

Call for Justice, LLC—United Way 2-1-1 Training Paper

Session 15: Tips on Efficient and Caring Interviewing Techniques

September 19 and 20, 2013: Lizzie Morris and Ashley Wirth-Petrik, Tubman, and Ellie Krug, Call for Justice, LLC

Featured Speakers' Topic

This month, Lizzie Morris and Ashley Wirth-Petrik from Tubman, and Ellie Krug from C4J, will offer some suggestions and tips on efficient and caring interviewing techniques aimed at helping legal needs callers reach appropriate resources.

The Challenge

One of the challenges of legal referrals is that callers often want to tell the “story” that underlies their legal need. Of course, this could involve substantial time and the caller may end up needlessly sharing many details that would otherwise be shared with a legal provider. (Which, in turn, leads to the risk of “story fatigue” as the caller contacts various legal providers.)

How do you tease out the essential details of the caller’s legal need so as to make targeted legal referrals, while at the same time being efficient and caring? What are the techniques for obtaining crucial information while not being too intrusive or evasive? How should you respectfully handle callers who are demanding or emotional (or both)?

We’re also very aware of the excellent training that you’ve received from United Way 2-1-1/Ceridian Corporation, so this session is aimed at augmenting your existing skillsets. It may be that you already know the points that we’ll cover. If so, this will be a refresher—and there’s nothing wrong with being refreshed!

Humanity 101—All You Need is Love (and an I&R Specialist!)

Let’s start with the most basic of all basics—our common humanity. We humans have many shared tendencies—with fear of the unknown being core (and most controlling). Since many people have no understanding of the legal system and its subparts (e.g. family law, landlord-tenant law, consumer debt protection, etc.), their default is to panic when confronted with legal problems, particularly those that involve court appearances or hearings. Exacerbating that fear is loss of control; financial situations may make it impossible to hire a lawyer. Throw in potential language or cultural barriers, and you’ve got a chaotic system where many people are left to fend for themselves believing they control nothing.

Two months ago, we discussed the concept of “**process**”—that callers may be caught up in a legal predicament that has many actors and many moving parts. We talked about a crucial role

that 2-1-1 can play by orienting callers to the idea that it may take months and much effort for them to reach an endpoint with their legal problem. Describing all of this as a *process* would be extremely helpful to many callers. Doing so would also give you the ability to focus the caller on the reason why the two of you are talking—that 2-1-1 is only one part (albeit a very important part) in the process—and for many people, the starting part. Thus, explaining this may help the caller understand that telling you the entire “story” may be premature and not a good use of their time.

Another thing we humans like is validation and praise, and taking the step of actually seeking legal help is definitely positive. By acknowledging the positive initiative of the caller, in addition to validating the fear/frustration/anger that can be felt throughout the process, you can help the caller feel like their emotions are being taken into consideration while staying focused and professional.

What to say about the process:

- “But before I do that, please let me explain that dealing with your legal issue may be a long process. There are many things you may not be able to control.” (This is also a good point to incorporate the “3 P’s” [Patience, Persistence and Preparation] from our training in July. By introducing the 3 P’s, you are offering the caller something that they can control.)
- “It can be helpful to step back and look at the big picture—sometimes there are bursts of activity followed by weeks or months of inactivity. The inactivity doesn’t mean your legal problem’s gone away. Instead, it means you can look out for and keep track of phone calls or things you receive in the mail. For example, very important documents often come in not-so-important-looking envelopes.” (This also may be where you add some of the commentary from our July, 2013 training.)

More Specific Interviewing Tips

Getting away from all that touchy-feely humanity stuff for a moment, we have some concrete tips for efficient yet caring telephone interviewing (some of which you may already know):

1. Ready: Focus, Focus, Focus

Some callers might have no idea where to start. To make the most of their time (and, of course, yours!) here are some ways to start the conversation:

- **Define your role:** “My role today is to help you get connected to legal resources. I’m not in a position to give you legal advice or to offer suggestions about how to handle your legal issue.”
- **Have the caller set the agenda:** “What are you looking for with this call?” or “what would you like to accomplish by calling 2-1-1?”

