



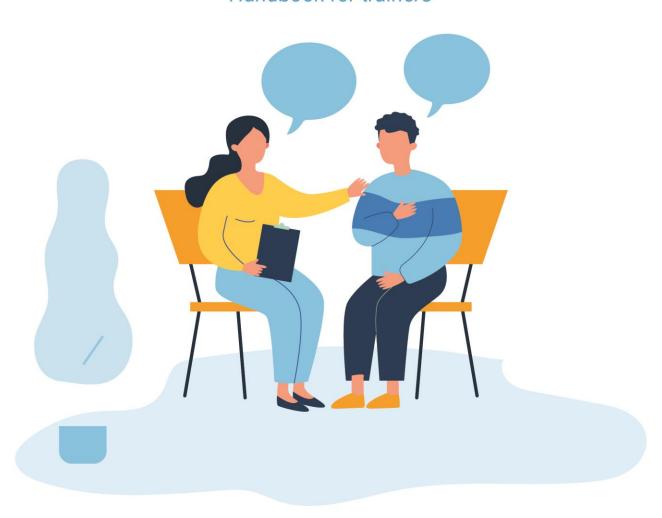


EUROPEAN UNION

LEGAL CONSULTANCY TRAINING MATERIALS FOR MEMBERS OF VIET NAM LAWYERS ASSOCIATION

SET I: (1) INTERVIEWING SKILLS; (2) LEGAL CONSULTATION SKILLS; (3) LEGAL MATTER PLANNING SKILLS

Handbook for trainers





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Introduction to the Facilitator/Trainers on How to Use This Handbook

This Handbook (Second Book) is designed to give the Trainers (also called the Facilitator/Trainers - the person using this Handbook) instructions on how to effectively use this Handbook. After reading this section the Facilitator/Trainer will know how to use the different sections and tools in this Handbook and will have a basic understanding of the interactive training methods used.

The materials contained in this Handbook are designed to assist the **Vietnam Lawyer's Association** (VLA) Legal Aid Provider (LAP) senior members in strengthening the ability of other VLA LAP in three (3) specific skills areas related to working with Persons Requesting Legal Advice.

These areas are:

- 1) Person Requesting Legal Assistance Communication, Information Gathering, and Interviewing Skills (skills in communicating with Persons Requesting Legal Advice and stakeholders)
- Client-Centered Lawyering, Counselling and Decision-Making Skills (skills in empowering Persons Requesting Legal Advice to make their own decision for their matter)
- 3) Legal Matter Planning (analyzing and developing a Legal Matter Plan)

The above three skills areas are a result of a 2019 survey report assessing the capacity of VLA's LAPs. One of the key findings of the survey demonstrated a need for more training in the above skills areas.

To deliver the three above groups of skills, two Handbooks have been designed. They are:

 Handbook 1: This Handbook contains reading and study materials for Facilitators/Trainers and Participants. This Handbooks is a reference guide for Teachers (Facilitators/Trainers) and Participants (Trainees). This Handbook contains background and content information related to the 3 groups of skills referred to above. This Handbook has been designed and contains much content information related to the three lessons mentioned above (the concept of skills, why these skills are important and how do these skills work in the process of working with Persons Requesting Legal Assistance. • **Handbook 2**: This Handbook is a guide for Facilitators/Trainers. This guide assists the Facilitators/Trainers on how to teach the content in Handbook 1, using and applying interactive and experiential teaching methods, with a Participant-centered approach. This Handbook is an effective training tool to help Facilitators/Trainers to deliver the skills and content in the Handbook 1 to Legal Aid Providers, who participate in the workshop.

In both the Facilitator/Trainer and the Participant Handbooks there is important information related to the topics in the Handbook. However, this information is not always the same. The Participant's Handbook contains important legal information related to each of the topics in the Handbook. This is referred to as, the Content. The Facilitator Handbook contains information on how to train the Participants (VLA Legal Aid Providers) to understand and apply the topics in the Participant Handbook. This includes a basic summary of interactive teaching methods, and lesson plans which are specifically designed to make sure that the Participants understand the information found in the lesson.

The materials and training lessons contained in this Handbook are to be used for a two (2) day workshop. The lessons and content contained within are not meant to be exclusive of all that needs to be known about how to apply these skills. Each of the above skills can take many years to master, and the trainings related to each of the skills can also be done over many days, weeks, months and even years. However, it is recognized that in order to master any skill, it is important to start somewhere, and this Handbook is meant to be a good starting point.

The content is based on many years of design, implementation, and fine-tuning, and applies information contained in training curriculum created by many experts, and used globally. The materials use a type of experiential, interactive training method. While the training materials are experiential, they are not experimental! The model suggested here is well tried and tested and have been used to train LAP throughout the Asia region and globally.

Sincere thanks go out to all of the National and International experts who worked to create these Handbooks.

Facilitator/Trainer Handbook

This is an introduction to the use of the materials in the Legal Advice Capacity Building Training Handbook for Legal Aid Providers of the Vietnam Lawyers Association (VLA) within the framework of the Law Strengthening Program and Justice in Vietnam (EU JULE). This Handbook is a training/facilitation document for VLA LAP Facilitators/Trainers to read prior to, during and after their trainings on the content in this Handbook.

This Handbook contains three different lessons.

- 1) Person Requesting Legal Assistance Communication, Information Gathering, and Interviewing Skills (skills in communicating with persons requesting legal assistance and stakeholders)
- 2) Client-Centered Lawyering, Counselling and Decision-Making Skills (skills in empowering persons requesting legal assistance to make their own decision for their matter)
- 3) Legal Matter Planning (analyzing and developing a Legal Matter Plan)

Each lesson has detailed information at the beginning, including:

Preparation for Facilitator/Trainers and Interactive Training Tips and Method

Ø	Purpose of the Lesson
15	Outcomes, including the Knowledge, Values, and Skills gained after completing the lesson.
1 2	The teaching methods that are used in the lesson
	Specific time for each activity
E .	The preparation of materials for the implementation of each activity in the lesson
	Activities conducted by the Participants to learn the content of the lesson

While it is not necessary for the Participants to review the Facilitator/Trainer Handbook, it is essential that the Facilitator/Trainer review the substantive information contained in the Participant Handbook. This is necessary in order for the Facilitator/Trainer to effectively be able to apply the lessons in the

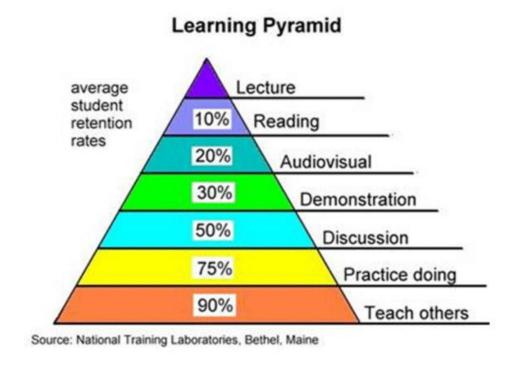
Facilitator/Trainer Handbook and make sure the Participants understood the information that is contained in the Participant Handbook.



Important Points

How much do Participants remember?

- If lectures are used Participants remember 5%.
- If Participants read for themselves, they remember 10%.
- If audio-visual methods are used (example: Power Point) Participants remember 20%.
- If Participants discuss issues in small groups, they will remember 50%.
- If Participants are shown a demonstration and then required to practice it, they will remember 75%.
- If Participants teach others, they will remember 90%.



Skills and Qualities of a Good Facilitator/Trainer:

In order to improve the qualities of the Facilitator/Trainer, it is important to consider the skills and qualities that make a good Facilitator/Trainer.

Learning styles:

In preparing to be a good Facilitator/Trainer, one of the most important things

for a Facilitator/Trainer to understand and appreciate is that workshop Participants may learn in different ways. For this reason, it is essential that the Facilitator/Trainer be adaptable to the many different learning styles of the Participants. Participants include different types of sensory receivers while learning, which include:

- Visual (sight),
- Auditory (hearing)
- Kinesthetic (movement)

Depending on the person, one of these receivers is generally dominant. However, many people combine these styles of learning or use different kinds of receivers for different tasks. It is important for the Participants of the workshop to know for themselves how they learn best.

In addition to understanding the different learning styles of Participants, there are a number of suggested skills and qualities that make a good Facilitator/Trainer, some of which are listed below.

A Facilitator/Trainer should:

Be a Facilitator/Trainer: This means that they share the knowledge relating to their legal experience with the Participants. A good Facilitator/Trainer should facilitate rather than take the role of "teacher". "Collaborative learning" should be used as a basic principle during training to encourage the Participants to share their opinions and experiences.

Have sensibility towards the Participants: Applying "Collaborative learning" principles a good Facilitator/Trainer will help to establish the environment of trust and openness where everyone feels free to share the ideas, and where differences of opinion are listened to and respected.

Engage the Participants in the discussion: A good Facilitator/Trainer will engage the Participants in the discussion. Doing this will help the Participants to feel confident and being part of what is happening. They can also learn from each other.

Have the ability to hold people's attention: A good Facilitator/Trainer should use body language, tone of voice, to hold the attention of the Participants, and give them a feeling of being included.

Be a good listener: A good Facilitator/Trainer will always listen carefully to the opinion of the Participants so that he/she will be able to sense the feelings of individuals and the group. It is important to ensure that everyone feels included and has the opportunity to participate.

Be good in timing: A Facilitator/Trainer needs to develop a good sense for the timings during a training. He/she should know when to bring a discussion to a close, when to change the topic, when to cut off someone who has spoken for

too long, when to let the discussion continue over the allotted time, and when to let the silence continue for a little longer.

A Facilitator/Trainer should not be:

Responsible for learning: The Facilitator/Trainer is the facilitator. The whole group is responsible for learning.

The only one speaking: The Facilitator/Trainer is a co-Participant with the other Participants, and not the teacher. A good Facilitator/Trainer will involve the Participants in discussions.

