Counseling
Elements of Effective Legal Counseling

• Give client’s emotional & social support for the decisions they make.
• Provide clients pertinent information about the alternatives.
• Clarify the client’s objectives.
• Encourage clients to develop a way to organize information about the available choices.
Preparation for Counseling

• Assess Probable Legal Consequences

• Consider what non-legal will be

• Anticipate Questions
Preparatory Explanation

• What has happened so far

• What is likely to happen next

• Alert client that he will be making decision about future course of action
Identifying Alternatives

- Has client thought of alternatives?
- What can lawyer add?
- Order of consideration
- CAUTION: Premature Selection
Structuring the Discussion

• The lawyer & client agree on the options for discussion
• They agree on the criteria to be used to evaluate
• Apply the criteria in a systematic and rigorous fashion
Analyze Consequences

- Thorough
- Conducted so client realizes he will need to make decisions
- Legal consequences
- Non-legal consequences
Special Considerations

• Lawyer’s Demeanor
• Problem of Uncertainty
• Neutral Lawyer
• Language: Legal jargon
• The Role of Morality
Weighing Alternatives

• Making a decision
• The “tough cases”:
  Tell me what to do; what would you do?
• The “wrong” decision
Reflections

• What decision did Chris make?
• Was the decision that was made consistent with the one you thought was best before the session began?
• Clients -If not, what happened in the session to change your mind?
• Lawyers- If not, do you believe the client made the best decision? If so, what changed your mind?
• What did you find difficult about this session?