

**ASSIGNMENT § 9.2 | PREPARE A FULL SET OF INTERVIEW QUESTIONS**

Prepare *Pre-Event*, *Event* and *Post-Event* interview questions for either your client or a witness in the case you were assigned. Use the example on the following pages as a guide. When your assignment is returned to you, make any recommended corrections necessary and file it in the *Work Product* panel of your client's file. *Keep track of your billable hours* and turn a copy of your time sheet in with the questions.

**§ 9.3****Example of a Legal Interview***An Actual Set of Questions*

Following is an example of prepared questions for an interview. In this case, the interview began with little known about the beginning of the event. All that was known was that the client had been charged with assault on his wife, and that the alleged assault occurred at the couple's home around 11:00 p.m. after they returned from a party.

**INTRODUCTION**

*"Hello! My name is Pamela Legalskills. I'm a paralegal. Joe Lawyer asked me to meet with you to get some information about your situation. Why don't you come into my office?"*

*"Would you like something to drink before we start?"*

*"Okay. I want to explain a couple of things. I'm going to be asking a set of prepared questions. You may not understand the purpose of some of the questions, but please be patient. They are being asked for a reason. Feel free to ask me the reason for any question if you need to. I'd like to tape record this interview. Is this all right with you?"*

*"No one except the attorney, you, and I will ever hear the tape or see the transcript. In fact, I will provide you with a copy of the transcript so you can change any of your answers if you want. When I start the tape, I will ask you to identify yourself and acknowledge that you know this interview is being recorded. In fact, anytime the tape is stopped and started, I will ask you the same introductory questions. Do you have any questions before we begin? Okay. Let's get started."*

---

**BACKGROUND INFORMATION**

---

Use the firm's *Intake Form* or *New Matter Sheet*. (Not required for the assignment.)

---

**THE QUESTIONS**

---

(Begin recording.)

*"This is Pamela Legalskills. I am a paralegal working for Joe Lawyer, the date is June 7, 2021, it is 10:00 a.m., and today I am interviewing Robert Neeley. Robert, are you aware that this interview is being tape recorded? (Wait for verbal response.) Do I have your permission? (Response.) Thank you. This interview is regarding an arrest for assault on the evening of March 20th, 2021."*

**Pre-Event Questions**

1. What did you do the night before the event in question?
2. What time did you go to bed that night?
3. What did your wife do the night before?
4. What time did she go to bed that night?
5. Did you sleep well?
6. Did your wife sleep well, to your knowledge?
7. How do you know whether she slept well or not?
8. Do you use medication to help you sleep?
9. Does your wife use medication to help her sleep?
10. What time did you get up the morning of the event in question?
11. What time did your wife get up the morning of the event in question?
12. Did you eat breakfast? If yes, what?
13. Did your wife eat breakfast? If yes, what and how do you know?
14. Did you work the day of the event?
15. If yes, what times did you leave for and arrive at work?
16. If yes, how did work go?
17. If no, why not?
18. If no, what did you do?
19. Did your wife work the day of the event?
20. If yes, what time did she leave for work, and how do you know?
21. If no, why not?
22. If no, what did she do, and how do you know?
23. Did you have any conflicts with someone other than your wife on the day in question?
24. Did your wife have any conflicts with someone other than you on the day in question? If yes, how do you know?
25. What time did you have lunch?
26. Do you know what time your wife had lunch? If yes, how do you know?
27. What did you have for lunch?
28. What did your wife have for lunch? How do you know?

29. Did you consume any alcohol at lunch?
30. Did your wife consume any alcohol at lunch? How do you know?
31. What time did lunch end for you?
32. What time did lunch end for your wife, if you know?
33. What did you do in the afternoon?
34. What did your wife do in the afternoon? How do you know?
35. Did you take any medication the day or evening of the event?
36. If yes, was this a regular occurrence?
37. Did your wife take any medication during the day or evening in question? If yes, how do you know?
38. If yes, was this a regular occurrence? How do you know?
39. Did anything unusual happen in the afternoon?
40. Did you have dinner?
41. If yes, where and with whom?
42. What did you have for dinner?
43. Did your wife have dinner?
44. Did you drink alcohol at dinner?
45. Did your wife drink alcohol at dinner? If yes, how do you know?
46. If yes, where and with whom, and how do you know?
47. What did she have for dinner? How do you know?
48. What time did your dinner end?
49. What time did your wife's dinner end? How do you know?
50. What did you do immediately after dinner?
51. What did your wife do immediately after dinner? How do you know?
52. When did you first know you and your wife would be attending a party that night?
53. Where was the party?
54. What time did the party start?
55. What exactly did you do between dinner and the party?
56. What exactly, to the best of your knowledge, did your wife do between dinner and the party? How do you know?
57. How did you get to the party?
58. How did your wife get to the party? How do you know?
59. What time did you leave for the party?
60. What time did your wife leave for the party? How do you know?
61. Did you stop anywhere on the way to the party?
62. Did your wife stop anywhere on the way to the party? How do you know?
63. Did you consume alcohol or drugs on the way to the party? If yes, what and how much?
64. Did your wife consume alcohol or drugs on the way to the party? If yes, what, how much, and how do you know?
65. What time did you get to the party?
66. What time did your wife get to the party? How do you know?
67. Describe the party, in general terms.
68. Did you consume alcohol or drugs at the party?

