

INTERVIEWING THE CHILD-CLIENT

1. Take cues from training and research on forensic interviewing of child victims in abuse cases.
2. Talk with client as soon as possible, without the parent in the room.
3. Use interviewing/counseling skills.
4. Spend time getting to know client-develop a relationship and establish rapport and trust.
5. Meet in low-stress, private, informal, child-friendly setting free from distractions if possible.
6. Clarify expectations at the outset.
7. Emphasize importance of truthfulness.
8. Does the child know the difference between the truth and a lie, right and wrong? Get the child to give you examples to demonstrate their comprehension.
9. How verbal is your client? Is he able to communicate?
10. Start conversation with a non-threatening, less serious topic.
11. Follow the child's lead in conversation. Let the child use her OWN WORDS- repeat the child's terms, do not introduce your own terms to the child or correct the child to use different words.
12. Recognize youth's strengths and create a sense of empowerment.
13. Find common interests and let the juvenile talk about them.
14. Have child narrate uninterrupted as much as possible.
15. After child tells what happened, focus questions may be asked if needed to clarify, but only if justified by previous information.
16. Ask developmentally appropriate questions. Sometimes it is easier for a child to demonstrate or to draw instead of answering verbally.
17. Give permission to disagree with interviewer.
18. Tell child okay to state do not know or do not remember when they indeed do not.
19. Do not take youth's behavior personally if non-responsive or uncooperative.
20. Invite questions from client throughout the interview.
21. Build and maintain rapport throughout the interview.
22. Be genuine with your client.
23. Keep your questions short and simple-do not overload the child with too much information. Do not use confusing legal terms.
24. Avoid giving more than one option in a question.
25. Questions should be open-ended.
26. Avoid leading questions or any questions that could be answered with a yes or no.
27. Ask questions when you do not understand.
28. Avoid asking for abstract thinking.
29. Avoid starting questions with "Why" or "How could you".
30. Determine capacity/competency issues early on in representation

31. Investigate developmental background, mental and physical condition of youth, and other aspects of personal history. (See example interview questions)
32. Observe client's ability to make decisions, expression of relevant position, ability to articulate reasons for decisions, and if can choose between options.
33. Ask the child the meanings of terms to ascertain the child's understanding of terms used.
34. All relevant questions and answers should be well-documented.
35. It is preferable to interview a child one time only, in a neutral environment, free from pressure to produce a given response.
36. Do not suggest or introduce new information as the interviewer.
37. Do not use rewards-like food, praise, telling the child he may go home.
38. Interviewer should approach the interview with an open mind and be willing to consider alternative hypotheses.
39. Be friendly, but do not support or ignore statements. You do not want the child simply telling you what they think you want to hear to please you.
40. Encourage child to admit confusion or lack of memory rather than guess.
41. Do not present as authoritarian or unfriendly. Children find it hard to disagree with an adult. Try to see the situation through the eyes of the child.
42. Be culturally sensitive. What has influenced this child?
43. Evaluate your own prejudices and misconceptions about a client and the impact this has on decision-making.
44. Seek guidance from appropriate professionals including family members, court counselors, school personnel, clergy, social workers, advocates, and other concerned parties, but ensuring that attorney-client relationship is not compromised in the process.
45. Reassure client that your role is to represent them, what they want. and that your conversations are confidential.