2. Set: Keeping the Call on Track

Some callers might need to vent about their legal issue, or feel compelled to tell you everything about their case. To avoid “story fatigue,” and to help you keep the call on track, here are a few tips:

- **Refer back to the agenda:** “At the beginning of the call you said you wanted to talk to an attorney about divorce; can we go back to this topic?”
- **Refer back to your role:** “What you describe here sounds extremely frustrating, and anyone in your situation would understandably be angry [or afraid] over it. It’s important that you want to deal with the situation, and calling 2-1-1 is a good first step. However, I don’t need to hear everything in order to give you some places to go for assistance.”
- **Stay in the Present:** “What is the date of the most recent letter you’ve received on this?” or “When is the next court date?” or “Are there any pressing deadlines we need to keep in mind?” or “What resources have you tried that brought you to 2-1-1?” or even “Where do you think you are in the process?”
- **Set up a framework for the answer:** “Can you tell me a few key words to describe your legal situation? For example, are you looking for legal support for divorce, custody, housing, or criminal charges?” or “Can you tell me a few key words to describe what type of legal support you are looking for right now? For example, information, advice, help with paperwork, or representation?”
- **Slow down the caller:** “Can I ask you some follow-up questions so that I better understand your situation?” or “If it’s alright with you, I may want to take some notes of things you say. These notes will be destroyed after our conversation.”
- **Direct the caller:** “Would you now like to talk about a social service provider I’ve found who might be of assistance?”

3. Go: Ending the Call on a Positive Note

Callers may be reluctant to end their time with you for many reasons. They may feel invested in the call after sharing many details, or may be frustrated with the provided referrals and demand more. Here are some suggestions on how one could end a phone call in a professional, yet sensitive way that makes the caller feel like they haven’t been completely abandoned:

- **Explain what has been accomplished:** “We’ve gone over a variety of resources today to get things moving in the direction that you are looking for—X, Y, and Z if X doesn’t work.”
- **Once again, reiterate your role:** “Those are the resources that I can suggest to you at this time. If you have more questions, don’t hesitate to call 2-1-1 again.”
- **Reiterate the “process”:** “By making this phone call you are moving forward and learning about different options. It’s important to remember

that this is a process, and you can focus on what you can control and continue to take it step by step.”

- **Normalize the situation:** “It’s common to have roadblocks along the way in this process—many people are dealing with the same types of legal issues.”

(Note: while we want to normalize, also make sure not to trivialize, and again, reinforcement of the “3P’s” is a good way of normalizing. Avoid starting sentences with “you need” or “you should” because both can be seen as giving advice.)

- **If all else fails, stay professional and stay firm:** “I’m sorry but I have to end this call. If you have more questions please call 2-1-1 again and someone will be happy to offer more help”

Humanity 102—The Times They are a-Changin’

You thought we were done with the humanity stuff didn’t you? No way! There are a TON of things that we as humans choose not to share. Even in a face-to-face conversation, we can’t immediately tell what a person ate for dinner last night, much less their exact financial situation, marriage status (i.e. the legalization of gay marriage), or sexual orientation. On top of all that, we are “blinded” by the headset, and lose the ability to perceive if the things we are saying are making the other party uncomfortable—or if what we’re saying doesn’t even apply!

To make things even more difficult, the caller is probably in the midst of a crisis situation or experiencing a severe lack of resources (including human-to-human contact!) so it’s of the utmost importance that we communicate in ways that aren’t misunderstood by the callers, and vice versa. Below are some general tips and tricks on how to proceed with caution and prevent any potentially uncomfortable situations that accompany some unconscious assumptions:

Active Listening and Voice Tone

We’re sure that you’ve been trained on active listening and voice tone, but let’s revisit here (plus, viewers of this paper on the Call for Justice website might not have such training). “**Active listening**” is a communication technique that requires the *feeding back* of information. This shows that the receiver of the information is listening and *actively processing* along with the speaker. Active listening can also be demonstrated in many ways, including the provision of examples of services or situations—and even in the personal validation of the caller.

What to Say:

- **The Process:** “Where do you think you are in the process? For example, have you already been to court? Or have you just recently decided to file a complaint?”
- **The Listener:** “I can tell you’re a good mom.” [the caller tells them they’re not] “I think that seeking legal help to protect your children from X, Y, and Z makes you a good mom.”

