

# **CLIENT INTERVIEWING & COUNSELING**

**Law 570 – SPRING 2021**

**Professor Brandon J. Zanotti**

## **COURSE SYLLABUS**

### **I. Class Time & Room**

Room 108

Thursdays, 5:00 – 7:30 pm

### **II. Contact Information**

Prof. Brandon J. Zanotti

Williamson County State's Attorney

200 W. Jefferson Street, Suite 205

Marion, Illinois 62959

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Please feel free to e-mail me with any questions you may have. E-mail is the best way to reach me. I will also be amenable to setting up specific meeting times if need be.

### **III. Purpose & Scope of the Course**

This is a skills-based course, covering theories and techniques used in interviewing and counseling clients in the context of legal representation. The course will consist of both lecture components (including question and answer sessions), and simulation/writing exercises designed to illustrate client interviewing and counseling techniques.

There will be several in-class exercises, one mid-term interviewing assignment, and one final counseling assignment.

### **IV. Attendance**

The Law School has a mandated attendance policy. Pursuant to that policy, you will only be allowed to miss two (2) unexcused classes this semester. Other excused absences may be granted subject to my prior approval. I strongly encourage you to attend each and every class session as we will be building on fact patterns and lectures in a cumulative fashion throughout the semester. Failure to comply with the School of Law attendance policy shall result in sanctions.

Certain classes will require *mandatory attendance*, and an absence will be allowed only for documented emergencies or if given permission to miss that class is given by the professor well in advance; if one of these mandatory attendance classes is missed with a valid excuse, the

in-class project will still be required to be made up during an off-class time period as scheduled by the professor.

## **V. Required Text**

Lawyers as Counselors: A Client-Centered Approach (Fourth Edition), David A. Binder, et al. (West Academic Publishing 2019). (hereafter “LAC”)

## **VI. Assignments & Grades**

This course is Pass/Fail. The grades will be converted by the Registrar according to the following scale: 2.1 or greater = Satisfactory; below 2.1 = Unsatisfactory. Only students who receive a Satisfactory grade will earn academic credit for the course.

If you provide adequate, timely writing assignments and participate in all practical exercises you will pass this class. In the event I determine any of your assignments are inadequate, you will be given an opportunity to correct any deficiencies based upon my written feedback. Unless otherwise noted or instructed, all written assignments must be turned in to me on the date due.

Throughout the semester we will engage in practical live exercises. Some of these exercises may be done with a partner or partners. I will ask for all of your e-mail addresses at the start of the first class. There will be many assignments and messages throughout the semester I will give via e-mail.

## **VII. Class Schedule, Readings & Assignments**

### **Class 1 – January 21, 2021: Introduction to the Course; Basic Elements of Lawyers as Counselors**

- Readings for Class: LAC, Chapters 1-4
- Assignment for Next Class: Handout Assignment
- Brief Description of Class: In this session, we will outline the course and its objectives and expectations. We will also discuss the concept of client-centered lawyering.

### **Class 2 – January 28, 2021: Fundamentals of Client Interviewing**

- Readings for Class: LAC, Chapters 5-7
- Assignment for Next Class: TBD
- Brief Description of Class: We will discuss the client interviewing process in detail, including the concept of eliciting timelines and theory development.

### **Class 3 – February 4, 2021: Challenging Circumstances in the Interview Process; Concluding the Interview**

- Readings for Class: LAC, Chapters 8-9

- Assignment for Next Class: TBD
- Brief Description of Class: We will discuss how to respond to challenging circumstances in the interview stage, including how to handle hostile and rambling clients. We will also discuss issues arising in concluding a client interview.

**Class 4 – February 11, 2021: Interviewing Criminal and Family Law Clients**

- Readings for Class: LAC, Chapters 11
- Mid-Term Assignment Handed Out; it will be due on March 4
- Brief Description of Class: We will discuss specific issues and concerns when interviewing both a criminal defendant client, and a family law client.

**Class 5 – February 18, 2021: Mock Bar Exam/MPT on Client Interviewing**

- Readings for Class: None
- Brief Description of Class: We will take a timed sample Bar Exam/Multi-State Performance Test on client interviewing. All materials will be provided for you. You will examine the material provided and then provide the directed written response. I assume most of you will be using your laptops, but if you wish to write that is fine, simply ensure you bring the proper materials to do so.

**Class 6 – February 25, 2021: Work on Midterm Project – Client Interview Project**

- Readings for Class: None
- Brief Description of Class: TBD; will concern the Mid-Term Project.

**Class 7 – March 4, 2021: Fundamentals of Client Counseling**

- Readings for Class: LAC, Chapters 12-15
- Assignment for Next Class: TBD
- Brief Description of Class: We will discuss theories and concepts involving client counseling.

