Chapter 2: Interviewing Skills

Aims of this Chapter

This chapter will enable you to achieve the following learning outcome from the ILEX syllabus:

1 Understand the professional requirements of a client care interview

2.1 Introduction

Why do interviewing skills matter? Set aside for a moment your role as a trainee legal executive working in familiar offices in a legal world where, at least some of the time, you understand what is going on. Imagine you are a client entering the offices of a firm of solicitors for the first time. What are your feelings and fears?

To help you put yourself in the client's position, try and imagine how you would feel entering a completely alien environment. Perhaps you are visiting a church or a mosque for the very first time. Maybe you have never been to a professional football match and have come to see a Premier League match at a new stadium. Perhaps you are attending your first ante-natal class.

Identify what would be a completely alien environment to **you** and list below what your fears and anxieties would be and how the people you meet in the new environment could alleviate them.

New environment:	
Fears	**Ways of relieving anxiety**

The first interview between a solicitor or fee earner and a client is a crucial event. If it is done well, a good relationship can be established and there is a good prospect of a happy client at the end of the case and a bill which is paid promptly. If it is handled badly, the fee earner may face an uphill struggle throughout trying to meet the client's needs and constantly being challenged. This chapter will enable you to prepare and run a client interview effectively and in a way that meets the client's needs.

2.2 Preparation

Sometimes, of course, you will find yourself conducting a client interview at extremely short notice. In most cases, though, you will have an opportunity to prepare for the interview and you should always take advantage of it. Preparation involves a number of issues.

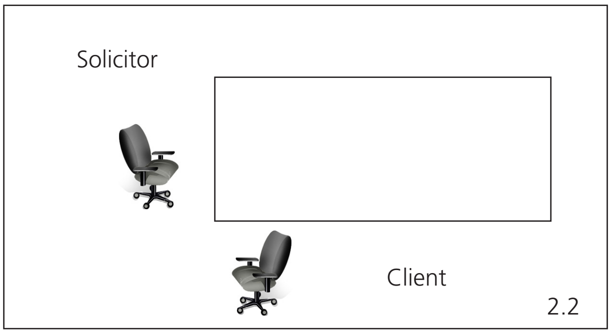
(1) **The interview room**

Most firms will have one or more rooms used solely for client interviews and other meetings. If your firm does have such a room, ensure that you book it ahead of time. If there is a choice of rooms and you are aware that your client is elderly, frail or disabled, ensure that you choose a ground floor room or one on a floor accessible by lift.

If there is no meeting room available, you may have to interview the client in your own office. In the author's experience, solicitors' offices are either obsessively neat and tidy, or else filled with piles of files, briefs to counsel, law books and other clutter. If your room (or the room you are borrowing) resembles the latter (as, sadly, did the author's) you will need to:

- clear the desk;
- clear the client's chair;
- if there is more than one client expected, make sure that you have enough chairs;
- ensure that other files are put away in the filing cabinets, or at least moved out of sight of the client (remember the issue of client confidentiality);
- ensure that there are no tripping hazards.

Consider the positioning of chairs. The traditional approach taken by solicitors and their staff is to sit opposite the client across the desk. Constraints of space may mean that this is still necessary and it does, of course, have the practical advantage of enabling the solicitor to take notes easily. If there is room though, do try sitting at the side of the desk as set out below:



This arrangement is likely to be less intimidating to clients since the desk will not form a physical barrier between you and them.

If you are dealing with family clients, it is good practice to ensure that you have a box of tissues on your desk (and a handy bin) in case the client gets upset. Family clients may come into the office with young children. It is useful to have a box of (quiet) toys and crayons, etc. to entertain them during the interview.

The interview room should have a sign on the outside door which can be flipped to show “Engaged”. Some offices may have green and red lights to show this. Immediately before your interview, you **must** ensure that the sign is switched to “Engaged”. This will minimise the risk of interruptions.

So far as is practical, ensure that the temperature in the room is comfortable, for example, by ensuring that the radiator is on in cold weather or the window is open on a hot day.

(2) **Telephones**

You should ensure that your phone is diverted to a secretary or placed on voicemail. In addition, your mobile should be switched off.

(3) **Computer**

Switch your computer off before the meeting, unless you anticipate that you will need to use it during the interview. Remember the issue of client confidentiality and the practical point that “pinging” emails will distract you and the client.

(4) **Read the paperwork**

There may be a telephone message from a secretary or colleague or a completed pre-interview checklist. There may be a letter from the client or a detailed note from one of the partners. Always read this information beforehand and ensure that you have it with you at the interview. Clients will expect you to be aware of this information and be impressed by evidence that information is communicated efficiently between members of the firm.

(5) **Consult with colleagues**

If a colleague knows the client, or something about his background, do try and pick his brains beforehand. It is helpful to know, for example, that the little old lady whose will instructions you are about to take is a retired Oxford University professor with a razor sharp intellect.

(6) **Checklists**

The use of checklists is discussed in more detail in **Chapter 4**, but it is important that you have a clean copy of any appropriate checklist available at the interview.

(7) **Plan**

Depending on the extent of the information available to you, try and work out which issues you will need to discuss and in what order. A checklist may be helpful but ensure that you are able to build in some flexibility so that you can adapt the plan if the client raises unexpected issues.

(8) **Refreshments**

It is courteous and a good ice-breaker to be able to offer a client tea or coffee or water at the beginning of the interview. Warn a secretary that this may be required beforehand and, if possible, have water and glasses available in the room.

2.3 Welcoming the client

You may meet the client for the first time at reception or a secretary may bring him to the interview room. The following points are important.

(1) **Handshake**

This is always important. Try and ensure that you avoid a completely limp handshake and an excessively hearty one. A "lingering" handshake where neither person knows when to stop is embarrassing all round.

(2) **Doors**

It is courteous to open the door for the client and particularly important if the client is frail or disabled. If you are escorting a client through the firm to the interview room, adjust your pace appropriately.

(3) **Chit-chat**

This is an important way of starting to get the client to relax. English clients are usually comfortable talking about the weather, particularly if there is something moderately dramatic such as snow to discuss. You must be sensitive to the circumstances of the interview and the client's mood. A conveyancing client purchasing a house is likely to be in a positive frame of mind whilst a matrimonial client may be seething with anger and resentment. The initial chit-chat is a chance for you to show your own humanity and start to connect with the client.

Remember, though, some clients love to talk and will need to be directed to the matter in hand.

(4) **Client note taking**

If the client wants to take notes, assure them that this is fine but that you will write to them summarising the discussion afterwards.

2.4 Listening skills

We all like the sound of our own voices. In the meeting room with a client in front of you, your natural instinct may well be to talk, start asking questions and tell the client what he needs to know. There are a number of dangers which are easy to fall into:

- the client will become frustrated if he is not given the opportunity to tell his story;
- an inarticulate client will find it harder to explain the problem if there is not enough space left in the conversation;
- you may make inaccurate assumptions about the issue which are based on what **you** have said rather than what the client has said.

It is vital to show the client that your whole focus is on what they are saying. You should show by your body language and posture that you are concentrating on what is being said. Sometimes a client may have a difficult accent or be very quietly spoken. Concentration is particularly important in these circumstances but do not be afraid, tactfully, to check any words you are not sure of.

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