A guarantee for the success of the training: The Participants have to be willing to learn new skills. The Facilitator/Trainer cannot push them to do so.

A judge: in collaborative learning, the Facilitator/Trainer is not appointed to judge upon the opinions of the Participants but to share his/her knowledge and clarify factual inaccuracies.

A servant: All the Participants have to support the Facilitator/Trainer if he/she is asking them to do so (preparing to begin the exercises for instance).



Important Points

Facilitator/Trainers can build up a good relationship with Participants by:

- greeting them as they enter the training room
- calling them by their name
- maintaining eye contact
- asking interesting questions
- encouraging the Participants to become involved in the learning process
- talking to them on a one-on-one basis before and after training sessions and during breaks
- responding to their body language by acknowledging puzzled expressions and checking for any confusion

Training Methods

An important task in preparing a training is to determine the appropriate methods. Indeed, we can facilitate this task in considering what learning methods can be applied for specific teaching topics and Participants.

Below is a list and explanation of some of the training methods that have been either been included in this Handbook, or which the Facilitator/Trainer may want to consider using in the future to adapt and revise the lessons in the Handbook. The methods included are those which may not be very familiar to the Facilitator/Trainer.

They include:

Case studies: The case study is a useful and flexible method of providing examples of a subject for discussion and comment by Participants. This method helps engage the Participants in many different relevant legal related issues and permits them to achieve several things in the training, such as: it can help group cohesiveness, highlight dilemmas, test learning, develop analytical and problem-solving skills, help people to gain confidence.

Case studies can be taken from a court documentation, using the newspapers, court reports, cases known to the Facilitator/Trainer, anecdotal reports of real cases, or an amalgam of several sources. If an exercise involves reading a case study, the Participants must be distributed the scenarios, and clearly explained their tasks.

`Each One Teach One': The `Each One Teach One' is a teaching method that requires all the Participants to teach each other about an area of the law. Each Participant teaches another Participant a section of the law to be learned so that by the end of the exercise all the Participants will have learned about the whole topic.

Group Discussion: This is an effective method of participatory learning which allows more engagement by Participants in the discussion. Working in small numbers together, each Participant will feel comfortable to express ideas as well as listen to others. This method may also encourage those who are more reticent to contribute further and solve a particular problem in a limited time.

Illustrative talks: This is a lecture method supplemented by proper illustration using training materials, including audio-visual aids. Presentation of success stories and case studies is also one of this method's essential elements.

Interactive talks: This method builds on the Lecture method, but applies an interactive, analytical learning approach. Rather than relying on straight lecture, the Facilitator/Trainer engages the Participants in an open discussion and can build on issues and invite comments from the Participants. This allows for the Facilitator/Trainer and the Participants to discuss and explore the issues. The Facilitator/Trainer corrects any misunderstandings, and the Participants can also learn from each other.

Lecture: In general, the characteristics of the 'Lecture Approach' are the traditional Trainer-centered, one-way and passive, and risks creating Participant dependency; the characteristics of the 'Experiential Approach' are: participatory, two-way, empowering, Participant-centered and active.

However, it is noted that there is no simple relationship between lecture approaches being bad and experimental methods being good. It depends on several factors, such as objectives of the training, circumstances, the

Participants' abilities, and confidence of the Facilitator/Trainer. Different methods should be used on the basis of which is most suitable for the training.

Mind-Mapping/Brainstorming: This method is a simple and effective way to generate initial ideas and suggestions. The Participants will contribute to opinions, ideas, experiences in a rapid and short way. The quantity, not the quality, is what matters. These ideas can then be used as a basis for discussion / further exploration.

Panel discussions: The use of this method is marked by greater involvement of the Participants in promoting participatory learning. If there is good relevant expertise among the Participants, a panel discussion is a very good way to allow the Participants to share experiences and learn from each other.

Role-Plays: This is one of the most effective training methods of participatory learning where the Participants can practice skills learned throughout the training. The Facilitator/Trainer will build a fictional scenario, which often can be based on a real fact pattern, and some, many, or all of the Participants are assigned a role, which the Facilitator/Trainer has created to demonstrate the skills learned through the process of training.

Role-Plays can be a very enjoyable way in which to learn. The Facilitator/Trainer must prepare the simulations before the training, and the Participants must be clearly explained their role in these situations.

Round Robin: This training method has the Facilitator/Trainer pose a problem or question to the Participants and then have the Participants in a Group quickly share their ideas or answers. Usually, the Facilitator/Trainer has each Participant present, and tries to have the Participants not repeat the answer of another Participant.

Icebreakers/Energizers: These are games designed to help Participants to get to know each other and to feel comfortable with each other. They are important in creating a sense of trust between the Participants. Games also help to clear the mind so that Participants can concentrate better.

When at all reasonably possible, the Icebreaker/Energizer should be related to the lesson topic in some way, and therefore assist in helping the Participants learn more about the lesson topic through doing the Icebreaker/Energizer.

It is important to note that social and cultural norms must be taken into account, so that the Facilitator/Trainer may choose the appropriate game to achieve the objectives of the training.

Lesson 1: Persons Requesting Legal Assistance Communication, Information Gathering, and Interviewing Skills



Goals of Session

To train Legal Aid Providers of the Vietnam Lawyers Association on communication, information gathering, and interviewing skills.



Learning Outcomes

After this lesson, Participant should be able to:

Knowleage	

 Understand the basic principles and role of the person requesting legal assistance communication, information gathering and interviewing skills.

Skills

- Prepare and conduct a basic person requesting legal assistance communication and intake interview using clear language, question and appropriate non-verbal communication.
- Conduct questioning for information gathering during the interview process and use suitable effective.
 language in communication (verbal and non-verbal communication skills).
- Identify the use and need of a person requesting legal assistance intake form.

Values

- Understand and appreciate the importance of building a relationship with persons requesting legal assistance, and gathering the information for giving accurate legal advice, especially when working with vulnerable persons requesting legal assistance.
- Understand and appreciate the need for Legal Aid Providers to be trained in how to work with vulnerable persons requesting legal assistance during the communication and interview process.
- Understand and appreciate the importance of good communication and interviewing skills in establishing trust with persons requesting legal assistance.

Teaching Methods Applied in The Lesson

- Brain-Storm
 Group Discussion (Small and Large)
 Matching
 Lecture
 Observation
 Power Point
 - Role-Play

Question and Answer

Simulation



Preparation & Materials

Materials:

- Table
- Paper A4, A0 (flipchart)
- Pens/Markers
- Flip Chart
- Handouts with steps and content/description of the interviewing process
- Case scenarios
- Persons Requesting Legal Assistance Intake Form
- Tape

1	Active Listening	20 Mins
2	The Importance of Communications Skills	40 Mins
3	What is an Interview and Steps in the Interview Process	40 Mins
4	Questioning During the Interview	45 Mins
5	Interviewing Practice	45 Mins
6	Professional Responsibility and Ethics	25 Mins
7	Working with Vulnerable Clients	25 Mins
8	• Debrief	10 Mins

Contents of Activities and Times



= 250 Mins

Activity 1: Activity Listening



Goals of Session

This activity uses a Role-Play method to enable each Participant to experience listening skills. The use of the Role-Play method creates opportunities for the Participants to perform the skills and perfect their skills by Group Discussion.



Preparation & Materials

1. Active Listening Script (1 copy per person)

Legal Aid Provider: "Please tell me what happened in your job".

Person Requesting Legal Assistance: "I went to my employer and asked him to pay me the money he owed me, but he refused to do so. I

need that money really badly as I must use it to help feed my family".

Legal Aid Provider: Nods his/her head in a Yes motion (up and down) and then says "I appreciate what you are saying, and this sounds like something that was traumatic to not only you, but your whole family. Please tell me more".

- 2. Paper A0 (flipchart)
- 3. Pens/Markers



Steps

- **Step 1**: Divide the Participants into groups of 8, depending on how many are present. Put the Participants in a circle.
- **Step 2**: Give each Participant in the group the scenario of the Active Listening exercise above. Ask the first Participant to act as Legal Aid Provider and the Participant sitting to his or her right to act as the persons requesting legal assistance.
- <u>Step 3</u>: The above dialogue will then be played by the next two Participants in the group, and so on until all Participants have played the Role-Play with the above dialogue.
- **Step 4:** When the groups are finished the Facilitator/Trainer asks the groups what did the Legal Aid Provider do in demonstrating he/she heard the what the person requesting legal assistance was saying and why was this important to do?
- **Step 5:** A Brainstorming session takes place with all the Participants after this about what the Legal Aid Provider did and why. Answers should be placed on the board.
- **Step 6:** The Facilitator/Trainer then explains that this type of "listening" action on the part of the Legal Aid Provider is what we call Active Listening, and that this is important when Legal Aid Providers work with persons requesting legal assistance. The Facilitator/Trainer goes on to explain that there will be more discussion on what Active Listening is later in the session.



<u>Note to Facilitator/Trainer:</u> If you need to save time, you can have only one pair of Participants in each group read out the script and the other Participants can observe. However, if all Participants are able to play the roles it is preferable, so they more comprehend how to do this for the future.



Goals of Session

Conduct a Brainstorm session, discuss and question the Participants about the most common types of communication skills and why these skills are important.



Preparation & Materials

- 1. Paper A4
- 2. Paper A0 (FLIPCHART) or Flip-chart Board
- 3. Power Point
- 4. Tape



= 40 Mins

Steps

- **Step 1**: Provide the Participants with pieces of paper and ask them to draw on the piece of paper 3 different types of communication skills that they know.
- **Step 2**: Conduct a Brainstorm session and asks the Participants 2 questions:
 - o What are Communication Skills?
 - Why are Communication Skills important when Legal Aid Providers are working with persons requesting legal assistance?
- **Step 3**: Choose 2 volunteer Participants to write the answers from the Large Group on two different sheets of flip chart paper. Each time a communication skill is mentioned, ask the Participants in the Large Group who drew this communication skill on their piece of paper to hold up their drawings for others to see.



