



TIPS FOR THE INITIAL CLIENT INTERVIEW IN AN AUTO ACCIDENT CASE

Guest Blogger Jeff Kroll

When meeting a new client, it is important to make a strong first impression. If all goes well, this interview will establish the foundation for a successful working-relationship with that client. The client will most likely look to the attorney for legal guidance and direction. If the attorney is going to convince a client that he or she is the right person for the job, trustworthiness and knowledge must be demonstrated from the onset. The following provides you with tips for a successful client interview:

1. Make the Client Comfortable.

Always start the initial client interview on a friendly note. Engage in small talk. Ask about the client's background, family-life, and children. Do not hesitate to share a little of your personal history as well, such as your own family or the community in which you live.

2. Listen to the Client's Story.

Once comfortable, encourage the client to openly share what happened on the day of the collision. Most likely, that day was a very traumatic day and the client wants an opportunity to talk about what occurred. Take minimal notes. Make eye contact. You can always “double back” and gather the information at the end of the interview. Pay close attention to what the client is telling you. Ask opened ended questions. Clients may focus on irrelevant facts. Attempt to keep the client on track, directing them back to the pertinent change of events.

3. Attempt to Create a Timeline of Events.

After the client has finished telling you what happened, attempt to create a timeline of events. This is the time to ask the client questions to clarify the story and obtain pertinent details. Now is when you need to take good notes and save those notes in your case file. You may find it helpful to refer to them when answering discovery and preparing for depositions and trial.

4. Ask about Any Reports or Other Evidence in the Client's Possession.

Ask the client if she has any reports or other evidence in her possession, including police reports, ambulance reports and/or hospital bills and records. A lawyer handling an automobile case needs to engage in an in-depth investigation as to how the collision occurred. As a start to that investigation, consider asking these initial questions:

- Did the police issue a traffic citation? If so, what was the disposition of the ticket?
- Did the client or the other driver plead guilty to any charges?
- Are there any supplemental police reports?
- Was there anyone else investigating the collision, such as an accident reconstructionist?
- Did the client obtain or take photographs or video of the scene and the vehicles? Did she see anyone else taking photographs or video? Camera phones are often used to photograph the vehicles involved.
- Was a diagram of the scene prepared?

- Were 911 phone calls made? If so, obtain a copy of the 911 phone call transcripts.
- Was an ambulance called to the scene? If so, determine the name of the ambulance from police reports and subpoena those records.

The client may or may not know the answers to these questions. A prudent attorney can easily obtain this information by making requests to the police department or other involved agencies.

5. Execute Medical Authorizations.

The client should execute a medical authorization at the initial meeting so that you can obtain all of his or her medical records and medical bills. This may also include medical records prior to the accident which may show any preexisting conditions.

6. Explain the Legal Process.

Explain any and all legal terms that you use during the interview. Determine and explain the statute of limitations. Explain it to the client and docket the dates immediately. Discuss the realities of litigation, including how long the process takes and the likely timeframe for obtaining a trial date. Also, discuss the possibilities of settlement before trial and the role in which insurance coverage may play in the potential resolution to the case.

7. Explain That There Are No Guarantees.

There are never any guarantees in litigation. Make sure the client understands that there are no guarantees. Do not promise what you cannot deliver.

8. Discuss Your Retainer.

Since most attorneys dealing with auto collision cases enter into contingency fee agreements with their clients, make sure that the client understands what a contingency fee agreement entails. The agreement should always be in writing, and the client should sign it before you begin representing them.

9. Obtain Pertinent Contact Information.

Obtain all contact information for the client before he or she leaves your office. Will the client be moving any time soon? Inform the client that she must provide you with new contact information as necessary. You must stay in contact with the client so that you can properly represent their interests. Consider using a uniform client in-take form to compile significant client contact information. Include home and work telephone numbers, cell phone numbers and email addresses.

10. Maintain Client Satisfaction.

Be sure to ask the client if he or she has any questions prior to ending the interview. Encourage the client to call or email you with any additional questions in the future. Although it is often difficult to juggle case loads while remaining available to address client concerns, it is imperative to make each client feel like his or her case is one of the most important cases in the firm.

<http://www.iicle.com/LegalScape/blogs/smallfirmbigpractice/archive/2009/10/06/tips-for-the-initial-client.aspx>