A PRACTICAL APPROACH TO CLIENT INTERVIEWING, COUNSELING, AND DECISION-MAKING: FOR CLINICAL PROGRAMS AND PRACTICAL-SKILLS COURSES
A PRACTICAL APPROACH TO CLIENT INTERVIEWING, COUNSELING, AND DECISION-MAKING: FOR CLINICAL PROGRAMS AND PRACTICAL-SKILLS COURSES

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PREFACE

This book, as its title states, provides a “practical approach” to client interviewing, counseling, and decision-making. These are practical skills, not theoretical ones. Thus, the overall pedagogical approach taken by the text is to explain to students what to do and how to do it when engaging in interviewing, counseling, and decision-making with a client. This accords with the growing trend in law schools to de-emphasize heuristic theory in teaching practical skills and, instead, to teach those skills in simulated “real-life” contexts. Based on the guidance and techniques provided in the text, students will best learn the skills of interviewing and counseling by applying them in various role plays contained in the Teacher’s Manual or through other role plays developed by the professor.

Three other features of this book are worthy of mention. First, the book is deliberately designed to be short — to “get to the point,” without unnecessary palaver. Second, the book provides an extensive discussion of the most pertinent provisions of the ABA Model Rules of Professional Conduct relating to client interviewing, counseling, and decision-making (see Chapter 6). This is essential not only to ensure that these skills are applied with the highest standards of professionalism, but because many of the Rules are instructive about the lawyer’s specific obligations when engaging in interviewing, counseling, and decision-making with the client. And third, the book discusses interviewing witnesses (see Chapter 7) and counseling in certain special contexts, including counseling about settlement, counseling through the writing of opinion letters, counseling the client as a deponent, and counseling the criminal defendant (see Chapter 8).

In light of these features, the book is designed for use not only as the primary text for a stand-alone course in Client Interviewing, Counseling, and Decision-making, but also as an affordable ancillary or companion text in all Clinical Programs, or in courses such as Pretrial Litigation, Trial Practice, Negotiation, or Mediation.

— GNH
— JMC
DEDICATIONS

This book is dedicated to:

The marriage of Allie Herman and Nick Armstrong,
and the college graduation of Brady Herman

— GNH

My sons, Eric Andrew Danser
and Matthew Whitfield Danser

— JMC
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