Attorney: Whitney Eudy

Interview Date: 1/15/19

Prospective Client: tracking and trailing dog specialist client

Preliminary Matters:

Before sitting down with the prospective client, I would want to do a little research. First, I would do research on what a tracking and trailing dog specialist is. This would help me better understand what kind of employment law issues we would be looking at. I would want to know what the common practices in this area are and the status of the workers in the field of a tracking and trailing dog specialist. I would need do research on the employer to find out how many “workers” they have. I would need to do research on the legal issue which are: workers comp., and employee/employer/contractor.

Discussion points:

In the interview I would ask the prospective client about his job. I want to know if the prospective client signed a contract and if so what did it say. I would want to know if he was a contractor or employee. I would most likely find this out by asking about who controlled his daily schedule. I would want to know if he signed a non-compete and if so what did it say.

I would explain to the prospective client that his possible recourse depends on the status of his work. I would also ask him about his accident and explain to him that if he is considered an employee and was on the job at the time of his accident he may have a workers comp. claim. I would also want to know if he signed any papers with the company after the accident and I would want to see his “employment file.”

Closing Point:

I would ultimately need to know what the prospective client wants. Does he want to sue for wrongful termination, file a workers’ comp. claim if possible, or does he need the company to sign a waiver to break a non-compete, so he can get a job, or all the above.

I would tell the prospective client that I would need to take everything from this interview under advisement and would have to get back to him later in the week. I would do some more research to see if he has a lawful claim.