

Basic Lawyering Skills



Course Description

In CLAE's Basic Lawyering Skills training, participants represent two struggling clients caught up in a state public assistance work requirement system. The broken system pits them against each other, with one client forced to serve as the employer for the other in a fledgling day care enterprise. The situation engenders a complex web of legal entanglements for both, creating a rich environment for holistic interviewing and counseling efforts, complex case analysis challenges, and skills practice as the training continues. It also provides a chance to analyze the problem from a variety of perspectives, starting with the dispute between these two potential clients, but providing opportunities to see strategies that might unite them in more systemic advocacy efforts directed at the welfare system that placed them in this situation.



Participants work through the case sequentially, beginning with the initial client interview and preliminary legal and factual analysis of the case, through client counseling, motion practice, negotiation and trial. In addition, the course includes sessions designed to offer participants an introduction to the rich history of the legal services movement, and the diverse visions and essential values underlying the practice. Participants also have opportunities (see sample agenda next page) to reflect on their ongoing professional development needs and craft individual development goals for their legal aid careers that they can take back to their programs, addressing a significant retention need in our community.

As with all CLAE trainings, engaging large group presentations alternate with small group problem solving exercises and individual practice, observation and critique. Participant time is spent in active engagement with the case study, including simulated motion hearings, creating case and discovery plans, practicing introducing evidence



associated with the case and paired negotiations between counsel representing the two parties. An additional session introduces participants to non-litigation affirmative advocacy approaches and allows them the opportunity to imagine a multi-forum advocacy strategy that might transform the individual disputes of the two clients into a campaign to make the work and training system effective and beneficial for them both.

Sample Agenda

Day One

10:00 – 11:00	Arrival, Check-in, Registration
11:00 – 11:45	Welcome, Overview and Voices of Legal Aid
12:00 – 1:00	Introductions and Reflections
2:00 – 3:35	Client Interviewing: Overview and Demonstrations
3:40 – 5:45	Client Interview Practice

Day Two

8:30 – 8:45	Day Two Welcome and Overview
8:45 – 9:15	Case Analysis and Planning
9:20 – 10:20	Case Analysis Application
10:35 – 11:25	Client Counseling: Overview and Demonstration
11:30 – 12:30	Client Counseling Practice Exercise
1:30 – 2:45	Motion Practice: Overview and Demonstration
3:00 – 4:00	Preparation for Motion Hearing Simulation
4:00 – 5:45	Motion Hearing Simulation
5:45 – 6:15	Judges' Reception

Day Three

8:30 – 8:45	Day Three Welcome and Overview
8:45 – 9:45	Advocacy Outside the Courtroom
9:45 – 10:45	Negotiations Practice Exercise
11:00 – 11:45	Negotiations: Overview and Demonstrations
11:45 – 1:00	Negotiations Preparation
1:00 – 1:50	Negotiation 1
2:00 – 2:50	Negotiation 2
3:00 – 3:45	Strategies for Dealing with Difficult Negotiators
4:00 – 5:00	Developing as Advocates
5:00 – 5:45	Creating Development Plans

Day Four

8:30 – 8:45	Day Four Welcome and Overview
8:45 – 10:00	Trial Planning and Preparation
10:15 – 12:30	Trial Exercises
1:30 – 2:00	Trial Exercise Wrap-up
2:00 – 3:00	Closing Plenary, Evaluations and Graduation

"BLaST was an invaluable experience.... I was able to apply the principles I've learned in ... a very practical setting.... I appreciated the dedication of our group of trainers and the honest feedback I was given during our exercises. I would recommend that any new (or experienced) advocate... take this training sooner rather than later."

Autumn L. Johnson, Northwestern Legal Services, PA

At a Glance

Time Frame: 4 days

Faculty to Student Ratio: 1:4

Skills and Concepts Explored:

Client Interviewing, Client Counseling, Case Analysis, Case Planning, Negotiation, Motion Practice, Basic Trial Skills, Multi-forum Advocacy, Legal Services History, Vision and Values, Professional Development Planning

Learning and Production Materials Provided:

- Participant manuals
- Trainer manuals, with timed outlines and instructions for each session
- Coordinator and Lead Trainer manual (logistics)

Video Demonstrations and Other Media Included:

- Voices of Legal Aid (reflections by diverse legal aid advocates on their reasons for joining legal aid and the importance of their work)
- Video demonstrations of client interviewing techniques including holistic interviewing, open-narrow-close interview structure and funneling for content
- Video demonstrations of techniques for dealing with difficult negotiators

ABA Civil Legal Aid Practice Standards addressed:

2.6: Achieving lasting results for clients; **3.1:** Full representation; **2.4:** Cultural Competence; **4.2:** Establishing a clear understanding; **4.3:** Protecting Client Confidentiality; **7.1:** Establishing an Effective Relationship with the Client; **7.8:** Legal Counseling; **7.7:** Case Planning; **7.9:** Negotiation; **7.11-3:** Motion Practice; **7.13:** Legislative & Administrative Advocacy; **7.11-5:** Trial Practice