**NO CLASS MARCH 11, 2021 – SPRING BREAK OBSERVANCE**

**Class 8 – March 18, 2021: Interviewing and Counseling the Organizational/Transactional/Governmental Agency Client**

- Readings for Class: LAC, Chapter 10; Chapters 17 and 18
- Assignment for Next Class: TBD
- Brief Description of Class: We will discuss specific issues and concerns involving interviewing and counseling the organizational/transactional/governmental agency client.

**Class 9 – March 25, 2021: Counseling Clients in Civil Litigation Cases**

- Readings for Class: LAC, Chapter 16
- Assignment for Next Class: TBD
- Brief Description of Class: We will discuss specific issues and concerns involving counseling clients in the course of civil litigation.

**Class 10 – April 1, 2021: Counseling Clients in Criminal Defense Cases**

- Readings for Class: LAC, Chapter 19
- Assignment for Next Class: TBD
- Brief Description of Class: We will discuss specific issues and concerns involving counseling clients in the course of criminal defense cases.

**Class 11 – April 8, 2021: Mock Bar Exam/MPT on Client Counseling**

- Readings for Class: None
- Brief Description of Class: We will take a timed sample Bar Exam/Multi-State Performance Test on client counseling. All materials will be provided for you. You will examine the material provided and then provide the directed written response. I assume most of you will be using your laptops, but if you wish to write that is fine, simply ensure you bring the proper materials to do so.

**Class 12 – April 15, 2021: Distribute, Discuss and Work on Final Project**

- Readings for Class: None
- Brief Description of Class: TBD; will concern the Mid-Term Project.

**Class 13 – April 22, 2021: Final Project**

**COURSE SYLLABUS**  
**ADDENDUM**

**Workload Expectations**

The American Bar Association standards for accrediting law schools contain a formula for calculating the amount of work that constitutes one credit hour. According to ABA Standard 310(b)(1), “a “credit hour” is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.” This is a 3-credit hour class. All told, applying the ABA standard to the number of credits offered for this class, you should plan on spending a total of 9 hours per week (3 in class and 6 preparing for class) on course-related work.

## **Plagiarism and Collaboration**

Plagiarism will not be tolerated in this class, and if it occurs, appropriate sanctions will be levied. As mentioned above, there will be several projects that will require collaborative work efforts as a group. I will clearly define those projects where group collaboration is appropriate. If not defined, then it shall be assumed that the work project is an individual project, and no plagiarism or group collaboration will be allowed.

## **Emergency Procedures**

We ask that you become familiar with **Emergency Preparedness @ SIU**. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and through text and email alerts. To register for alerts, visit: <http://emergency.siu.edu/>.

## **Disability Policy**

SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact DSS immediately at 618-453-5738 or [disabilityservices.siu.edu](http://disabilityservices.siu.edu). You may request accommodations at any time, but timely requests help to insure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreements for each course to the School of Law Registrar's Office to ensure the School of Law provides the proper classroom and examination accommodations. Accommodation [request](#) and [renewal](#) forms can be found here: <https://law.siu.edu/academics/>.

## **Saluki Cares**

The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or [siucares@siu.edu](mailto:siucares@siu.edu), <http://salukicare.siu.edu/index.html>. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is [judiray@siu.edu](mailto:judiray@siu.edu), and her phone number is 618- 453-3135.

## **COVID-19**

As a condition of on-campus enrollment, all SIUC students are required to engage in safe behaviors to avoid the spread of COVID-19, including the requirement that all students wear a mask in campus buildings, including classrooms, laboratories, and studios when others are present, regardless of social distancing. Students are expected to follow physical or social

distancing guidelines by keeping at least 6 feet from others, and practicing good hand hygiene. Failure to comply with this policy may result in dismissal from the current class session. If the student refuses to leave the classroom after being dismissed, the student may be referred to the Office of Student Rights and Responsibilities. SIUC will follow federal, state and county public health recommendations and mandates in all decisions relating to university operation. Students should regularly review the link for the [SIUC COVID-19 response](#).

### **Recording of Classes**

Our class is not set up to be recorded. If you know you must miss class in advance and desire a recording, you may contact the law school's tech support office in advance and inquire as to whether a certain class session may be recorded, and must obtain my permission first if doing so. Some of the hands-on, practical activities we will be conducting would be better learned in person, and if one of those sessions is missed, it may behoove the absent student to schedule a time to engage in the missed activity as opposed to watching it on a recording. Also, please be aware that using video or audio devices to record our class without express permission will be deemed to be a violation of the SIU Law Honor Code.