

KERALA LAW ACADEMY
14TH NATIONAL CLIENT CONSULTING COMPETITION 2013

COMPETITION FORMAT

1. Each team consisting of two student participants would be allotted a room for the interview and counselling. Here the two student participants will conduct themselves as advocates in a lawyer's chamber. The client will be a person trained by the organisers and would consult you with a problem. The two participants are required to elicit all relevant information from the client by interviewing or questioning the client and then counsel the client.
2. All teams will be pre-assigned a letter designation (A.B.C. etc.) by the organisers by picking of lots
 - a) **The Consultation (Interview Period).** All teams will go through a 35 minute session. The first 25 minutes are devoted to a consultation with the client during which students are expected to elicit the relevant information, outline the problem and propose a solution or other means of resolving the problem (Further information is contained in the Judging Standards for the Client Counselling Competition.)

During the consultation and post-consultation, the team may use books, notes and other materials. The team may also use office props (Dictaphones, Files, desktop, furnishings, bookshelves etc.) and any other material to furnish their consultation room.
 - b) **Post Consultation (Post Interview Period).** During the 10 minute post-consultation the students may either talk to each other loudly enough to be overheard by the judges or dictate a file memorandum on the interview or both. The post-consultation performance may summarise the interview, indicate the scope of the legal work to be undertaken, and state the legal issues that should be researched. Explanation of the position or attitude taken by the students may be useful.
3. If the students feel that some documents are appropriate, like a letter to the client confirming their retention as attorneys, the fee arrangement etc, or a letter to opposing counsel or to the party with whom the client is having their legal problems, they may dictate such a document at the post consultation stage.
4. The Judges may penalize students who allow the interview session to run excessively beyond the 25 minute period allotted in the rules. However the judges in their discretion, taking into account the circumstances, may allow some more time beyond the 25 minute period for the interview session. If the extended consultation session allowed an opportunity for a team to gather more information than other teams, this circumstance should be taken into consideration by the judges in making their decision. If the twenty-five (25) minute interview period is exceeded, in no circumstances will the students be given more than 40 minutes to complete both tasks (Consultation & Post Consultation). Judges should stop students after 40 minutes regardless of whether the students are in the consultation or post-consultation process.
5. There will be three rounds namely the preliminary, semi-final and final rounds. From the preliminary rounds, four or six teams, depending on the number of participants, with the highest number of points, will be qualified to participate in the semi-final round. The final round will be in one room with one panel of judges. After the judges have seen all the teams performance, they should discuss each team's performance among themselves. Judges are encouraged to consult the client. The judges can discuss with the teams regarding their performance. Then judges will individually rank the teams.

Sd/-
General Secretary

JUDGING STANDARDS

1. ***Establishing the working atmosphere.*** The lawyers established the beginning of an effective professional relationship and working atmosphere and at an appropriate point oriented the client to the special nature of the relationship (confidentiality, duration and plan of interview, methods of contact, explanation of fees and responding to client's concerns, mutual obligations and rights, after hours availability, complaints procedure etc.) in a courteous, sensitive and professional manner.
2. ***Description of the problem.*** The lawyers learned how the client viewed his or her situation, using a combination of listening and questioning, drawing out both information and feelings, as appropriate, to develop a reasonably complete and reliable description of the problem and reflecting this understanding to the client. In this regard relevant information voluntarily said by the client could be elicited by asking relevant specific questions.
3. ***Client's goals, expectations and needs.*** The lawyers learned the client's goals and initial expectations and modified or developed them as necessary, giving attention in doing so to all aspects of the problem, including the emotional ones.
4. ***Problems Analysis.*** The lawyers analysed the client's problem with creativity and from both legal and non-legal perspectives, resulting in a clear and useful formulation of the problem by asking relevant specific questions.
5. ***Legal analysis, alternative courses of action and the giving of advice.*** Legal analysis and the consequent legal advice given should be both accurate and appropriate to the situation and its context. Consistent with the analysis of the client's problem develops a set of potential and feasible alternatives, if any, both legal and non-legal.
6. ***Client's informed choice.*** The lawyers, having developed a set of potentially effective and feasible courses of action consistent with the analysis of the client's problem, assist the client in his or her understanding of the problems and solutions and in making an informed choice. Potential legal, economic, social and psychological consequences should be taken into account.
7. ***Effective conclusion.*** The lawyers concluded the interview skillfully, and left the client with feeling of reasonable confidence and understanding, with appropriate reassurance, and with a clear sense of specific expectations and mutual obligations to follow.
8. ***Team work.*** The lawyers as collaborating counsellors, worked together as a team, with flexibility and an appropriate balance of participation.
9. ***Continued an ethical and professional relationship throughout the interview.***

The lawyers recognised, clarified and responded to any moral or ethical issues which may have arisen, without being prejudicial in judgements. The lawyers developed an appropriate balance in dealing with the legal and emotional needs of the client.
10. ***Debriefing (Post interview Reflection).*** The lawyers, during the post consultation time, gave evidence of having recognised their own and the client's feelings; the strengths and limitations of their interviewing skills; their handling of the substantive aspects of the client's problems (both legal and non-legal); the quality and appropriateness of their advice and provided for an effective follow-up. Judges should expect to see evidence of students learning through making this reflection on the experience of the interview.