

**Northwestern University**  
**Department of Sociology**  
*The Changing Dynamics of Employment Discrimination Litigation, 1990-2003*

**INTERVIEW SCHEDULE**

*Thank you so much for agreeing to participate in our interview. As you know from the consent form, you may stop the interview at any time or you may skip answering any particular question. As noted in the consent form, we do not expect to talk to you about pending legal matters. We will not ask you to breach attorney-client privilege or any other legal agreements.*

**I. Last Case Completed or Randomly Drawn Case**

*For the following questions we would like you to think about (case name) or, if you prefer, the case you most recently completed. We will use this as a point of reference about your normal practice.*

1. How did this case come to you?
2. How did you assess the case and decide whether or not to take it?
3. What were your initial reactions to the client and the facts of the case?
4. What were your client's goals at the beginning of the case? How realistic were the goals?
5. What were your goals at the beginning of the case? What did you want (concretely?)
6. What had the client already done in this dispute before coming to you?
7. Were you involved prior to filing the complaint with the EEOC/FEPA?
8. Tell us about EEOC/FEPA process.
9. Do you think the client understood what was going on in the EEOC process?
10. How was the decision made to go into federal court?
11. When and what were the terms of settlement offers?
12. Did you advise your client to accept or reject these offers and why?
13. Do you think your client fully understood the offers?

*Work conditions questions*

14. Were any other lawyers working on the case with you?
15. How many hours do you think you spent on that case/issue?
16. How much contact did you have with the client and who initiated the contact typically?
17. How would you characterize your interactions with opposing counsel? The defendant? and what was that like?
18. Fee arrangement? Was this OK with the client/did they negotiate?

*Pre-trial Process*

19. Was there a motion for summary judgment?
20. Were you optimistic about surviving it?
21. Do you think the client understood what was going on?

*Outcome/Resolution:*

22. How was the case resolved?
23. Do you think the client got what he or she wanted? Did this represent a change in their goals? If so, were you part of the process of education/adjusting?
24. If it settled, were you advising the client to accept or go on?
25. What factors do you think played a primary role in determining the outcome of the case?
26. What was unusual about this case?
27. What was typical about this case?

II. Clients

*Now that we know about this case, we'd like to find out generally about your clients and your practice*

28. Who makes up your primary client base? (do you ever work for defendants?)
29. What are your primary practice areas (break down in percent)?
30. What are the firm's primary practice areas (percent)?
31. Is there anything that absolutely rules out a particular person as a client?
32. How do you charge clients? Do you take cases on retainer? On a contingency fee basis? How do you determine which cases are which?
33. What makes a great client? A terrible client?
34. Can you think of a time when someone came to you, you were pretty sure they had been illegally discriminated against, and you did not take the case? Why?
35. Can you think of a time when you were skeptical about whether anything actionable happened to a client, but you took the case anyway?
36. What is the most important thing when you select a client? (prompts: probability of success, level of need, interesting work, probability of favorable publicity for organization and/or cause? etc.)
37. Generally, how do cases come to you?
38. Has the Civil Rights Act of 1991 change the nature of your practice? If so, how?

III. Lawyers and their Practice Contexts

*First we'd like to find out a little bit about you and the nature of your practice.*

39. How often do you appear in court?
40. Appear in an administrative hearing?

41. How many days of a typical week do you have contact with clients?
42. What makes a great case for you? A terrible one?
43. Where do you see yourself in five years?