<u>Note to Facilitator/Trainer:</u> To save time you can write the answers on a list yourself, but if you can choose volunteer Participants this is preferable as it actively involves more Participants.

- **Step 4:** Have all the drawings on communication skills be put on the wall of the training room.
- <u>Step 5:</u> Lecture, combined with use of Power Point and Question & Answer teaching methods, discuss and question the Participants about the most common types of communication skills and why these skills are important. The skills include:
 - Listening carefully
 - Active listening
 - Empathy
 - Asking questions
 - Being patient
 - Finding and telling a story
 - Implying through tone of voice and body language
 - Multicultural awareness and sensitivity

Go over each skill listed above but make sure to first ask the Participants, using the Question & Answer method, before each skill, if they know what this is, and try to get the Participants to explain the skill before you explain the skill to them.

• **Step 6:** At the end of this part of the session explain to the Participants that you will be providing them a more complete handout that includes what these skills are, why they are important, and how to use them.

Activity 3: What is an Interview and Steps in the Interview Process



Goals of Session

Using Lecture, Question & Answer, and Group Discussion method in order for the Participants to understand what is an interview and the steps in the interview process.



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Preparation & Materials

- 1. Paper for each step of the interview process (1 step each)
- 2. Paper showing the content of each step (1 content per paper)
 The total number of pieces of paper is equal to the number of
 Participants
- 3. Power Point



Steps

- **Step 1**: Divide the Participants into groups of 12 Participants. 6
 Participants are given the names of the steps in the interview process: 1)
 Introduction 2) Information Gathering (including persons requesting legal assistance Intake Form) 3) Review 4) Goal Identification 5) Advising a Preliminary Strategy 6) Agreement and Adjourning. The remaining 6
 Participants will be given the content/description of each step.
- **Step 2:** Give each group 5 minutes to match each step with its description, and to arrange the steps in order. Once each group has finished, check the group's answers.
- **Step 3**: Discuss, using Lecture and Question & Answer go over the steps of the interview.



Note to Facilitator/Trainer: If you have a limited number of Participants you can pair up one or more Participant who are given the names of the steps, or the description/content of the steps. You also can have a group of 12 Participants demonstrate the above activity and have the other Participants observe and give input.

Activity 4: Questioning During the Interview



Goals of Session

Discuss with the Participants, using Lecture, Power Point and

Question & Answer to understand the basic concepts for asking a question, to identify the difference between a narrow question, open question, closed question, leading and non-leading question and when to use each.



Preparation & Materials

- Paper A4.
- Paper A0 (FLIPCHART)
- Power Point
- Case scenario of the interview transcript in activity 4 above



Steps

- **Step 1**: Discuss with the Participants, using Lecture, Power Point and Question & Answer, why proper questioning is so important during the interview process. This should include discussing the need to:
 - Ask the Participants to rely on real facts and experiences and their own person requesting legal assistance source of knowledge.
 - Ask for as many details as possible, including:
 - Who
 - What
 - When
 - Where
 - How
 - Ask about the papers and documents related to the case.
 - Ask questions that help you find the story in facts.
- **Step 2**: Discuss with the Participants, using Lecture, Power Point and Question & Answer, the difference between a narrow question and an open question, and when to use each.
 - **Step 3**: Referring back to the above interview transcript, ask the Participants to individually come up with 2 open questions and 2 narrow questions that the Legal Aid Provider should ask the person requesting

legal assistance. The Participants should write these questions down and then the Facilitator/Trainer should call on 3-5 different Participants to give their suggestions. The example questions can be written on a White Board or a Flip Chart paper (and the Facilitator/Trainer may choose other volunteer Participants to write down these examples if there is time) Following these examples being given, and written down, the Facilitator/Trainer should have a Group Discussion about whether the examples of the open and narrow questions are correct, and why or why not.

Activity 5: Interviewing Practice



Goals of Session

Using Role-Play, Observation and Group Discussion to provide Participants the opportunity to practice interviewing skills.



Preparation & Materials

Prepare 4 Case scenarios below, the number should be equal to the number of Participants.

Scenario 1 (Roles: Legal Aid Provider, husband and wife)

A husband and wife arrive at the Legal Aid Center. The Legal Aid Provider greets them and asks them to sit down and explain what they have come to the Center. The husband introduces himself and introduces his wife. The wife is standing behind her husband and is looking down at the floor. The wife does not speak and is fidgeting.

The Legal Aid Provider asks for each of their names and contact details. The husband answers for both of them.

The husband then starts to talk. He says that his wife's aunt recently died and left a house to his wife. The husband says his wife wants advice on how to sell the property quickly. The husband says he wants to invest the monies from the sale of the house into his business.

The Legal Aid Provider asks the wife to explain why she is here. The wife looks at the husband nervously. The wife says she wants to sell the house that she inherited to help her husband by giving him the money to put into his business. The husband rolls his eyes and scoffs at his wife.

Scenario 2. (Roles: Legal Aid Provider, Ms. Lan)

Lan is 16 years old this year, due to her mother's premature death, she has to go to work to have more money to help her father support her siblings to study. Thanks to the recommendation of her friend, she got a job at an export garment company. Lan worked for more than 2 years and then the company fired her. The layoff was unexpected; she was informed of the official dismissal 5 days before her leave. Because Lan is a very good worker, every year she was voted as a good worker, so she was very surprised and upset about being laid off. There is a high risk that due to the layoff her younger siblings will not have the money to pay for school next month. Worse, Lan learned that the company did not pay her social insurance as required.

Lan comes to the office and asks for legal help.

Scenario 3 (Roles: Legal Aid Provider, Ms. Le and her husband)

Le and her husband have been married for 2 years and due to economic difficulties, her husband went to Korea to work. They have 2 young children: a 3-year-old son and a 1-year-old daughter. Because of her two young children, she stayed at home to raise children and did not go to work, receiving money from her husband every month. However, after 2 years of working, her husband returned and asked her for a divorce because he had met and lived with

someone else in Korea. At the same time, her husband asked her to bring the child to her parents' house and reclaim the house. Although the house was bought by the money from the parents of both sides, they bought the house before the wedding under the name of husband. Now the husband took advantage of this situation and is trying to kick her out of the house. Le is very distressed. She asks for the help of the Legal Aid Provider.

<u>Scenario 4</u> (Roles: Legal Aid Provider, Mr. Tuan)

Mr. Tuan is an elderly soldier living alone, without a wife and children. He has a dog as a friend. Last week, because it was so hot and the weather was uncomfortably hot, the dog was also affected. Ms. A was a neighbor who was bitten by the dog. Unfortunately, the wound was quite deep, so the doctor asked Ms. A to go to the hospital. Ms. Due to her reluctance and not wanting to take medicine, Mrs. A died from the dog bit. Mr. Tuan is very worried about his responsibility to Mrs. A. Mr. Tuan came to ask for advice.



Steps

- **Step 1**: Divide the Participants into groups of 3. One Participant plays the Legal Aid Provider role, one plays the person requesting legal assistance role, and the last one is an Observer. It is the duty of the Observer to carefully listen to the conversation between the Legal Aid Provider and the person requesting legal assistance.
- **Step 2:** Each group will be given 10 minutes to conduct an interview based on the one of the 4 hypotheticals. The Facilitator/Trainer will give each group 1 case (each Participant will receive a printed copy of the case text below). The Legal Aid Provider and the person requesting legal assistance are allowed to improvise based on the facts they are given.
- **Step 3:** Each group will perform the Role-Play, based on the cases they have received from the Facilitator/Trainer. During the interview, the Observer must write down the questions asked by Legal Aid Provider and the answers the person requesting legal assistance gave, as well as comments the Observer has about the strengths and weaknesses of the Legal Aid Provider during the interview.
- **Step 4:** After the interviews are complete the group Participants will discuss within their groups what the Legal Aid Provider thinks the Legal Aid Provider did well, and what things the Legal Aid Provider could have improved on during the interview. The groups are encouraged to debate

about what questions were more important than others and to critique the choices of questions.

- **Step 5**: After the Participant groups are finished discussing this internally, the Facilitator/Trainer should ask Participants from different groups to share some of the most important parts of their discussions. Request that when Participants from different groups present, they do not repeat what other Participants have already said:
 - The groups should focus on whether the Legal Aid Provider carried out all the steps of the interview process?
 - Comment on questions asked by the Legal Aid Provider, including what questions were asked and did the Legal Aid Provider collect enough information about the case (including information the person requesting legal assistance wants to say but cannot say)?
 - Does the Legal Aid Provider show sympathy or empathy with the person requesting legal assistance?
 - What if anything more can the Legal Aid Provider do to have the persons requesting legal assistance tell the more about their story?
 - What the Legal Aid Provider did well and what can be done better.

Activity 6: Professional Responsibility and Ethics



Goals of Session

Using Lecture, Power Point and Question & Answer, discuss with the Participants the ethical duties that must be applied during a person requesting legal assistance interview and why these duties are important.



Preparation & Materials

- 1. Power Point showing the 7 professional ethics principles below:
- Duty of confidentiality
- Duty to avoid conflict of interest

- Duty to act for your person requesting legal assistance's best interest
- Duty to act honestly, fairly and with candour
- Duty to zealously represent your person requesting legal assistance in an ethical manner
- Duty to act with skills and competence
- Duty to communicate effectively and promptly
- Duty to the court



- **Step 1**: Divide the Participants into groups of 2 Participants per group. Have the groups discuss in 10 mins why Legal Aid Providers must apply the above ethical duties during a person requesting legal assistance interview and why these ethical duties are important.
- **Step 2**: Ask Participants to share their opinions and their experiences when applying these ethical duties.
- **Step 3**: Conclusion.

Activity 7: Working with Vulnerable Persons Requesting Legal Assistance



Goals of Session

Using Power Point and Brain-Storm method to show the Participants what is a meant by a Vulnerable Person Requesting Legal Assistance in Trauma, and how to work with them.



