

The Client Interviewing Competition 2010

Assessment Criteria

Criterion 1: establishing an effective professional relationship

The lawyers should establish the beginning of an effective professional relationship and working atmosphere. At an appropriate point, they should orientate the client to the special nature of the relationship (confidentiality, fees, mutual obligations and rights, duration and plan of interview, methods of contact etc) in a courteous, sensitive and professional manner.

Select one of the following:

1. The lawyers did not manage to establish the beginning of an effective professional relationship.
2. The lawyers established the beginning of an effective professional relationship. However, they either failed to adequately cover the issues pertaining to that relationship or showed some considerable failing in terms of courtesy, sensitivity and professionalism.
3. The lawyers established the beginning of an effective professional relationship. They adequately covered the issues pertaining to that relationship and demonstrated the basic elements of courtesy, sensitivity and professionalism.
4. The lawyers established the beginning of an effective professional relationship. They covered the issues pertaining to that relationship well and in a courteous, sensitive and professional manner.
5. The lawyers established the beginning of an effective professional relationship. They covered the issues pertaining to that relationship comprehensively and in a highly courteous, sensitive and professional manner.

1	2	3	4	5
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Criterion 2: obtaining information

The lawyers should draw out relevant information about the problem from the client. They should develop a reasonably complete and reliable description of the problem and reflect this understanding to the client.

Select one of the following:

1. The lawyers failed to draw out the relevant information about the problem from the client. They only developed an incomplete description of the problem and/or failed to reflect this understanding to the client.
2. In the course of the interview, the lawyers failed to show competence in at least one of the following: drawing out the basic information about the problem from the client, developing a basic description of the problem, or making some effort to reflect that understanding to the client.

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3. The lawyers drew out the basic information about the problem from the client. They developed a basic description of the problem and made some effort to reflect that understanding to the client.
4. The lawyers drew out most of the relevant information about the problem from the client. They developed a reasonably comprehensive and reliable description of the problem and competently reflected that understanding to the client.
5. The lawyers drew out all relevant information about the problem from the client. They developed a comprehensive and reliable description of the problem and clearly reflected that understanding to the client.

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Criterion 3: learning the client's goals, expectations and needs

The lawyers should learn the client's goals and initial expectations and modify or develop them as necessary, giving attention in doing so to the emotional aspects of the problems.

Select one of the following:

1. The lawyers failed to learn the client's goals and initial expectations.
2. The lawyers learned some of the client's goals and initial expectations. They made few modifications and developments to this understanding and took little or no account of any emotional aspects of the problems.
3. The lawyers obtained a general understanding of the client's goals and initial expectations. They were able to make some modifications and developments to this understanding but may not have fully taken into account any emotional aspects of the problems.
4. The lawyers obtained a good understanding of the client's goals and initial expectations. They were able to make modifications and developments to this understanding taking into account any emotional aspects of the problems.
5. The lawyers obtained an excellent understanding of the client's goals and initial expectations. They were able to modify and develop this understanding fully taking into account any emotional aspects of the problems.

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Criterion 4: problem analysis

The lawyers should analyse the client's problem with creativity and from both legal and non-legal perspectives, resulting in a clear and useful formulation of the problem.

Select one of the following:

1. The lawyers failed to achieve a clear understanding of the client's problem or did not attempt to analyse it.

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2. The lawyers achieved some understanding of the client's problem and attempted to analyse it. However, they omitted some significant elements or provided an unsound analysis.
3. The lawyers analysed the client's problem from both legal and non-legal perspectives. They provided some formulation of the problem though this may have lacked in clarity or usefulness.
4. The lawyers analysed the client's problem with creativity and from both legal and non-legal perspectives. They provided a clear and useful formulation of the problem.
5. The lawyers analysed the client's problem with a high degree of creativity and from both legal and non-legal perspectives. They provided a very clear and useful formulation of the problem which they conveyed with clarity to the client.

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Criterion 5: legal analysis and giving advice

Legal analysis and the consequent legal advice given should be both accurate and appropriate to the situation and its context. Any non-legal advice given should be pertinent and relevant.

