scoring sheet used by the judges will be placed in your student folders prior to the start of the competition.
- After the client leaves the room, you and your partner should discuss what you think about the client's case, what tasks or issues were presented by the client's problems, and whether or not you would be willing to take the case.
- You will have **45 minutes total** to consult with the client and conduct a post consultation period with your partner. You may allocate the time as you deem appropriate, but you are responsible for keeping track of the time for both the interview and the post-interview period. The judges may ask you to step outside while they finish their scoring. Then they will ask you back in for a brief critique. Listen closely because they will teach you what you need to say and how to say it.
- This is only an overview of the rules governing the Competition. The full Rules of the CCC can be found posted on the ABA website at: <http://www.abanet.org/lcd/competitions/clientcounseling/home.html>. You are encouraged to become familiar with the Rules as you prepare for the Competition.

**GOOD LUCK!**

# **2008 Client Counseling Competition**

## **Six General Steps in the Interviewing Process**

### **STEP ONE: PREPARATION**

- Research the Law
- Hypothesize about the situation
- Talk to other lawyers
- Arrange where to meet

### **STEP TWO: ICE-BREAKING**

- Greet the client
- Briefly obtain client's background information & make client feel comfortable
- Act as if in an office environment
- Briefly discuss confidentiality & fee schedule

### **STEP THREE: PRELIMINARY PROBLEM IDENTIFICATION**

- Attorney provides structural guides
- Four topics:
  - (1) Client's story
  - (2) Client's objectives
  - (3) Client's ideas to achieve objectives
  - (4) Client's legal and non-legal concerns

### **STEP FOUR: INFORMATION GATHERING**

- Theory of development
- Timeline development
- Converting legal theories to potential evidence
- Effective use of questioning techniques: open-ended, then more focused
- Verification of problem

### **STEP FIVE: TENTATIVE DIAGNOSIS**

- Overview of client's problem and possible solutions/courses of action
- Assessment of time
- Assessment of costs

### **STEP SIX: CLOSURE**

- Confirm scope of representation
- Address client's questions and concerns
- Review client's next steps
- Review attorneys' next steps

*\*Caveat: This is merely a brief checklist for your benefit. There are many resources for learning interviewing and counseling techniques.*

**2008**  
**CLIENT COUNSELING COMPETITION**  
**FEE SCHEDULE**

We have decided to adopt a uniform fee schedule for all contestants so that no team will suffer because a judge disagrees with its decision as to how much to charge. All judges and competitors will be given this schedule:

1. The initial interview, with both counsel, will be billed a flat rate of \$100.00 total. Further work will be billed at \$200.00 per hour of either lawyer's time.
2. Fees will be waived or suitably reduced in cases of financial hardship, either for persons of low income or for persons of ordinary income faced with very large fees.
3. Work will be done on a contingency basis in appropriate cases. If it is not apparent that the case in question is one in which there is a good chance of recovery, the office may require a preliminary investigation at hourly rates before entering into a contingent fee arrangement.
4. The office may require the client to pay a retainer prior to commencing any further legal services. [The amount of retainer requested, if any, will not be considered for judging purposes, as standard amounts may vary significantly across regions. However, if a retainer is requested, the attorneys should be able to explain how it will be applied against the fees incurred.]

## CLIENT COUNSELING COMPETITION STANDARDS FOR JUDGING

1. *Working Atmosphere:* Established the beginning of an effective professional relationship and working atmosphere and, if and when appropriate, oriented the client to the special nature of the relationship, including confidentiality; explanation of fees; responded to client's concerns, discussed mutual obligations and rights, after-hours availability, duration and plan of the consultation etc. in a courteous, sensitive and professional manner.
2. *Description of the Problem:* Learned how the client viewed his or her situation, using a combination of listening and questioning, drawing out both information and feelings, as appropriate, to develop a reasonably complete and reliable description of the problem.
3. *Client's Goals and Expectations:* Learned the client's goals and initial expectations, modified or developed these as necessary.
4. *Problem Analysis:* Analyzed the client's problem with creativity and from both legal and non-legal perspectives, resulting in a clear and useful formulation of the problem.
5. *Moral and Ethical Issues:* Recognized, clarified, and responded to any moral or ethical issues that may have arisen, without being prejudicial or judgmental.
6. *Alternative Courses of Action:* Consistent with the analysis of the client's problem, developed a set of potentially effective and feasible alternatives, both legal and non-legal.
7. *Client's Informed Choice:* As appropriate, assisted the client in his or her understanding of problems and solutions and in making an informed choice, taking potential legal, economic, social and psychological consequences into account.
8. *Effective Conclusion:* Concluded the interview skillfully and left the client with a feeling of reasonable confidence and understanding, with appropriate reassurance, and with a clear sense of specific expectations and mutual obligations to follow.
9. *Teamwork:* As collaborating counselors, worked together as a team, with flexibility and an appropriate balance of participation.
10. *Post-Interview Reflection:* During the follow-up phase, gave evidence of having recognized their own and the client's feelings, the strengths and limitations of their interviewing and counseling skills, their handling of the substantive aspects of the client's problems (legal and non-legal), and provided for an effective follow-up.
11. *Overall Rating:* Synthesizing the above criteria, including how effectively the team used its time, how do you rate the client counseling team?

**Please evaluate student performance on the following sheets**

**\*Students are instructed to apply the law of their jurisdiction and judges should presume the accuracy of their application despite differences in the law of the host jurisdiction.**

**CLIENT COUNSELING COMPETITION  
EVALUATION FORM**

JUDGE: \_\_\_\_\_ STUDENT-ATTORNEY: \_\_\_\_\_

DATE: \_\_\_\_\_ STUDENT-ATTORNEY: \_\_\_\_\_

ROOM: \_\_\_\_\_ TEAM LETTER \_\_\_\_\_

NAME OF CLIENT IN PROBLEM: \_\_\_\_\_

Please use the following scale in order to assess the performance of the team. Any additional comments may be written in the blank spaces below the ratings.

**a = highly effective b = effective c = somewhat effective d = ineffective e = very ineffective**

1. Working Atmosphere: Established effective relationship with client.

a      b      c      d      e

2. Problem Description: Learned how client views his or her situation and problems.

a b c d e

a      b      c      d      e

3. Client's Goals: Learned the client's initial goals and expectations.

a      b      c      d      e

4. Problem Analysis: Analyzed the client's

a      b      c      d      e

5. Moral/Ethical Issues: Recognized and dealt with moral and ethical issues.

a      b      c      d      e

6. Alternative Courses of Action: Developed alternative solutions.

a      b      c      d      e

7. Client's Informed Choice: Assisted client in understanding and making informed choices among possible courses of action.

a      b      c      d      e

8. Effective Conclusion: Effectively concluded the interview.

a      b      c      d      e

9. Teamwork: Worked together as a team; problems balance.

a      b      c      d      e

10. Post-Interview Reflections: Effectively with moral and analyzed interview and client's problem(s).

a      b      c      d      e

\* Please note: Students are instructed to apply the law of their jurisdiction and judges should presume the accuracy of their application despite differences in the law of the host jurisdiction.