Preparation & Materials

o Power Points- The terms Vulnerable and Trauma



- **Step 1**: Using a Power Point and Brain-Storm method show the Participants the two words, Vulnerable and Trauma and ask them what these two words mean to them. Choose two volunteer Participants to write down a list of answers given by the Participants.
- **Step 2**: Ask the Participants about whether they believe that often the types of persons requesting legal assistance that come into a Legal Aid Center may be different than persons requesting legal assistance that may go to a private law office. This should then lead to a Group Discussion on how, very often, persons requesting legal assistance who go to Legal Aid Centers are vulnerable type persons requesting legal assistance, including being poor and marginalized, and that it is important that Legal Aid Providers are trained in knowing how to specially work with these types of persons requesting legal assistance. The discussion should also include how these persons requesting legal assistance are often suffering from trauma, and how to identify and work with persons requesting legal assistance suffering from trauma.

Activity 8: Debrief



Goals of Session

Allows Participants to reinforce knowledge, skills learned and experienced during the session.



Preparation & Materials

- 1. Power Point
- 2. Flip chart or Paper A0 (FLIPCHART)



Steps

• **Step 1**: Ask the Participants to write down 3 things that they did not know prior to this session and that they believe will be helpful in making them a better Legal Aid Provider.

• **Step 2**: Choose 5-7 Participants to read one thing that they wrote down. Instruct the Participants not to repeat what another Participant already said. If time permits, this can be followed by an open discussion with all Participants and the Facilitator/Trainer.

The Facilitator/Trainer briefly summarizes the content of the entire lesson, clearly stating the skills imparted, the procedures to be followed in legal consultation and the ethical principles of the Legal Aid Provider. Legal Aid Providers should apply these principles especially when working with vulnerable persons and groups.

Lesson 2: Client-Centered Lawyering, Counselling and Decision-Making Skills



Goals of Session

To introduce the concept of client-centered lawyering, and how to use this approach when working with persons requesting legal assistance.

To introduce steps in the counselling and person requesting legal assistance decision making process to enable Participants to counsel current and future persons requesting legal assistance, using a client-centered approach, and empower persons requesting legal assistance to make decisions.



Learning Outcomes

After this lesson, Participants should be able to:

Knowledge	 Understand the definition, principles and concepts of client-centered lawyering. Understand the steps in the counselling process.
Skills	 Compare client-centered lawyering with traditional lawyering. Establishing a rapport with persons requesting legal assistance. Show appropriate empathy when working with persons requesting legal assistance. Counsel the persons requesting legal assistance in the

future, using a client-centered approach.

- Apply the principles of client-centered lawyering to specific cases and legal matters.
- Improve person requesting legal assistance communication, problem-solving, evaluation, presentation and counselling skills.

Values

- Appreciate the importance of client-centered counselling and understand how it empowers persons requesting legal assistance to make decisions.
- Understand and appreciate the need for Legal Aid Providers to use a client-centered approach, especially when working with vulnerable persons requesting legal assistance.

Teaching Methods Applied in The Lesson

- Mind- mapping
- Group discussion (small and large group discussion)
- Pair discussion
- Lecture
 - Observation
- Projector
- Question and answear
 - Role play
 - Simulation



Preparation & Materials

Materials:

- Table
- Paper A4, A0 (FLIPCHART)
- Pens/Markers
- Flip Chart

- Client-Centered Lawyering Case Scenarios
- Client-Centered Lawyering Discussion Cards
- Tape

Contents of Activities and Times

1	Defining Client-Centered Lawyering	40 Mins
2	Basic Principles of Client-Centered Lawyering	40 Mins
3	Counselling Process	90 Mins
4	• Debrief	15 Mins



= 185 Mins

Activity 1: Defining Client-Centered Lawyering



Goals of Session

Provide Participants the legal concept of client-centered lawyering skills in legal practice through a Role-Play and Observational method. These activities will make Participants self-develop the concept, understand and see the difference between two forms of law practice: traditional law practice and client-centered lawyering skills practice. In addition to Role-Playing and Observing activities, training room discussions also help Participants exchange and improve their skills.



Preparation & Materials

- 2 copies of Scenario 1 dialogue box below
- 2 copies of Scenario 2 dialogue box below
- Paper A0 (flipchart),
- Flipchart Board

Power point containing the questions for step 3 below.

Scenario 1

Legal Aid Provider: Good morning. Could you tell me your problem, please?

Person Requesting Legal Assistance: I work at Vietnam Super Glass Company. My boss has not paid me for 4 months.

Legal Aid Provider: Oh, that's a very bad practice... and you want to have your money, right?

Person Requesting Legal Assistance: Yes!

Legal Aid Provider: OK. Your situation is written in the labor law. This is clearly specified in the Labor Law of 2019. According to Article 94: Wages must be paid directly, fully and on time. At the same time, Clause 4, Article 97 also clearly states: if the salary is delayed for 15 days or more, the employer must compensate the employee with an amount at least equal to the interest of the late payment interest. 1-month term deposit rate will be announced by the bank where the employer opens the salary payment account at the time of salary payment. Therefore, I will contact your company to get more information about your work, and ask them to pay you your salary. If necessary, we will bring the case to court.

Person Requesting Legal Assistance: I'm not sure about this. It sounds like this is a more serious and complicated process than I thought.

Legal Aid Provider: Don't worry, this is the best way to solve your problem. You will be paid your salary soon.

Scenario 2

Legal Aid Provider: Good morning. Could you tell me your problem, please?

Person Requesting Legal Assistance: I work at Vietnam Super Glass Company. My boss has not paid me for 4 months. Can you tell me how I can get my salary?

Legal Aid Provider: OK. I have a few questions for you. Do you know why your boss has not been paying you?

Person Requesting Legal Assistance: I am not sure. My company had to reduce business production.

Legal Aid Provider: Do you have any more information about the

circumstances?

Person Requesting Legal Assistance: No, I don't.

Legal Aid Provider: First, I need to have more information about your case. Maybe I will contact your boss. But if I contact your boss now about this matter, it can put you in a bad position with your boss. I can also get information about your company from the union in your company, if there is one. I believe that is safer. What do you think?

Person Requesting Legal Assistance: Yes, if my boss knew that I came to this Legal Aid Center he might fire me! I don't want him to know. Just contact the union, please.

Legal Aid Provider: OK, I will contact the union and keep this confidential from your boss. Then, I will inform you of the possible next steps we can take to get your salary.

Person Requesting Legal Assistance: OK, thank you!



Steps

- **Step 1**: Ask for 4 Participants to act in 2 Role-Plays. In each Role-Play, one Participant plays a person requesting legal assistance and one Participant plays a Legal Aid Provider. Give Participants the script (above) for their roles. Give each group 5 minutes for reading. Explain to Participants that one scenario shows person requesting legal assistance-focused lawyering, and the other shows traditional or 'directive' lawyering.
- <u>Step</u>
 - **2**: Ask each group to demonstrate the Role-Plays.
- Step
 - <u>3</u>: Ask Participants to think about the difference between the two scenarios, discuss the questions below:
 - 1. What differences did they see between the two lawyering approaches?
 - 2. In what situation is the actions of the Legal Aid Provider better? Why?
 - 3. When might client-centered lawyering not be appropriate?
 - 4. What was the role of the person requesting legal assistance in each of the Role-Plays?

5. What was the role of the Legal Aid Provider in each of the Role-Plays?

• <u>Step</u>

<u>4</u>: Facilitator/Trainer makes conclusions on the roles of Legal Aid Provider and the person requesting legal assistance in the person requesting legal assistance-focused lawyering approach.

Activity 2: Basic Principles of Person Requesting Legal Assistance Centered Lawyering



below:

Goals of Session

Using mind-mapping method to provide Participants with opportunities to have Group Discussions to understand the basic rules of client-centered skills when working with persons requesting legal assistance. The exchange of ideas between groups will help the groups to reinforce their ideas, and at the same time strengthen Participants' presentation skills.



- 5 discussion cards, each with 1 discussion content
- participation of person requesting legal assistance;
- empowering a person requesting legal assistance;
- comprehensive problem solving;
- Legal Aid Provider with person requesting legal assistance together review options;
- Assisting person requesting legal assistance by providing advice to select and implement the selection of options;
- Paper A0 (flipchart), Flipchart Board;
- Power point with the 5 contents discussed above.



- **Step 1**: Divide the Participants into small groups and give each group a discussion card containing one of the above characteristics of the client-centered skill. Tell each group to think about why that element is important to client-centered lawyering. Ask each group to write a definition in their own words and come up with an example of that element in practice. This is referred to as a Mind-Mapping teaching method.
- **Step 2**: After the Mind-Mapping exercise, tell the groups to swap their papers with another group. Each group will then present to the whole group another group's answers.
- **Step 3**: After all the groups have presented their answers, briefly review the five elements to ensure Participants understand the concepts.
- **Step 4:** Write one element (below) of client-centered lawyering on 5 different pieces of paper: person requesting legal assistance participation, person requesting legal assistance empowerment, holistic problemsolving, lawyer self-awareness, and partisan advocacy (supporter of a particular cause or person).

Activity 3: Counselling Process



Goals of Session

The activity allows Participants to understand the steps of the counselling process through Group Discussion.



below:

Preparation & Materials

- 5 discussion cards, each with 1 discussion content
- participation of person requesting legal assistance;
- empowering a person requesting legal assistance;
- comprehensive problem solving;
- Legal Aid Provider with person requesting legal assistance together review options;

- Assisting person requesting legal assistance by providing advice to select and implement the selection of options;
- Paper A0 (flipchart), Flipchart Board;
- Power point with the 5 contents discussed above.



