

Client Interviewing, Counseling, and Decision-Making

Client Interviewing, Counseling, and Decision-Making

A Practical Approach

SECOND EDITION

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This book is dedicated to:

Brady and Jennifer
—GNH

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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 new American Bar Association Accreditation Standards 303 and 304 that mandate experiential learning opportunities for law students, including “real-life” simulation courses such as Client Counseling. 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.

This second edition expands on the first in three ways: (1) the text is updated to reflect changes to the *ABA Model Rules of Professional Conduct*; (2) new sections emphasize the importance of emotional intelligence and values in counseling; and (3) new sections address counseling about mediation and counseling about transactional matters.

—GNH

—MAE

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