Select one of the following:

1. No advice was given or that given was seriously inaccurate or inappropriate.
2. An attempt was made to give legal advice but it was either not accurate or appropriate. Alternatively, any non-legal advice given was either very unhelpful or irrelevant.
3. The legal analysis and advice given were reasonably accurate and showed some awareness of the situation and its context. Any non-legal advice given was pertinent and relevant.
4. There was good legal analysis and advice which was reasonably appropriate to the situation and its context. Any non-legal advice given was pertinent and relevant.
5. There was excellent legal analysis and advice which was highly appropriate to the situation and its context. Any non-legal advice given was pertinent and relevant.

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Criterion 6: developing reasoned courses of action

The lawyers, consistently with the analysis of the client's problem, should develop a set of potentially effective and feasible courses of action, both legal and non-legal.

Select one of the following:

1. The lawyers failed to develop any effective or feasible courses of action.

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2. The lawyers considered a course of action but showed inadequate consideration as to either its effectiveness or feasibility.
3. The lawyers considered more than one course of action and showed some consideration as to either their effectiveness or feasibility.
4. The lawyers developed more than one potentially effective and feasible courses of action of a legal and non-legal nature.
5. The lawyers developed a set of potentially effective and feasible courses of action of a legal and non-legal nature.

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Criterion 7: assisting the client to make an informed choice

The lawyers should develop an appropriate balance in dealing with the legal and emotional needs of the client. They should assist the client in his or her understanding of problems and solutions and in making an informed choice, taking potential legal, economic, social and psychological consequences into account.

Select one of the following:

1. The lawyers failed to deal with either their client's legal or emotional needs. They made little or no attempt to assist the client in his or her understanding of problems and solutions, or in making an informed choice.
2. The lawyers made some effort to deal with their client's legal or emotional needs. They made some effort in assisting the client in his or her understanding of problems and solutions or in making an informed choice. However, they may have been largely unsuccessful in this task.
3. The lawyers dealt appropriately with their client's legal and emotional needs. They constructively assisted the client in his or her understanding of problems and solutions, and in making an informed choice. However, they may not have been wholly successful in this task.
4. The lawyers dealt appropriately with their client's legal and emotional needs. They effectively assisted the client in his or her understanding of problems and solutions, and in making an informed choice.
5. The lawyers dealt with their client's legal and emotional needs very well. They provided excellent assistance to the client in his or her understanding of problems and solutions, and in making an informed choice.

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Criterion 8: effectively concluding the interview

The lawyers should conclude the interview skilfully, leaving the client with

- a feeling of reasonable confidence and understanding,

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- appropriate reassurance, and
- a clear sense of specific expectations and mutual obligations to follow.

Select one of the following:

1. The lawyers showed a lack of skills in ending the interview. Alternatively, the client left with little or no confidence and understanding, sense of reassurance, or sense of specific expectations and mutual obligations to follow.
2. The lawyers showed some skills in ending the interview. However, the client clearly left without at least one of: a feeling of reasonable confidence and understanding, appropriate reassurance, or a clear sense of specific expectations and mutual obligations to follow.
3. The lawyers showed some skills in ending the interview. The client left with some feeling of confidence and understanding, reassurance, and sense of expectations and obligations to follow.
4. The lawyers showed good skills in ending the interview. The client left with a feeling of reasonable confidence and understanding, appropriate reassurance, and a clear sense of expectations and mutual obligations to follow. However, there may have been some deficiency in one of these areas.
5. The lawyers showed excellent skills in ending the interview. The client left with a feeling of reasonable confidence and understanding, appropriate reassurance, and a clear sense of expectations and mutual obligations to follow.

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Criterion 9: teamwork

The lawyers as collaborating counsellors, should work together as a team, with flexibility and an appropriate balance of participation.

Select one of the following:

1. There was no evidence of teamwork between the lawyers.
2. There was evidence of teamwork but lack of evidence of understanding between the team members and/ or an imbalance in participation.
3. There was a satisfactory basic level of teamwork between the lawyers.
4. Very good teamwork skills were exhibited but lacking the highest level of understanding between the lawyers and/ or the ability to adapt their approach to the particular client.
5. The team members exhibited excellent teamwork showing a very high level of understanding between them and the ability to adapt their approach to the particular client.

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