Now that we've refreshed ourselves in the general ways to show we're involved in the conversation, let's focus on the things we actually say. The most important thing we want to do is let the caller identify their situation. We want to stay away from making assumptions about the person on the other side of the phone—even voices can be deceiving (i.e. our very own lovely Ellie Krug). To avoid potentially offending or isolating the caller, start broad, utilize passive language, and be ready to translate what you're hearing!

1. Start Broad—Don't Tell the Callers Who They Are

You can start by speaking broadly about the caller's situation. As the caller offers more information, you can start using the terms they use. When you start broad and move toward more specific details you are able to check for understanding along the way. Asking broad questions that build off of each other creates a logical information foundation. Building a logical information foundation creates a picture of the current situation without adding in assumptions or imposing labels onto the caller. We want to keep the caller in control of defining their situation as well as able to access resource referrals without having to disclose parts of their identity. Here are some examples of helpful language:

Person first language: When we use "person first language", we recognize that people are more than just one part of their identity or experience. "Person first language" may not work for every description but it can be regularly used in a variety of contexts. Thus, when we use "person first language" we put focus on the person, see each person as complex, and use terms that have a positive connotation. An example of using person first language is referring to someone as "a person with a disability" as opposed to "a disabled person".

Disability-informed language: Being disability-informed means you are mindful that the person you are speaking to could have a disability and you interact with them in a way that does not assume ability. An example of acting in a disability informed way is saying, "the building is open during these hours" as opposed to "you can just walk in during these hours".

Trauma-informed language: Being trauma-informed means you are mindful that the person you are speaking to could have a trauma history and you interact with them in a way that avoids the potential of re-traumatizing them. Using violent language or taking control away from a caller can be a trigger for them. An example of phrases that use violent language are: "Take a stab at it" or "It strikes me".

Other thoughts/examples:

- **Logical Question Foundation:** "What is the subject matter of the court case?" [They answer: child custody] "Who are the parties

involved?” [They answer: myself and my ex-partner] “What is the current state of the legal matter between you and your ex-partner?”

- **Yes/No Questions:** “I hear you’re looking for some housing—I have some numbers for housing agencies and you tell me if you’d like the number: One is for people who are HIV positive—would you like that number? One is for people with disabilities—would you like that number? Etc...”

See the attached Information Sheet for more information and examples of “person first” language.

2. Perceived Judgment versus Explained Intention

Explain the purpose behind asking questions. If you need to ask questions for clarification, explain how asking these questions assists with searching for resources that are more likely to be a good fit for the caller than others. If you want to offer a supportive suggestion based on an observation, help the caller see the thoughtfulness behind your suggestion. For example, asking a question abruptly without first giving it context and explaining how that question is intended to offer support can be interpreted as judgmental.

Perceived Judgment: "Do you think you need therapy?"

Explained Intention: "It sounds like this has been emotionally difficult for you. It's common for people to find emotional support helpful while they seek legal support. Would you like a referral to a therapy program?"

3. Translate What You’re Hearing

Callers may use terms or phrases that you’re not familiar with and thus, you’ll have to translate what it is that you’re hearing. This is one of the reasons why we’ve provided various documents at training sessions.

If the caller is referring to a document, ask what words appear at the top of the page; if the words relate to the court system, the document probably relates to some type of legal action. If the words are a business name, the document probably relates to a collection or to a threatened legal action.

Avoid using jargon or abbreviations, such as “OFP,” or “Unlawful Detainer,” and instead define or explain what you are talking about.

4. A Few Concluding Words

One of the most important things we can do is normalize the situation for the caller and make sure they feel like they are not alone in their struggles. Also remember

that it's okay to direct them to certain social services like therapy BUT you need to be wary of the "stigma" that might be attached.

Remember that in Minnesota, "spouse" or "married" has gained some additional meanings. Listen for how the caller refers to the person to whom they are married (or, soon, divorced). If in doubt, use "spouse" or "ex-spouse" (or "partner" or "ex-partner").

Let us know if you have any questions!

