

Family Law Education Reform Project

Hofstra FLS Wife's Attorney Initial Interview Instructions (Divorce)

OVERVIEW

This document contains the confidential pre-initial interview information for Lynne Allen's attorney for use during the client interview exercise

EXPLANATION AND COMMENTS

This memorandum should be given to student in the role of the wife's attorney in this skills exercise. Professors should emphasize the need to keep this memorandum to one's self, as the divulgence of information could harm the ability of students to fully experience the exercise.

ABOUT THE AUTHOR

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Professor Schepard is the Chair of the Family Law Education Reform Project co-sponsored by Hofstra Law School and the Association of Family and Conciliation Courts. He is an attorney member of the Judicial Conference of the State of New York. Professor Schepard is also Program Director for the National Institute of Trial Advocacy's course in Modern Divorce Advocacy and has served as Program Director for NITA's Child Advocacy, Deposition and Trial Advocacy courses.

Professor DiFonzo has had a wide-ranging two decades of law practice before becoming a full-time professor, including stints as a federal prosecutor and as a litigator in the areas of family law, criminal defense, negligence, and professional malpractice. In all, he conducted over 30 jury trials and several dozen appeals. He has taught at Hofstra since 1995. From 1995-2003, he served as Director of the Criminal Justice Clinic. From 2005-2008, he served as Director of the LL.M. Program in Family Law.

Do not show to attorneys for Dave Allen

**Allen Marital Dissolution:
Confidential Pre-Initial Interview
Information for Lynne Allen's Attorney**

*Family Law with Skills
Hofstra University School of Law
Fall 2008*

You are a member of a small law firm which specializes in family law and trusts and estates in NITA City, which is located in New York.

Your standard fee arrangement for family clients is to ask for a retainer of approximately \$7,500 and charge billable hours against the retainer amount. You charge \$300 per hour. You have varied the retainer amount up or down depending on factors such as: (1) the prospect that the client would be a source of additional business; and (2) the complexity and difficulty of the matter. You usually charge for initial interviews at your normal hourly rate. You have, however, departed from that practice depending on the circumstances of the client and case.

Several days ago your secretary received a call from a Ms. Lynne Allen asking for an appointment. Ms. Allen said she was referred by Ms. Dorothy Coleman, a client whom you represented successfully in a trusts and estates matter. Ms. Allen told your secretary that she wanted to consult you about a possible divorce. No fees were discussed when Ms. Allen made her appointment. You did not obtain any background information about Ms. Allen.

Your secretary scheduled an appointment for Ms. Allen.

Note: The current interview with counsel takes place in Fall 2004.