

## Conversations with Your Client & Building Expectations



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## Take Away

Strategies and techniques to have effective client communication that builds trust and supports legal advocacy

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- What client communication looks like & why it is important  
- Challenges to having successful client communications  
- Adolescent Development and mental health issues that impact client communications  
- Strategies to improve client communication  
- Forensic Exercise

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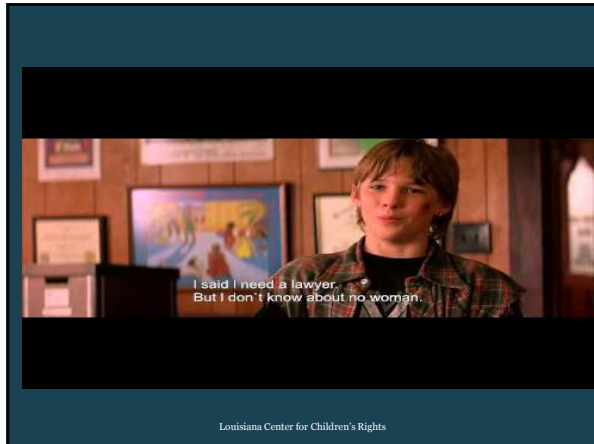
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### Why is it important to effectively communicate with our clients?

- It's our job - MS Rules of Professional Conduct 1.4
  - (a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information. (b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.
- Build trust
- Help client to make an informed decision
- Conveying information about role of atty, court procedures etc.
- Getting information to help in investigation and in mitigation for sentences

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### When & where do we communicate with our clients

WHERE	WHEN
<ul style="list-style-type: none"> <li>• Court hallways</li> <li>• Jail</li> <li>• Court room</li> <li>• Home</li> <li>• School</li> <li>• Via phone/ text</li> </ul>	<ul style="list-style-type: none"> <li>- Right after arrest</li> <li>- Right before hearing</li> <li>- Before trial</li> <li>- After trial</li> <li>.... All different times ...</li> </ul>

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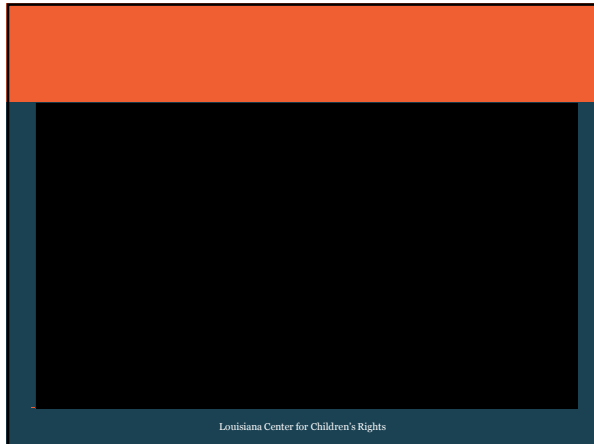
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**What do we need to accomplish during client meetings**

- Initial interview
  - Define relationship
  - Overview of process
  - Info about next hearing
  - Information gathering for investigation, health and safety of child, goals
- Subsequent meetings and conversations (fact based, dispo prep, client testifying prep)
  - Likely a repeat of the above
  - PLUS more details about case status and client goals

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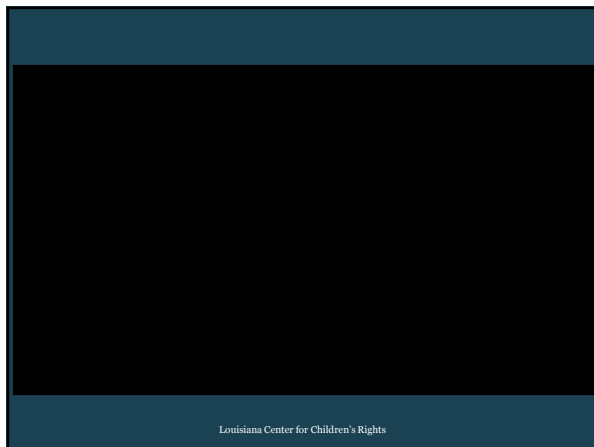
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### Challenges to Effective Interviews

- Not enough time
- No privacy
- Loud
- Client is nervous, scared, hungry, injured ...
- Attorney doesn't have information about case
- Atty feeling pressure to create a certain outcome
- Attorney is nervous, scared, angry ...
- Client has mental health needs

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### Challenges to Effective Communication WITH KID CLIENTS

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**SHARE!**

- Discuss a time that your client was “such a teenager” in your representation of them.

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**Strategies to better communicate with clients**



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**Strategies to better communicate with clients**

**Acquire information about your client**

- Client release forms : MH records, school records, previous court/ probation records
- Collateral interviews with social workers, teachers, parents, guardians, family/ friends
- Level of cognitive development (ask others, pay attention to their speech)
- Experiences with trauma, depression
- When does client process best (time of day, food etc.)

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**Strategies to better communicate with clients**

**Overcome their lack of trust**

- Invest TIME over the life of the case
- Start with less serious topics/ questions
- Allow client to talk without interruption
- Use empathy to demonstrate genuine concern
- Explain why asking questions and invite questions
- Listen without judgment
- Don't say "you can trust me" show it, explain privilege
- Don't make promises you cannot keep
- Active listening
- Be aware of body language (you and client)

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**Strategies to better communicate with clients**

**Accommodate Cognitive and Psychosocial Differences**

- Connect questions to client's immediate concerns
- Avoid legalese, avoid long questions, use concrete language
- Use visual images
- Ask clarifying questions
- Rehearse court hearings

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**Strategies to better communicate with clients**

**Help Client remember/ recall accurate information**

- Open ended → narrow questions
- Avoid leading questions
- Reduce stress and control environment as much as possible

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**Exercise**

- 1.Privilege
- 2.4<sup>th</sup> A Suppression
- 3.Identification Suppression
- 4.5<sup>th</sup> A Suppression
- 5.Adjudication Hearing
- 6.Disposition

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**Questions?**

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