Ellie and Emily

Call for Justice, LLC

Attachment: "Person First Language" Information Sheet

"Person First Language" Information Sheet

As an agency, we value best practice. Best practice includes being client-centered, which involves meeting people where they are at and tailoring services to them. One way to do this is to use "person first language" or asking people how they want to be identified and then using their preferred term.

When we use "person first language", we are recognizing that people are more than just one part of their identity or experience. "Person first language" may not work for every description but, it can be used when referring to a person with a disability. This practice is important because we want to emphasize the person, not the disability. When we use "person first language" or a person's preferred term, it helps remove social barriers and creates a welcoming environment.

When using "person first language" we:

- Put focus on the person.
- Describe what a person has, not who they are.
- See each person as complex instead of focusing on one aspect of their identity.
- Use terms that have a positive connotation.

Skill Building Exercise

Refer to these examples of person first language terms that can be used instead of other terms.

Category	Instead of “is”	Try “...who...with...has”
<i>General</i>	“Your one o’clock is here”	“The person you are meeting with at one o’clock is here”
<i>Disabilities in General</i>	A disabled person Disabled people	A person with a disability People with disabilities
	A disabled shelter resident	A shelter resident with a disability A shelter resident who has a disability
<i>Physical or Mobility Impairment</i>	“They are physically disabled or crippled”	“They have a physical disability”
<i>Physical or Mobility Impairment</i>	Crippled Lame	A person who has a mobility impairment A person who has a physical disability
	“Wheelchair coming through”	“A person using a wheelchair is trying to get through”
	Wheelchair bound Confined to a wheelchair	A person using a wheelchair or mobility chair
	Handicapped parking users	People who use accessible parking
	Quadriplegic	A person who has quadriplegia
<i>Hearing Impairment</i>	A deaf person	A person who has a hearing impairment A person who is deaf
<i>Non-verbal Communication</i>	Non-verbal	A person who communicates with their eyes or a device or other ways
	Signer	A person communicating with sign language A person who communicates with sign language

<i>Cognitive Impairments</i>	A retarded person	A person with a developmental delay
<i>Neurological Condition</i>	The Epileptic	A person who has epilepsy
<i>Brain Injury</i>	Brain damaged	A person with a brain injury
<i>Congenital Disability</i>	Birth defected	A person with a congenital disability
<i>Youth</i>	“They’re special ed.”	“They use special education services.”
	An IEP child	A child using an IEP (Individualized Education Program)
	Normal or healthy children	Children without disabilities
<i>Mental Health</i>	“...that client would do that because she has a bipolar mom”	“It might be helpful to know, when trying to understand [client’s name] that they have a mom with a diagnosis of bipolar disorder”
	“I’m seeing my autistic client today”	“I’m seeing my client today, who is a person with autism” “I’m seeing my client today, who is a person with a diagnosis of autism”
	A Schizophrenic person A Schizophrenic The Schizophrenic	A person with schizophrenia A person who has schizophrenia A person with a diagnosis of schizophrenia A person who has a diagnosis of schizophrenia
	Mentally challenged Mentally retarded They’re retarded	A person with a cognitive disability A person who has a cognitive disability They have a developmental delay
	Mentally ill	A person with a mental health diagnosis or condition or disorder
<i>Chemical Health</i>	Addicts	People with an addiction

<i>Domestic Violence</i>	Abuser Perpetrator Batterer	A person who has behaved abusively A person who has been abusive
	“Your abuser” (said while talking to a person seeking shelter)	(Ask, “What would you like me to call the person who caused you to seek shelter?”, then use it) “The person who caused you to seek shelter”
	“Are you a victim of domestic violence?”	“Have you experienced domestic violence?” “Is domestic violence a part of your situation?”
	Victim	A person who has experienced abuse A person who is seeking services (at a domestic abuse agency)
<i>Legal</i>	The criminal	The person with a criminal record
	A prostitute	A person who has experienced sex trafficking A person in prostitution
<i>Legal</i>	Illegal immigrant Illegal Alien	A person with undocumented immigrant status
<i>Housing</i>	The Homeless	People experiencing homelessness

This list is not all inclusive. Please think of other terms you can start using or introduce to others. Use terms on an individualized basis, ask people what terms they want you to use or mirror terms you hear people using in relation to themselves and the people in their lives.

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