- **Step 1:** Write one element (below) of client-centered lawyering on 5 different pieces of paper: person requesting legal assistance participation, person requesting legal assistance empowerment, holistic problemsolving, lawyer self-awareness, and partisan advocacy (supporter of a particular cause or person)
- **Step 2**: Divide the Participants into small groups and give each group a discussion card containing one of the above characteristics of the client-centered skill. Tell each group to think about why that element is important to client-centered lawyering. Ask each group to write a definition in their own words and come up with an example of that element in practice. This is referred to as a Mind-Mapping teaching method.
- <u>Step 3</u>: After the Mind-Mapping exercise, tell the groups to swap their papers with another group. Each group will then present to the whole group another group's answers.
- **Step 4**: After all the groups have presented their answers, briefly review the five elements to ensure Participants understand the concepts.

Activity 4: Debrief



Goals of Session

Allows Participants to reinforce knowledge and skills learned and experienced in the sessions.



Preparation & Materials

- 1. Power Point
- 2. Flip chart or Paper A0 (flipchart)



- **Step 1**: Ask the Participants to write down 3 things that they did not know prior to this session and that they believe will be helpful in making them a better Legal Aid Provider.
- **Step 2**: Choose 5-7 Participants to read one thing that they wrote down. Instruct the Participants not to repeat what another Participant already said.

The Facilitator/Trainer briefly summarizes the contents of the entire lesson, which clearly states the skills imparted, the rules and procedures to be followed for the legal consulting, person requesting legal assistance focused, decision making process.

Lesson 3: Legal Matter Planning



Goals of Session

To introduce the concept of Legal Matter Planning, and how to apply this approach when working with Legal Matters.

To introduce steps in the Legal Matter Planning process to enable Participants to apply this method in the process of giving advice to persons requesting legal assistance and empowering persons requesting legal assistance to make decisions.



Learning Outcomes

After this lesson, Participants should be able to:

Knowledge	 Understand the steps in Legal Matter Planning. Understand the basic components and element of Legal Matter Planning. Understand how to plan a Legal Matter. Define Legal Matter Planning and its importance in working with Legal Matters.
Skills	 Apply the steps of Legal Matter Planning into Legal Matter's analysis process. Logically analyze and structure the elements and core issues related to a Legal Matter. Manage and filter a large number of facts in a Legal Matter.
Values	 Appreciate the importance of establishing a clear timeline of events. Understand the importance of ensuring that documentary and facts can be offered to support the Legal Matter Planning. Understanding and appreciating how Legal Matter Planning enables a Legal Aid Provider to assist in working and empowering their person requesting legal

using

assistance's

approach.

lawyering

client-centered

Teaching Methods Applied in The Lesson

- Round Robin
 - Group discussion (small and large group discussion)
 - Mind mapping
- Pair disscution
 - Projector
 - Each One/Teach One
 - Question and answear
 - Simulation



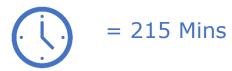
Preparation & Materials

Materials:

- Table
- Paper A4, A0 (flipchart)
- Whiteboard Markers
- Signboards of basic elements of developing a Legal Matter Plan
- Legal Matter Planning Scenarios
- Model/ Graph 6W
- Hexagonal Drawing 6W
- Factual Timeline/Chronology Example
- Tape

Contents of Activities and Times

1	Understanding the Core Components of Legal Matter Theory	50 Mins
2	The Elements Common to All Legal Matter Planning	40 Mins
3	Legal Matter Planning Step Process	50 Min
4	Applying Legal Matter Planning Process	60 Mins
5	• Debrief	15 Mins



Activity 1: Understanding the Core Components of Legal Matter Planning



Goals of Session

Enable Participants to understand and identify the core components required to establish a good Legal Matter Plan, using a Brain Storming method.



Preparation & Materials

- 1. Power Point introduces the purpose and content of the lesson
- 2. Handout 1: The Case of Ms. Nga
- 3. Handout 2: Hexagon Legal Matter Planning Theory Model containing the 6W's
- 4. Handout 3: Table / Power point listing the 6W
- 5. Handout 4: Factual Timeline/Chronology Example

The Handouts are listed below:

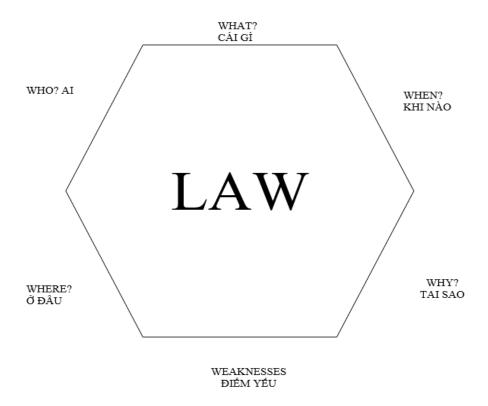
Handout 1: The Case of Ms. Nga

Scenario 1

The Case of Ms. NGA

Ms. Nga comes to the Legal Aid Center, requesting legal advice for her to be able to buy a low-income home. She wants to buy the low-income housing unit at Linh Đam, Hanoi for her and her two daughters to live in. The house is very well located near the school the daughters are studying in, and near where Ms. Nga works. The unit is currently occupied by Mr. Tiến, Mr. Tiến bought it from Mr. Dũng in July 2019, the selling contract is a hand-written note which was not notarized. Mr. Dũng bought the unit from Ms. Lan in May 2017, the selling contract between Mr. Dũng and Ms. Lan was also not notarized.

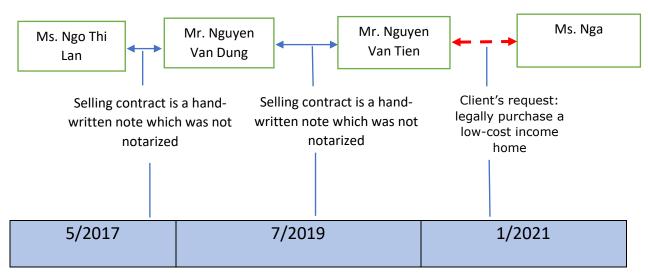
Handout 2: Hexagon Legal Matter Planning Theory Model Containing the 6 W's



Handout 3: The table of 6W's

Question	Answers
Who	
What	
When	
Where	
Why	
Weaknesses	

Handout 4: Factual Timeline/Chronology Example





Steps

• **Step 1**: Divide the Participants into groups of 3-4 Participants. Using a Brain Storming method ask Participants to identify what they think is required in order to establish a Legal Matter Plan.

- **Step 2**: Using either a Power Point, or through drawing on a white board or flip chart, draw out the hexagon above and place the word "Law" at the center.
- **Step 3**: After drawing the hexagon and putting "Law" in the center, through a Question & Answer method, try to have the Participants tell you what the "6 W's" are, which are the key questions which need to be asked to establish a good Legal Matter Plan and satisfy the relevant evidential burden in a legal matter. Participants are not to be asked the answers to the "6 W's" but simply what the "6 W's" are. The "6 W's" are:
 - What/What happened?
 - Who/Who was involved?
 - When/When did it happen?
 - Where/Where did it happen?
 - Why/Why did it happen?
 - Weaknesses/Are there any weaknesses in this Legal Matter?
- **Step 4**: Provide the Participants the following Handouts below which are included in this Session plan:
 - Handout 1 Case Scenario of Ms. Nga
- Handout 2 The Hexagon Legal Matter Planning Theory Model
 - Handout 3 The "6 W's Table/Chart"
 - Handout 4- Factual Timeline/Chronology Example
 - **Step 5**: Give the Participants time to read the Case Scenario. After the Participants are done reading Handout 1 ask them to fill out the Handout 3 and use the information in Handout 1 to answer the questions in Handout 3. Using a Power Point, display the below "6 W's Table/Chart". Through a Question & Answer method and referring to the "6 W's Table" ask the Participants to apply the "6Ws" to the Case Scenario. The Participants should refer to the Handout 3 "6 W's Table/Chart" during this Question & Answer session. Do the same with Handout 4 "Factual Timeline/Chronology Example".
 - **Step 6**: Following the above activity, and using a Question & Answer and Lecture method, discuss the importance of the "Why" a good Legal Matter Plan has some emotional elements and motives. It is important to stress that the Legal Aid Provider has a duty to represent the person requesting legal assistance. If there are multiple parties and claims involved in the Legal Matter, it is the ethical duty of the Legal Aid Provider's responsibility to focus on emotional elements and motives of the person requesting legal assistance, as long as these motives are lawful. However, it is also proper for the Legal Aid Provider to try to

explain to the person requesting legal assistance how the person requesting legal assistance's motives and emotions may negatively impact other parties involved in the matter, which may be something the person requesting legal assistance may not want to happen.

• **Step 7**: Through a Question & Answer and Lecture method, discuss why it is very important to repeatedly test the Legal Matter Plan against any possible weaknesses in the evidence, fact and law, as these things may further develop and changed during the time you are working on the Legal Matter.

Activity 2: The Elements Common to All Legal Matter Planning



Goals of Session

Enable Participants to understand the elements common to all Legal Matter Planning. Use Brainstorming to allow Participants to think and freely develop their own ideas. The Facilitator/Trainer plays a leading role to help Participants make correct conclusions.



Preparation & Materials

- 1. Power Point lists 5 basic elements of Legal Matter Planning and the content and the meaning of each element.
- 2. 5 boards / signboard the size of A4 paper, each board / billboard showing the contents of 1 of the 5 basic elements of the Legal Problem Resolution Planning:
 - Defining the problem
 - Generating and examining alternatives
 - Locating facts
 - Selecting and evaluating the facts and law, and
 - Develop a Legal Matter Plan to produce the result most favorable to the person requesting legal assistance's situation.



Steps

- **Step 1**: Choose 5 volunteer Participants to stand at the front of the room. Give each volunteer Participant a sign with a different element common to all Legal Matter Planning. Each volunteer Participant should hold up the sign they are holding for the other Participants to see.
- **Step 2**: Using a Brainstorm method, and going one by one, through each of the elements on each sign, ask the Participants who are not holding the signs to explain what they think the signs mean in relation to Legal Matter Planning.
- **Step 3:** Using a Brainstorm method, and going one by one, through each of the elements on each sign, ask the Participants who are not holding the signs to explain what they think the signs mean in relation to Legal Matter Planning.

