

ALI-ABA Training Materials

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**BEST PRACTICES IN REPRESENTING ASYLUM-SEEKERS
A VIDEO RESOURCE FOR *PRO BONO* ATTORNEYS**

Sixth Client Interview

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Viewer's Guide to the Sixth Client Interview

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A Viewer's Guide to THE SIXTH CLIENT INTERVIEW

THE HUMAN FACTOR

Try to Maintain the Comfortable Environment of Previous Interviews.

- Start the interview by reviewing the status of your client's case.

Inquire About the Status of Your Client's Assignments.

- If you have asked your client to collect documents or other corroborating evidence, ask now if he or she has made any progress.
- If your client has documentary or other evidence, ask if you can keep it in a safe place in your office until the hearing is over.

Continue to Encourage Your Client to Help You Help Her

- Before you end the interview, make sure that your client is still actively involved in the preparation of his or her asylum claim.
- Continue to ask if there is anyone in the client's home country who can corroborate his or her story and would be willing to supply an affidavit, etc.
- Ask your client if there is anything else he or she needs or wants to talk to you about.

LEGAL CONSIDERATIONS – LEGAL THEORY

Working with Witnesses

- By this point in the preparation of your client's case, you should have found expert and other witnesses to supply affidavits on behalf of your client.
- When interviewing your client, compare your client's answers with the expert's analysis of their claim and help your client understand the legal theory of the case.

LEGAL CONSIDERATIONS – CREDIBILITY

The Importance of Credibility

- An applicant's credibility is an important part of the asylum process.

- It is absolutely essential that you make sure the facts you have included in your client's I-589, affidavit and elsewhere are exactly accurate and are the same as those your client will testify to at the merits hearing.
- Remember that you may need to talk to your client about aspects of his or her story that are inconsistent.

You May Need to Ask Questions in More Than One Way.

- Believe it or not, you may be more well-versed in the political nuances of your client's home country than the client is by this point in your case.
- Your client may not have any idea why the government is targeting him or her for persecution. That is understandable and you may need to educate your client about such matters.
- Consequently, you may need to ask questions that will confirm your case theory. For example, if your client cannot answer questions such as, "Why is the government targeting your tribe?" ask your client what tribe he or she is a member of, how others could tell that she is a member of that tribe, etc.

If Necessary, Inquire About the Details of Client's Account.

- The applicant's credibility is an increasingly important part of the asylum process.
- Consequently if there are inconsistencies in your client's story, it is necessary to clear them up before the hearing.