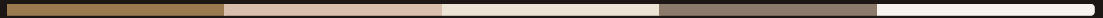


Communication Risk *Assessment.*

A structured way to gauge whether a client's or witness's communication ability creates risk in your matter.



WHAT'S INSIDE

- Comprehension risk indicators
- Expression risk indicators
- Situational risk factors
- A simple three-tier risk scale

Gauging Communication Risk Before It Becomes Case Risk

Use this checklist during intake, before a signature, or ahead of testimony to flag communication risk early — while there's still time to address it.

WHY THIS MATTERS

Communication risk isn't just "can this person talk." It's whether they can reliably understand, retain, weigh, and express information well enough for what the law is asking of them right now.

COMPREHENSION RISK INDICATORS

- ☐ Needs information repeated or simplified more than once to respond appropriately
- ☐ Nods or agrees without being able to restate what was agreed to
- ☐ Understanding degrades with document length, legal terminology, or background noise
- ☐ Relies on a companion to interpret meaning, not just to provide support

EXPRESSION RISK INDICATORS

- ☐ Word-finding difficulty changes the apparent meaning of a statement
- ☐ Responses are tangential, incomplete, or inconsistent across similar questions
- ☐ Written statements don't match the person's verbal account of events
- ☐ Nonverbal cues (tone, timing, affect) conflict with the words being used

SITUATIONAL RISK FACTORS

- ☐ The setting is high-pressure, time-limited, or unfamiliar to the person
- ☐ Fatigue, medication, pain, or illness may be affecting communication that day
- ☐ There's a power or dependency imbalance with the person asking the questions
- ☐ English is not a first language and no qualified interpreter is present

RISK LEVEL	WHAT IT LOOKS LIKE	SUGGESTED ACTION
Low	Occasional clarification needed; consistent, coherent account	Proceed; document baseline
Moderate	Repeated confusion on complex points; some inconsistency	Simplify format; consider support person
Elevated	Comprehension or expression breaks down on material issues	Request cognitive-communication evaluation

Let's talk

EJT

Weighing whether a case needs a *closer look?*

I offer confidential case consultations to help counsel decide whether a communication or capacity concern warrants formal evaluation — before it becomes a problem at deposition.

M.S., CCC-SLP

ASHA CERTIFIED

9 States

AZ CA CO FL NM NY PA VA WA

10+ Years

CLINICAL EXPERIENCE

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