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Review of: Lawyers as Counselors: A Client-Centered Approach, Binder, Bergman, Price, and Tremblay. American Casebook Series, 2nd ed, Chapter 4]

How does a consultant learn about the problem at hand? Is it by reading bedtime stories, listening to clients' talk radio or better his/her personal diary? No! Rather by asking questions in a dialogue or over emails. Whatever may be the mode of communication, it is the "questioning" that gets the information. Consequently, intent, tone, length, timing of the questions determine the quality and accuracy of the information.

Questions can be broadly classified into 1) Open-ended 2) Closed 3) Yes/No 4) Leading questions each having a definite purpose, advantages and disadvantages over the others.

General speaking, questions can vary, in terms of the degree of freedom the respondent has, from being open-ended to having an expected answer. Open-ended questions, as the name suggests, encourage the clients to speak about anything that is remotely connected with the context. However, there can be several types of open-ended questions that limit the choices the clients can have.

Closed questions limit the scope of the replies and can often be re-stated as questions that results in a yes or no answer. Sometimes, closed-ended questions can be asked to validate what the consultant hypothesizes or clarify his/her doubts. Leading questions assume a greater participation from the consultant and often the questions can be very probing and assertive in nature.

As suggested by many psychologists, the choice of the wording can affect the answer. Likewise, the choice of the question can also affect the outcome. It is believed that closed-ended questions result in erroneous responses than open-end questions, because closed-ended questions could be very penetrative and clients may not be wanting share all the details that they think are private or personal. However, one can skirt around the topic by rephrasing the questions that tippy-toe without the clients being aware of it. Open-ended questions can be disadvantageous too as they rely on clients memory recalling abilities. A combination of open-ended and closed questions can be very effective. It seems like a bias and variance problem in statistics. Open-ended questions have high variability but are accurate. Closed-ended questions are precise but inaccurate. Due to the probing nature of leading questions, they could be very useful in overcoming the inhibitions the client may have. However, depending on the context and the degree of assertion in the question, they could be unethical and destroy the rapport between the client and the consultant.

An effective consulting assignment requires mutual participation and our understanding of the clients' responses is an important factor in making that participation even more productive. However, ones' ability to fill-in the details or imagine a situation given a generic description, could be a potential factor in influencing the follow-up questions that could take away the discussion completely off-the track. Similarly, arriving at a conclusion much early based on limited information could also be a major factor that influences the information gathering process.

In my view a combination of open-ended questions and closed questions have to be used. One can begin with open-ended questions and gauge the depth of the problem, factors involved etc., essentially to get a big picture. Closed-ended questions can be used to gather specific information or to clarify consultants' assumptions.