If the Participants need assistance with providing answers you can assist but first, try to have them give the answers through the Brainstorming method.



<u>Note to Facilitator/Trainer</u>: Brainstorming is a teaching method that allows Participants to think freely about ideas. It is an important learning technique because it allows Participants to have new ideas without the fear of being wrong. During Brainstorming you choose a topic and ask the Participants to think of as many different ideas as they can.

• **Step 4:** Ask the Participants if they have any questions related to the elements of common Legal Matter Planning. If they ask a question, before you answer the question, try to see if there is another Participant that may be able to answer the question instead of you. If there is, then have the other Participant do so, but make sure the answer provided by the Participant is correct.

Activity 3: Legal Matter Planning Step Process



Goals of Session

In this activity, Participants understand the steps in the process of

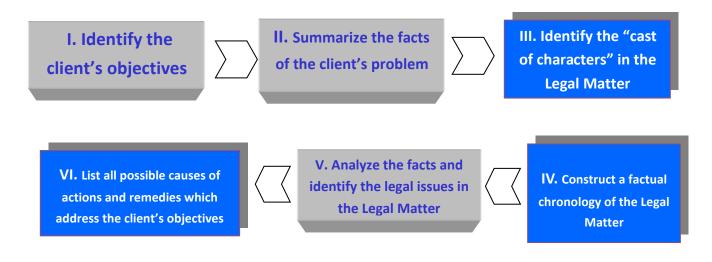
Legal Matter Planning. Brainstorming and Each One/Teach One Teaching methods allow the Participants to identify the contents and meaning of each step in the process, then gives them the opportunity to communicate and explain to other groups the results of their work. This allows the Participants to learn twice about the same concept. First time: self-learning, discuss, and conclude with their group, and Second time: introduce their results to other Participants.



Preparation & Materials

- 1. The Power Point includes models of the steps of the Legal Matter Planning Process described below
- 2. 5 boards / signboard the size of A4 paper, each board / sign shows the contents of 1 of the 6 steps in the legal issue / Legal Matter Resolution planning process below

Model of Steps of the Process for Developing a Legal Matter Resolution Plan



Legal Matter Planning Step Process

Identify the person requesting legal assistance's objectives.

From the initial interview, what does the person requesting legal assistance want? Sometimes identifying the person requesting legal assistance's objectives requires probing beyond how the person requesting legal assistance first expresses what she wants. Sometimes the person requesting legal assistance needs help in articulating and framing exactly what she wants. It is every Legal Aid Provider's duty to find out at the initial interview what the person requesting legal assistance wants to achieve.

• Summarize the facts of the person requesting legal assistance's problem.

What happened? Who said and did what? Who are the key players? What is their relationship to the person requesting legal assistance? This statement summarizes the facts but is specific enough so that someone unfamiliar with the problem could grasp it from reading this summary.

• Identify the "cast of characters" in the Legal Matter.

For each person or institution, list their strengths and weaknesses and any additional information you need about them.

- Character
- Strengths
- Weaknesses
- Information

• Construct a factual timeline/chronology of the Legal Matter.

Once you have gathered the facts and "cast of characters" it is helpful to put together a detailed factual timeline/chronology of what happened when. You should begin as far back as needed to give a full background of the Legal Matter. Doing the timeline/chronology will give you a good grasp on the Legal Matter and identify apparent factual gaps.

• Analyze the facts and identify the legal issues in the Legal Matter.

When looking at the facts, and the person requesting legal assistance's objectives, what do you initially recognize as the issues in the Legal Matter? For example: Is one parent continually absent from the home? Are the premises habitable? This issue statement will be modified once further legal research and fact gathering are completed. As you become familiar with particular areas of the law, initial issue identification becomes easier. Checklists of the types of issues presented by various factual situations can be helpful in areas with which you are unfamiliar, or which are not in your area of expertise.

• List all possible causes of actions and remedies which address the person requesting legal assistance's objectives.

This step involves brainstorming any and all possible causes of actions and solutions to the person requesting legal assistance's problem. The point is to generate as many possibilities as you can think of — no matter how crazy or far out. Quantity breeds quality. Include non-litigation strategies such as legislative, administrative, economic development and community education strategies. This step also forces you to adopt a larger view of the person requesting legal assistance's problems. The larger implications of a Legal Matter may relate to the person requesting legal assistance community as a whole, thereby dictating other strategies. In doing this it is very important to make sure you address the person requesting legal assistance's objectives,

and also re-check to see if these objectives have changed, due to your analyzing of the facts, legal issues, causes of actions and potential remedies.

Steps

- **Step 1**: Divide the groups into 6 groups. Each Group is given a sign / sign board that lists the name and content of the 1 Step in the above Legal Issue / Legal Matter Planning process.
- Step 2: Give the groups a limited amount of time to read and discuss the content of the step they receive with the group members. After the time is over, you will use the Each One/Teach One method. To do this, each group will find another group to interact with. When one group meets another group, one group explains what the different steps and parts of their Legal Matter Plan are to the other Team and, after the first group is complete, the other group will present and teach their step. When both groups are done presenting, these 2 groups break up and find a new group to "communicate" the steps and parts of their Legal Matter Plan and will learn from the other group from the steps in their plan. This will continue until all groups have both taught and been taught about all the Legal Matter Planning Steps by the other Groups.
- **Step 3:** When the Each One/Teach One activity is complete ask all the Groups to go the front of the training room but to stay in their Group. Ask them to hold up their Legal Matter Planning Step sign. Ask the Groups to then discuss with all the other Groups and have them try to decide which Step should go first, second, third, fourth, fifth and sixth. If they can decide the order of the Steps, ask each Group to line up, going from left to right, with the agreed upon first Step Group on the far-left hand side, and second Step Group to the right of this Group, and so on. All the Groups should line up in what the Groups agree is the correct Step procedure.
- **Step 4:** Once the Groups all lined up in what they believe is the correct Step procedure, you should then make any correction to the order of the Groups and make sure that the Groups are lined up, from left to right in the following order:
- 1. Identify the Person's requesting legal assistance objectives
- 2. Summarize the facts of the person requesting legal assistance's problem
- 3. Identify the "cast of characters" in the Legal Matter
- 4. Construct a factual timeline/chronology of the Legal Matter
- 5. Analyze the facts and identify the legal issues in the Legal Matter
- 6. List all possible causes of actions and remedies which address the person requesting legal assistance's objectives

- **Step 5**: Using Lecture and a Power Point, explain to the Participants that in developing out a proper Legal Matter Plan it is necessary to ensure that this is consistent with:
- 1. The information collected from the person requesting legal assistance, and other persons involved in the matter
- 2. The information from collected documents
- 3. The evidence of the witnesses of fact
- 4. The evidence of the experts (if any)

If you have time, then open up a Large Group Discussion and Question & Answer session.



Note to Facilitator/Trainer: In order to make clear how to construct a factual timeline/chronology of the Legal Matter you may want to show a Power Point slide of an example of a factual timeline/chronology if you have time to do so. You also may want give out Handout 4-Planning **Factual** to а **Timeline/Chronology** Also, if you need to save time, you can make clear what the Legal Matter Planning Step process is through use of Question & Answer, Lecture and Power Point, rather than the above activity. It though is preferable to use the above activity if possible as this will allow the Participants to reflect much more on what the Legal Matter Planning Step process is.

Activity 4: Applying the Legal Matter Planning Process



Goals of Session

This activity allows Participants to experience and apply the skills learned in the lesson to a specific Legal Matter using a Round Robin Teaching Method. This method has the Facilitator/Trainer pose a problem or question to the Participants and then has the Participants in a Group quickly share their ideas or answers. Through the Robin Circle method, Participants review the lesson content by repeating the content they learned, while also supplementing the content they learned from the lesson with additional content they learned through the performance of Participants in the groups.



Preparation & Materials

- 1. The Power Point models the steps in the Legal Issue Planning Process
- 2. Copy of Mrs. Nga's Case (Case 1) (the number of copies equals of the number of people in the group)
- 3. Copy of Mr. Thang's Case (Case No. 2), (the number of copies is equal to of the number of people in the group
- 4. Tape
- 5. A0 (flipchart) Paper

Legal Matter 1: Case Scenario of Ms. Nga

Ms. Nga comes to the Legal Aid Center, requesting legal advice for her to be able to buy a low-income home. She wants to buy the low-income housing unit at Linh Đam, Hanoi for her and her two daughters to live in. The house is very well located near the school the daughters are studying in, and near where Ms. Nga works. The unit is currently occupied by Mr. Nguyễn Văn Tiến, Mr. Tiến bought it from Mr. Nguyễn Văn Dũng in July 2019, the selling contract is a hand-written note which was not notarized. Mr. Dũng bought the unit from Ms. Lan in May 2017, the selling contract between Mr. Dũng and Ms. Lan was also not notarized.

Legal Matter 2: Case Scenario of Mr. THANG

Ms. Vân lives next to Mr. Thắng's house. They both have children who go to school together and are friends. Mr. Thắng has a dog. In the morning of April 20, 2020 when Ms. Vân was walking by Mr. Thắng's house, his dog bit her leg. Mr. Thắng took her to get medical assistance. The doctor immediately diagnosed that the dog bite was deep and bleeding and therefore Ms. Vân ought to have a rabies shot. Mr. Thắng agreed and paid for the medical rabies shots ordered by the doctor. Ms. Vân then asked Mr. Thắng to pay 100 million VND for pain and suffering damage caused by the dog bite. Mr. Thắng comes to the Legal Aid Center and asks for legal advice if he has to pay additional compensation to Ms. Van. He wants to assist her and feels really bad about what happened. He wants here to have a full recovery. He is also concerned about how this situation may affect the relationship their children have with each other. Mr. Thắng owns a small noodle soup restaurant and does not have much money.



