

## PARADIGM SHIFT

### A. CLIENT

- GOAL SETTING
- CLIENTS INVOLVEMENT – CLIENTS TALK MORE AND LAWYERS TALK LESS
- CLIENTS CAN MAKE SPONTANEOUS OFFERS
- CALM TONE BY ATTORNEYS – NO THREATS / INTIMIDATIONS / ANGER
- LESS DISCUSSION OF LAW
- ALLOW EMOTION BY CLIENT
- PERMIT SILENCE
- RARE TO CAUCUS
- ACTIVE LISTENING SKILLS ARE NEEDED

### B. OTHER ATTORNEY

- ESTABLISH RAPPORT
- GAIN TRUST
- COMMUNICATION BY TELEPHONE RATHER THAN LETTER WRITING CAMPAIGN

### C. EXPERTS

- JOINT
- TRANSPARENT PROCESS
- DISCOVERY PROCESS/NO DEPOSITIONS NOR INTERROGATORIES BUT FULL DISCOVERY
- REPORT CONFIDENTIAL

### D. OTHER PARTY

- ALLOW EMPATHY TO BE SHOWN TO OTHER PARTY
- ACTIVE LISTENING

### E. PROCESS

- NOTE TAKING/E-MAILS
- HOMEWORK ASSIGNMENTS
- NO SPECIFIC TIME LIMITATIONS
- COMPLETE CASE INFORMATION STATEMENT
- TOTAL DISCLOSURE
- ADDENDUM TO PARTICIPATION AGREEMENT