

**WSU 448a —INTERVIEWING & COUNSELING  
SUMMER QUARTER 2014**

Times: Monday and Wednesday 4-6 pm

Location: Staff Room 216

Faculty: Professor Munmeeth Soni

Work Phone: (714) 541-1010 ext. 294

Office Hours: By Appointment

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**Course Description:**

This course covers fundamental lawyering skills of interviewing and counseling, skills critical to the practice of law in any context. Through class discussion, simulation exercises, and live client interactions, students will learn how to interview and counsel clients through a client-centered approach. Students will have the opportunity to practice the skills involved and will be exposed to the kinds of problems and ethical issues that can arise when counseling clients.

This course will address the following topics: professional ethics, listening and questioning, client conferences, fact gathering and analysis, theorizing a case, due diligence, strategic counseling techniques, risk management, and facilitating decision-making.

Class time will be structured using the following: lecture/discussion, in-class exercises, simulations, and critiques/evaluations. Class participation and a thorough understanding of the assigned materials are crucial for your success.

**Required Text:**

David A. Binder, Paul Bergman, Paul R. Tremblay, Ian S. Weinstein, *Lawyers As Counselors: A Client-Centered Approach*, 3rd Ed. (West Academic 2011).

**Exercise Handouts:**

During the course of the semester, you will receive handouts necessary to complete in class exercises and out of class assignments.

**Simulated Client Exercises:**

A primary method of instruction for the course will be simulation client based exercises. Students will be assigned problems to prepare and present, usually in front of an instructor and other class members. Students will self-evaluate their performance, and the instructor and peers will provide critique. How others see us is an invaluable form of feedback. Lawyers frequently work by critiquing one another's ideas and performances. Learning to provide constructive feedback is an essential lawyering skill. The instructor will evaluate weekly classroom performances.

During all exercises students must hold themselves to the standard of conduct expected of members of the California State Bar. It is essential that when students portray clients or lay

persons that they do so seriously. Acting skills are not being tested or graded, but students must participate in a manner conducive to learning.

### **Attendance**

Regular and punctual attendance is required. Your attendance at class is crucial to the success of the class both for you and your fellow classmates. Since the exercises must be done in partnership, your non appearance or lateness affects not just you but others.

### **Grading Criteria and Evaluation**

Your grade for the course will be a combination of written and oral work.

1. Class Participation- reading and preparing of the assigned materials prior to the indicated class, actively listening to class lectures and presentations, engaging in class discussions, participating in simulations and class exercises, and completing the critique/evaluation process (30%)
2. Writing Assignment 1 (10%)
3. Live-Client Observation and Writing Assignment 2 (20%)
4. Live-Client Interview Assessment and Writing Assignment 3 (25%)
5. Writing Assignment 4 (15%)

### **Live Client Representation**

During the course of the semester, every student will have the opportunity to: (1) observe a counsel and advice session between an attorney and a pro se litigant, and (2) conduct an intake interview with a client. Both opportunities will take place under the supervision of the Public Law Center, Orange County's leading pro bono law firm.

Participation in these opportunities is mandatory because it is an opportunity for you to practice the interview and counseling skills you will be learning in class. In order to accommodate your schedule, we will be providing several opportunities to avoid any possible conflict. These opportunities will take place off-campus.

The information you will receive from your client is confidential. For purely educational purposes, some of the information that you receive from these clients might be shared in class, but nothing that could identify the particular client should be disclosed. It is important that you treat all class discussions about clients as confidential information

### **Diversity**

This course seeks to explore difficult questions in productive ways, this is often dependent on the willingness of students to share who they are, and respectfully work together to explore relevant differences and similarities. Categories of gender, age, race, ethnicity, socio-economic class, religion, sexual orientation, linguistic abilities, country of origin, marital status, or personal beliefs provide us with an effective way to initially understand diversity. However, diversity in the classroom does not stop there. People tend to hold multiple "categories"

simultaneously. Personal identities also tend to grow ever more complex and subtle with time and experience. Therefore, it is important to respect and be aware that each of us brings different experiences, abilities, backgrounds, and perspectives to our work as legal professionals. Understanding the differences and similarities that exist between us enhances our ability to fully engage in the process of professional development. Through personal reflection, classroom discussion, and practice, this course will help you understand and better engage with perspectives and experiences different from your own.

## **COURSE SCHEDULE OF TOPICS, READINGS, AND ASSIGNMENTS**

### **06.2.14**

Topics: Course Intro; Client-Centered Approach

Readings: Chapter 1

We will work with the materials in the first class so please come prepared.

### **06.4.14**

Topics: Motivations; Active Listening

Readings: Chapter 2 and Chapter 3

### **6.9.14**

#### **First Written Assignment Due**

Topics: Brainstorming Relevant Questions; Beginning Client Conferences

Readings: Chapter 4 and Chapter 5

### **6.11.14**

Topics: Eliciting Timelines

Readings: Chapters 6

### **6.16.14**

Topics: Developing Theory of a Case; Gathering Information for Transactional Clients

Readings: Chapter 7 and Chapter 9

### **6.18.14**

Topics: Developing Theory of a Case; Strategies for Criminal Defense Counsel

Readings: Chapters 8 and 10

### **6.23.14**

#### **Second Written Assignment Due**

Topics: Concluding client Conferences; Working with Difficult Clients

Readings: Chapters 11 and 12

### **6.25.15**

Topics: Principles of Effective Counseling

Readings: Chapters 13

**6.30.14**

Topics: Effective Counseling

Readings: Chapters 14

**7.2.14**

Topics: Clarifying Client Objectives

Readings: Chapter 15

**7.7.14**

Topics: Identifying Alternatives

Readings: Chapter 16

**7.9.14**

**Third Written Assignment Due**

Topics: Identifying Consequences

Readings: Chapter 17

**7.14.14**

Topics: Final Decision-Making

Readings: Chapter 18

**7.16.14**

Topics: Counseling Model and Litigation; Counseling "Deal" Clients

Readings: Chapter 19 and Chapter 20

**7.21.14**

**Fourth Written Assignment Due**

Topics: Counseling Formal and Informal Organizational Clients; Counseling Criminal Defendants

Readings: Chapter 21 and Chapter 22