Steps

• **Step 1**: Divide the Participants into groups of 5-7 Participants per group. Assign half of the groups to analyze Legal Matter 1, and the other half to analyze Legal Matter 2. Try to divide the Legal Matters evenly between the Groups.

During the discussion, each Group should select two Volunteers to record on flip chart paper the Steps 1-4 of the Legal Matter Planning Process as it applies to their Legal Matter.

- 1. Identify the person requesting legal assistance's objectives
- 2. Summarize the facts of the person requesting legal assistance's problem
- 3. Identify the "cast of characters" in the Legal Matter
- 4. Construct a factual timeline/chronology of the Legal Matter

They should write down their discussion on flipchart paper.

(Clearly tell the Participants that they are not going to do Step 5 and Step 6 of the Legal Matter Planning Process. Explain that the Participants will do these Steps later)

- **Step 2:** Using a Round Robin Teaching Method have the first Group which analyzed Legal Matter No. 1 present on each of the Steps below:
 - 1. Identify the person requesting legal assistance's objectives
 - 2. Summarize the facts of the person requesting legal assistance's problem
 - 3. Identify the "cast of characters" in the Legal Matter
 - 4. Construct a factual timeline/chronology of the Legal Matter

After the first group presents on Legal Matter 1, ask the second Legal Matter 1 group to present. However, instruct the new group not to represent the content that the previous group presented, only add new content (do not repeat). Continue to do this until all Legal Matter 1 groups have presented.

- **Step 3:** Using a Round Robin Teaching Method have the first Group which analyzed Legal Matter 2 present on each of the Steps below:
 - 1. Identify the person requesting legal assistance's objectives
 - 2. Summarize the facts of the person requesting legal assistance's problem
 - 3. Identify the "cast of characters" in the Legal Matter
 - 4. Construct a factual timeline/chronology of the Legal Matter

After the first group presents on Legal Matter 2, ask the second Legal

Matter 2 group to present. However, instruct the new group not to represent the content that the previous group presented, only add new content (do not repeat). Continue to do this until all Legal Matter 2 groups have presented.

• **Step 4:** After the groups are finished, the Facilitator/Trainer should check and comment to ensure that each group has fully implemented the Steps, and presented facts, important legal issues / cases, content. results in each Step. If there is a group that does not complete all the Steps or misses some important facts and issues in each Step, you should use the traditional Teaching and Q&A method to ensure the Steps as well as Key events and issues in the Steps are understood and implemented.



<u>Note to Facilitator/Trainer</u>: A Round Robin Teaching Method has you pose a problem or question to the Participants and then have the Participants in a Group quickly share their ideas or answers. Usually, you have each Participant present and try to have the Participant not repeat the answer of another Participant.

- **Step 5:** Explain to the Participants that it is time to do Step 5 and Step 6 of the Legal Matter Planning Process:
 - 5) Analyze the facts and identify the legal issues in the Legal Matter
 - 6) List all possible causes of actions and remedies which address the person requesting legal assistance's objectives.

This time though do not have the groups divide into groups of 5-7 Participants but instead have them divide into 2 larger groups. The first group should be all the Participants who were in the groups that analyzed Legal Matter No. 1. The second group should be all the Participants who were in the groups that analyzed Legal Matter No. 2. Provide the groups the following questions and have them discuss the following questions and try to find answers.

Legal Matter 1- Case Scenario of Ms. Nga

- 1. What did Ms. Nga request?
- 2. Buying and selling property is regulated in which legal area of the Vietnam Law?
- 3. How does the Vietnam Civil Law regulate house sale and purchase contracts?
- 4. What are all the possible causes of actions and remedies which address the person requesting legal assistance's objectives?

Legal Matter 2- Case Scenario of Mr. Thắng

- 1. What does Mr. Thắng want?
- 2. Is compensation regulated in which legal area of the Vietnam Law?
- 3. Under what legal theory does Mr. Thang have the obligation to make compensation?
- 4. What are all the possible causes of actions and remedies which address the person requesting legal assistance's objectives?
- **Step 6**: When the Groups are finished discussing the above questions have them choose 4 volunteers in each Group and have each volunteer Participant answer one of the questions each Group had to discuss. You should choose two volunteer Participants to record on flip chart paper the answers to Legal Matter No. 1 and the Legal Matter No. 2. Each volunteer Participant should be assigned to record the information for each Legal Matter.



Legal Matter 1. Case Scenario of Ms. Nga

- (1)Ms. Nga wants help to legally purchase a low-cost income home for her daughter and she to live in, but the location of the home should be close to her work and their school.
- (2) Buying and selling property is regulated in the Civil Code. More specifically, it is specified in the chapter on Common Contract and sale contract of house of Civil Code.
- (3) Sale and purchase contracts of houses shall comply with Civil Code, the Law on Housing and relevant laws. (Article 431 of the Civil Code)
- (4) The house purchase contract of Mrs. Nga will have to comply with the provisions of the Civil Law (Contract provision, Sale Contract of house), Law on Housing, and other provision on house for low income. It is the Legal Aid Provider's duty to see how these regulations apply it to a draft a house purchase contract for Ms. Nga



Legal Matter 2- Case Scenario of Mr. Thang

- (1)Mr. Thang wants to know if he has to compensate Ms. Van. He also is concerned about how this may affect the relationship with his children and the children of Ms. Van.
- (2) Vietnam Civil Code, Chapter XX covers liability for compensation for non-contractual damages.
- (3) There must be a damaging act and there must be a causal relationship between the act and the damage.
- (4) This is a Legal Matter of liability for compensation for noncontractual damages. Mr. Thang is in a situation where he wants to balance both financial and neighbor interests. The remedies involved in this Legal Matter are not just strictly legal

but also cultural and social. He also has a true concern for Ms. Van and wants her to have a full recovery. Mr. Thang also does not have much money.



The following Vietnam laws can be referred to, if need be, in helping to identify the legal issues and possible remedies.

The bases for determining compensation liability are specified in Code of Civil Law 2015:

Article 275. Bases for giving rise to obligations

Obligations arise from the following bases:

- 1. Contracts;
- 2. Unilateral legal acts;
- 3. Unauthorized performance of acts;
- 4. Unlawful possession or use of or receipt of benefits from property;
- 5. Causing damage through unlawful acts.

Article 584. Grounds giving rise to liability to compensate for damage

1. A person intentionally or unintentionally harming the life, health, honor, dignity, reputation, property, or other legal rights or interests of a person, must compensate for such damage, unless otherwise prescribed in this Code or relevant laws.

Article 603. Compensation for damage caused by livestock

1. An owner of livestock must compensate for damage caused to another person by such livestock. The possessor or user of livestock must compensate during the period of possession or using, unless otherwise agreed.

Based on the Legal concept in legal documents, it can be seen that the liability of compensation arises when there are basic conditions such as: 1) damage occurs; 2) have acts of causing damage; 3) there is a causal relationship between the act of causing damage and the damage that occurs.

Activity 5: Debrief



Goals of Session

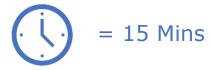
Allows Participants to reinforce knowledge, skills learned and

experienced during the session.



Preparation & Materials

- 1. Paper A0 (flipchart),
- 2. Flipchart Board
- 3. Paper, Pen



Steps

- **Step 1**: Ask the Participants to write down three things that they learned from the Lesson today that they did not know before.
- **Step 2**: Using a Round Robin Method, go around the training room, choosing Participants to present on one of the things that they learned that was new to them. They should present for no more than 30 seconds each. Participants should not repeat what another Participant already said.

The Training Program on "Client-Centered Communication, Matter Planning and Person Requesting Legal Assistance Decision Making Skills" for VLA Legal Aid Providers

Vietnam Lawyers Association (2-day program)

(Dateyear 20)							
Time	Content	Notes					
DAY 1							
08:00 - 08:30	Registration						
08:30 - 09:00	Opening the program, introducing Participants and the training program						
Lesson 1: (Communication and interviewing skills to pers requesting legal assistance	ons					
09:00 - 09:20	Active listening						
09:20 - 10:00	The role of communication skills in counseling						
10:00 -10:20	Break						
10:20 – 10:50	Interview concept and steps in the interview process						
10:50 – 11:35	Questions during the interview						
11:35 – 13:00	Lunch Break						
13:00 – 13:45	Practice interview						
13:45 – 14:10	Responsibility and professional ethics in contacting and interviewing persons requesting legal assistance						
14:10 – 14:35	Skills when working with persons requesting legal assistance who are vulnerable						
14:35 – 14:45	Summary of lesson						
14:45 – 15:00	Break seling and helping persons requesting legal as						

Lesson 2: Counseling and helping persons requesting legal assistance make decisions with client-centric skills in legal practice

	(Datemonthyear 20)	
15:00 – 15:40	The concept of practicing Client-Centered counselling	
15:40 – 16:20	The basic principles of Client-Centered skills	
16:20 – 16:40	Summing up the day	
	DAY 2	
8:00 - 8:30	Participant registration	
8:30 - 10:00	Consultation process	
10:00 - 10:15	Summary of lecture	
10:15 – 10:45	Break	
Lessor	3: Skills in building legal matter resolution plans	
10:45 – 11:35	Methods of determining the content of the incident	
11 :35 – 13 : 00	Lunch Break	
13:00 - 13:40	Basic elements of legal matter resolution planning	
13:40 – 14:30	Steps in the process of Building a legal matter plan	
14:30 – 14:45	Break	
14:45 – 15:45	Practice applying the steps of building a legal matter plan to a specific matter	
15:45 - 16:00	Summary of lecture	
16:00 - 16:30	Review and evaluate	
16:30 - 17:00	End	

The Training Program on "Client-Centered Communication, Matter Planning and Person Requesting Legal Assistance Decision Making Skills" for VLA Legal Aid Providers

Vietnam Lawyers Association (1-Day Program)

Time	Content	Notes			
08:00 - 08:30	Registration				
08:30 – 09:00	Opening the program, introducing Participants and training program				
Lesson 1: Communication and interviewing skills to persons re legal assistance					
09:00 – 09:40	The role of communication skills in counseling				
9:40 – 10:10	Interview concept and steps in the interview process				
10:10 – 10:30	Break				
10:30 – 11:15	Questions during the interview				
11:15 – 13:00	Lunch Break				
	seling and helping persons requesting legal as cisions with client-centric skills in legal practi				
13:00 – 13:40	The concept of practicing Client-Centered lawyering				
13:40 – 15:10	Consultation process				
15:10 – 15:25	Break				
Lesson 3	3: Skills in building legal matter resolution plan	ns			
15:25 – 16:15	Basic elements of Legal Matter Planning				
16:15 – 17:05	Steps in the process of building a Legal Matter Plan				

17:05 - 17:20	Review and evaluate	
17:20- 17:30	End	

APPENDIX

Depending on the training time, Facilitator/Trainer can choose activities in this Appendix to teach some more content in the below lesson.

