

Interviews: DO's and DON'Ts

DO	DON'T
Be courteous, polite, and respectful.	Don't be impatient, fidgety, nervous.
Be appropriately dressed.	Don't wear a suit when you are going into someone's home. Don't wear a tank top and shorts when going into someone's home. Dress neatly, conservatively, and understated.
<p>Be prepared for the interview:</p> <ul style="list-style-type: none"> - What do you want to cover? - Know everything you can about the person and their relationship to the case. - Review prior statements, old memos and any associated records or materials related to the individual immediately before the interview. <p>Be prepared to explain the status of the case and what you expect to happen in the future.</p>	Don't stay on your agenda. Be flexible and able to listen to what is important for them to say, not just what you want to cover.
<p>Ask open ended questions.</p> <ul style="list-style-type: none"> - How did you feel about _____? - What did you think about _____? - What happened before/after _____? 	Don't jump around from subject to subject. Stay clear. You are a tour guide, and you will need to keep the flow simple and easy to follow.
LISTEN!! Listen carefully, take notes and memorialize immediately afterwards.	Don't interrupt pregnant pauses. If you let an uncomfortable silence last, eventually the interviewee will fill the silence with exactly what is on their mind.
Clear up any confusion, misunderstandings before the end of the interview. Make sure your notes make sense to you. If it is confusing or unclear to you, then it won't help the next person on the team to understand the issue.	Don't adopt a particular perspective. Don't let on what your feelings are on a particular issue. Even if they ask you specifically what you think happened, or whether a particular person is to blame about a situation, stay noncommittal. Try to stay objective and open.
Be comfortable with yourself, your surroundings, and the subject matter. Don't react negatively to anything that comes up or happens during the interview. There may be mosquitos, pouring rain, angry pets, screaming children, interruptions, blaring TV set. You need to be able to roll with whatever is happening.	Don't interrupt. Don't be abrupt. Don't break the flow of what they are saying. Hold your questions until the person is finished talking.
Take note of any questions they have that you are unable to answer, so you can look into them and get back to them.	Don't be alarmed / disgusted / surprised by the things they say. Pay close attention to your own reactions. Even positive reactions can be dangerous, because they give the interviewee clues as to what you want them to say. You want them to feel free to talk about how they feel and say what they want to say, without prompting or judgment or shaping from you or your responses/questions.

Records Collection: DO's and DON'Ts

DO	DON'T
Be polite and courteous to records custodians, even (and especially) if they are mean and nasty and rude to you.	Don't go off on a records clerk.
Be specific about what records you want, but Don't close out the possibility of getting records that you Don't know exist.	Don't make the request too overbroad.
Send out dozens and dozens of requests.	Don't ever stop chasing down records.
Get plenty of releases, signed by your client, everyone in the client's family, other witnesses, next of kin releases, etc.	Don't take no for an answer. Be prepared to explain to the witness why it is important to get their records.
Get info on every person's records institutions. Ask them where they went to the doctor, where they went to school, where they have worked, etc. etc.	Don't quit early - keep asking questions until you are sure you have a fully developed list of records institutions.
Keep looking for records.	Don't give up.
Send releases to all local hospitals, doctors, school boards, local / state / federal law enforcement, social service offices, social security / welfare offices, etc.	Don't just look for the records you know exist. The best records are surprise treasures buried among the mundane.
Send Public Records Act requests to governmental agencies on all levels: local / community, town, county, region, state, federal.	Don't assume you know records do not exist on a specific person in a specific office.
Go to all branches of government to search through public records on all witnesses: criminal, civil, municipal, and city courts; tax assessor's office, real estate offices, conveyances, Secretary of State, Vital Records, etc.	Don't give the records clerk more information than they need. They Don't need to know about your client's medical problems, the level of your client's guilt, the evidence against them, your role in the case, etc.
Be creative - where else would copies of that record end up?	Don't assume a record doesn't exist or there's no way to get it.
Keep a record of what requests were sent out, when, who you spoke to, what number you called. Keep fax confirmation sheets in a file with the request. FOLLOW UP on requests sent out, or the custodians will forget about you. Often you must send the requests several times.	Don't wait for records custodians to get back to you.