69. If yes, what specifically and how much?
70. Did your wife consume alcohol or drugs at the party?
71. If yes, what specifically, and how do you know?
72. Did you or your wife have any conflicts with other people at the party? How do you know?
73. Did you have a conflict with your wife at the party?
74. Did you spend most of the time at the party together or apart?
75. What time did you leave the party?
76. Did you and your wife leave together or separately?
77. What did you do when you left the party?
78. Did you or your wife consume alcohol or drugs after you left the party? How do you know?
79. If yes, what and how much?
80. How much time elapsed between the end of the party and the time you got home?

### Event Questions

1. In your own words, describe what happened from the time you got home to the time you were arrested.
2. What time did you get home?
3. What time did your wife get home? How do you know?
4. What was the general attitude between you and your wife when you got home? Why do you say this?
5. If the attitude was negative, when & why did it become negative?
6. If the attitude was positive, when & why did it become negative?
7. What did you do when you got home?
8. What did your wife do when you got home? How do you know?
9. Did you talk with your wife when you got home?
10. If yes, what did you talk about?
11. At what point did you first have an indication that there would be a confrontation with your wife?
12. How did you react?
13. How did she react?
14. What provoked the confrontation?
15. What in your mind could have prevented the confrontation?
16. Was there physical contact between you and your spouse?
17. If yes, who initiated it?
18. How did your wife react?
19. What is the last thing said before there was physical contact?
20. Describe the physical contact.
21. What was the very first thing that happened after the physical contact?
22. What was the very first thing said after the physical contact?
23. What happened the first five minutes after the physical contact?
24. What happened the next five minutes? (10 min.)
25. What happened the next five minutes? (15 min.)

26. What did your wife do immediately after the physical contact?
27. What did she say?
28. How did she react? What makes you say this?
29. At what point, if any, did you first become aware that the police had been called?
30. At what time did the police arrive?
31. What was the first thing said to the police and by whom?
32. Did you say anything to the police? If yes, what?
33. Did your wife say anything to the police? How do you know?
34. If yes, what?
35. What is the first thing you remember the police saying?
36. Did the police ask any questions of you? If yes, what?
37. Did the police ask any questions of your wife? If yes, what?
38. What did the police do?
39. How long were the police at the house?
40. Did the police tell you why you were arrested?
41. Did the police arrest your wife?
42. How did your wife react to your arrest? Why do you say this?
43. Did the police read you your rights?
44. If yes, did the police ask you any questions after reading you your rights?
45. How did you respond to the police questions?
46. Where did the police take you?

#### Post-Event Questions

1. Did the police ask you any questions at the station? What?
2. If yes, did you answer any questions or say anything?
3. Were you asked to sign anything? If yes, what?
4. Did you sign anything? If yes, what?
5. How long were you at the station?
6. Why do you think you were released?
7. Did you post bail? If yes, what was the amount?
8. What time did you leave the station?
9. Were you given any instructions by the police? If yes, what?
10. Have you talked to your wife since the event?
11. If yes, who initiated the contact and what was said?
12. Where have you been living since the event?
13. Where has your wife been living? How do you know?
14. Finally, is there anything else you would like to tell me?

#### Note:

As you are asking the questions, you will want to avoid the “How do you know” or “If yes, what” follow-ups if you have obtained that knowledge from previous responses. Again, if possible, avoid repeating questions.

**Interview Wrap-Up**

*"I want to thank you for your help. I will get a copy of the transcript to you as soon as possible. If you think of anything after you leave, feel free to call me. Here is my card with my number on it. You can call me any time with any questions or concerns you might have. It will usually be easier to reach me than the attorney. I will get this information to the attorney, and I am sure he will be in touch with you soon. Do you have any questions? Okay. Have a nice day. Good-bye."*

**§ 9.4****Social Media***A Hidden Danger*

It is difficult for some to remember that their social media life is different from their work life. The two can often blend into each other, especially if you connect with co-workers on social networking platforms or if a client has become a social media "friend" or follower.

Be aware of what you are posting and whether it would be appropriate to post it on social media, which is inherently unsecure. It is not sufficient to avoid crossing the line of ethical conduct on social media, you must not get anywhere near the line.

The following points may seem obvious, but they are pointed out here because there have been actual situations where these breaches of ethics have occurred.

- *Do not set up meetings or interviews over social media platforms. They are simply not secure.*
- *If your client insists on communicating with you over social platforms, even if it is just to set up meetings or interviews, tell them it is against firm policy for you to communicate in such a manner.*
- *Never conduct an interview over a social networking platform, such as Facebook. Use Zoom, Google, or another video conferencing app.*
- *Never use any social network to discuss an interview you have conducted, even with your employer. Those networks are simply not secure, and it is easy to involuntarily waive the client's privilege.*