1. In Lesson 1: Apply the steps in the interview process in lesson 1, the Facilitator/Trainer can use the following activity to help participants understand the interview process steps

Activity: Applying the Steps in the Interview



Goals of Session

Use Large Group Discussion with the Participants to help them to identify the different steps in the interview process.



Preparation & Materials

- Give out 6 pieces of paper to each Participant. Each piece of paper has 1 of the 6 steps of the interview process. 1) Introduction 2) Information Gathering (including persons requesting legal assistance Intake Form) 3) Review 4) Goal Identification 5) Advising a Preliminary Strategy 6) Agreement and Adjourning
- Give each Participant a printed transcript of the interview and ask them to read within 3 minutes. The content of the interview is as follows:

Interview Content

Legal Aid Provider: Good morning. My name is An. I am a Legal Aid Provider and working for this center for 5 years. What is your name, and could you tell me your problem, please? Please know that whatever you say to me is confidential and we will not give this information out to anyone else without your permission.

Person Requesting Legal Assistance: My name is Minh; I am 50 years old and I will retire in 2 years. I am working at Huy Hoang Company for 15 years. My problem is my boss has not paid me for 4 months.

Legal Aid Provider: Not getting paid must be very difficult for you. I am sure you need this money for important daily purposes. To help you, I need to ask you some specific questions in regard to you not getting paid and I hope this is ok.

What kind of Labor Contract that you have signed with your company? I mean did you sign an indefinite-term labor contract or a fixed-term labor contract with your company?

Person Requesting Legal Assistance: I don't remember. Actually, I don't know what kind of contract I have signed.

Legal Aid Provider: Do you have a copy of your labor contract? Can you send it to me later if you don't have it here? Do you know why your boss has not been paying you?

Person Requesting Legal Assistance: I am not sure. My company had to reduce business production because of the Covid-19 Pandemic.

Legal Aid Provider: I see, maybe this is the reason for not being paid? Do you have any more information about the circumstances?

Person Requesting Legal Assistance: No, I don't.

Legal Aid Provider: First, I need to have more information about your case. Maybe I will contact your boss. But if I contact your boss now about this matter, it can put you in a bad position with your boss. I can also get information about your company from the union in your company, if there is one. I believe that is safer. What do you think?

Person Requesting Legal Assistance: Yes, if my boss knew that I came to this Legal Aid Center, he might fire me! I don't want him to know. Just contact the union, please.

Legal Aid Provider: OK, I will contact the union and keep this confidential from your boss.

Now I want to know exactly: How do you want me to help you?

Person Requesting Legal Assistance: I would like you advise me how I can get the salary.

Legal Aid Provider: Right now, I cannot give you legal advice if I don't know why you are not being paid. My plan for your case: First, I will contact the union to get more information. We will then discuss in more detail the

reason of unpaid wages and the possibility of getting them back. Then, I will provide you of the possible next steps we can take to get your salary.

Person Requesting Legal Assistance: OK, thank you!

Legal Aid Provider: However, before you leave, we would like you to fill out this persons requesting legal assistance Intake Form which we will keep in your file. Just like I said when we first met, this information is confidential, and we will not give it out to any other person without your permission.

Person Requesting Legal Assistance: OK, thank you!



Steps

- **Step 1**: Give each Participant in the group a printed copy of the above interview and ask them to read it within 3 minutes. Then ask them to define each step of the interview process during the dialogue.
- Step 2: After the Participants individually read the above script, conduct a Large Group Discussion with the Participants and ask them to identify the different steps in the interview process. The Participants should hold up the piece of paper and match the signs with the correct interview step when this step is read in the script. (If there is more time then this can also be done as a Role-Play instead of the Participants just reading the script).



Note to Facilitator/Trainer: To do the Role-Play, Facilitator/Trainer chooses 2 volunteers to play the roles, one to act as Legal Aid Provider, the other to act as the person requesting legal assistance. Instead of giving the whole group a copy of the scenario, only give the scenario to these 2 volunteers. Give them 5 minutes to read it all and prepare, then have the volunteers do the Role-Play. Use the scenario and the rest of the Participants will watch the interview. After the 2 volunteers have finished the interview process the Facilitator/Trainer has a Large Group Discussion with all of the Participants and asks the Participants to define the different steps in the interview process that they observed.

2. In Lesson 2: Game - Facilitators/Trainers can use the games described below to provide students with opportunities to get acquainted, understand the need for coordination in group activities and at the same time. practice creativity.

Activity: Human Knot



Goals of Session

This activity provides the Participants opportunity to work as a team and teach them about problem-solving.



Preparation & Materials

Draw a circle that illustrates where Participants stand and instructs them to keep the circle as they "unravel".



Steps

- **Step 1**: Divide the Participants into groups of 8-10 Participants. Ask each group to form a circle. In the circle, each Participant must hold hands with 2 other Participants, but not the Participants standing next to them.
- <u>Step 2</u>: Explain that the group must untangle themselves and arrange themselves in a circle while **continuing to hold hands**. If the Participants let go, they must start again. The group that finishes first wins.

After each group has finished, ask the groups what this activity taught them about problem-solving and working as a team.

Explain to the Participants that this idea of "working as a team" should guide them? and other Legal Aid Providers, when working with persons requesting legal assistance, especially in their decision-making process.



Note to Facilitator/Trainer: Please be aware that in the COVID-19 situation, the above activity may not be appropriate. If it is considered too risky to use the above activity, then you can consider the below activity instead, but this activity will take about 20 minutes.

Break Participants into pairs and get them to interview their partner and then introduce their partner to the group from the back of the room.

All other Participants to stand at the front of the room.

Participants will be required to project their voice.

Split up Participants so are paired with someone from outside their own Legal Aid Center.

Participants should interview their partner to find out:

- o Partner's name and home province
- o Partner's role in providing legal services
- Why did your partner become a Legal Aid Provider?
- o If your partner could travel anywhere in the world, where would he/she go and what would he/she do there?

An option to make this activity less time would be to have the Facilitator/Trainer ask about 1/3 of the groups to present.

In Lesson 3: Planning to resolve a legal case, in the first part of the lecture, the Facilitator/Trainer can introduce the lesson with the following activity.

Activity: Introduction



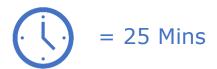
Goals of Session

Introduce the overall content of the lesson, the importance of using Legal Matter Planning in legal practice.



Preparation & Materials

- 1. Power Point introducing the purpose and contents of the lesson
- Questions to ask Participants about the purpose, content, and necessity of this skill in handling the matter of the Legal Aid Provider



Steps

• **Step 1**: Using Question & Answer, Lecture and Power Point, introduce Participants into what is Legal Matter Planning, and the important role it provides for Legal Aid Providers when working with persons requesting legal assistance.

This skill is needed for Legal Matters that Legal Aid Providers handle, including both legal advice and litigation in court. This skill is required to meet minimum standards of professional competence.

Through Legal Matter Planning, the Legal Aid Provider constructs a complete picture of the person requesting legal assistance's situation from the facts, the applicable law, and the way in which the facts and law fit in the larger context in which they occur.



<u>Note to Facilitator/Trainer:</u> Throw a ball to Participants who you want to answer your questions. The Participant who catches the ball will be required to answer the question.

Feedback Form Evaluation

Content

Please indicate your answer to the question by putting one tick mark (\checkmark) against each statement.

Please check your response to the following statements	Strongly Agree	Agree	Disagree	Strongly Disagree		
I believe the content of this lesson is relevant and useful for Legal Aid Providers in Vietnam.						
Explain your answer?						
The following are my suggestions (if any) for improving the content of this lesson.						

Methodology

Please indicate your answer to the question by putting one tick mark (\checkmark) against each statement.

Please check your response to the following statements	Strongly Agree	Agree	Disagree	Strongly Disagree
I believe the teaching methods of this lesson are relevant and useful to train Legal Aid Providers in Vietnam.				
Explain your answer?				

The following are my suggestions (if any) for improving the teaching methodologies of this lesson.

Please check your response to the following statements	Strongly Agree	Agree	Disagree	Strongly Disagree

Implementation following the Training

Please indicate your answer to the question by putting one tick mark (\checkmark) against each statement.

Please check your response to the following statements	Strongly Agree	Agree	Disagree	Strongly Disagree
I believe Legal Aid Providers in Vietnam will be able to practically apply the knowledge, skills, and values contained in this lesson when working with their persons requesting legal assistance.				
Explain your answer?				

Ability of the Facilitator/Trainer

Please indicate your answer to the question by putting one tick mark (\checkmark) against each statement.

Please check your response to the following statements	Strongly Agree	Agree	Disagree	Strongly Disagree
I believe I can effectively train other Legal Aid Providers in Vietnam using the content and methodology contained in this lesson.				
Explain your answer?	•			

Please check your response to the following statements	Strongly Agree	Agree	Disagree	Strongly Disagree
The following are my suggestions (if any) for improving my ability as a Facilitator/Trainer for using this lesson.				