

**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. We can tell you a little bit about our study, then we need you to sign a consent form before we can begin the interview. Our research study is about the experiences of regular people with workplace discrimination and their experiences with pursuing legal cases... Do you have any questions about the study?*

*You'll need to read our consent form, initial the bottom of each page, and sign the last page. There also is a place on the last page for you to initial to indicate if we can tape record the interview. We would like to tape record it. If you agree to that, you can ask us to turn off the tape recorder at any time. As you'll see in the consent form, you may stop the interview at any time or you may skip any particular question. The consent form also explains that 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. And the consent form confirms that your real name and identity will not be used in any research reports that we write. We will send you a copy of your signed consent form, too.*

**The Conflict**

1. Where were you working/applying to work and what happened that made you think you were treated unfairly?
  - a. When that happened, whom did you talk to about it?
  - b. What was their reaction?
  - c. Who else did you talk to about it?
    - At work?
    - Outside work?
  - d. Is there anyone you kept it from?
  - e. How long do you think you were treated unfairly?
2. When did you begin to think that what you had experienced might be illegal?
  - Were you sure?
3. At this point, what was the most important thing you wanted in order to resolve the issue?
4. Did you make a complaint inside your organization?
  - a. To whom?
  - b. What was their reaction?
  - c. Was it a formal or informal complaint?
  - d. What was the process like?
  - e. Did you think you were fairly represented?
  - f. What did you *want* to get out of that?
  - g. What did you *think* you would get out of that?
  - h. What *did* you get out of that?
  - i. Were you satisfied at that point?

**Other Resources at the Organization**

5. What were the resources at your organization for dealing with this kind of situation (e.g. HR, EEO officer)?
  - When you started having problems, did you think about turning there?
  - Did you end up using any of these resources? Why or why?
  - a. Did your organization have any kind of diversity, sensitivity, or anti-discrimination training? If so:
    - Was it helpful for dealing with this situation?
    - Who participated in the training?
    - In general, what did employees think of the training?
    - In general, what was the management's attitude toward the training?

**Your Lawyer**

6. When did you begin to think about getting a lawyer (or not)?

***If they had a lawyer:***

7. What made you decide to get a lawyer?
8. How did you find your lawyer?
  - a. Did you meet with more than one lawyer before you picked someone?
9. Tell us about the first meeting with your lawyer.
10. What was it like working with your lawyer?
  - a. What was the fee arrangement with your lawyer?
  - b. Were you satisfied with your lawyer's work? Why or why not?
  - c. Do you think your lawyer understood your situation and your feelings?
    - Did you feel like your lawyer listened to you?
  - d. What do you think your lawyer thought about your case?
    - Did you lawyer say that you had a good case?
  - e. What did your lawyer advise you to do? What did you want to do?
  - f. Did any of your lawyer's decisions surprise you? Tell us about that.
11. Did you ever change lawyers? If so, why?
12. Did you try to use any other legal resources besides your lawyer (e.g. the internet, books, coworkers, Legal Aid)?
  - Did they help?

***If pro se***

13. Why didn't you get a lawyer?
14. Did you use a lawyer at any point?
  - If so, tell us about that.
15. Did you ever feel you wished you had a lawyer?

16. Did you go to anyone for advice or try to use any other legal resources?
  - The internet, books, coworkers, Legal Aid
  - People at EEOC or state/local agency
    - a. Did any of these help?
17. Do you feel you made the right decision by not using a lawyer (part/most/all of the time)?
  - Looking back, would you have done it differently?

### **EEOC and other agencies**

18. Did you file a complaint with the EEOC? If so,
  - a. Who filed the complaint (you or your lawyer)?
  - b. How did you choose to file in federal court, instead of state?
  - c. Did the EEOC complaint adequately represent what you felt happened to you?
  - d. Were you surprised by anything in that process?
  - e. What was the resolution?
    - How did you feel about it at the time?
    - How do you feel about it now?
19. Did you file a complaint anywhere else, like a state agency? If so,
  - a. Who filed the complaint (you or your lawyer)?
  - b. Did the complaint adequately represent what you felt happened to you?
  - c. Were you surprised by anything in that process?
  - d. What was the resolution?
    - How did you feel about it at the time?
    - How do you feel about it now?
20. Once your employer knew you had filed a complaint, did anything change at work?
  - With coworkers?
  - With management?
  - Did your organization offer a settlement or propose something else to resolve the case during this time?

### **Going to Court**

21. How did you make the decision to file a lawsuit?
22. What happened after you filed?
  - Did you go through discovery (have depositions or interrogatories where you answered questions?)
23. Were you working at the organization at this time? If so, what was it like?
  - Did anything change?
24. Was a settlement offer made? If so, what happened in that process?
  - a. When was it made?
  - b. Was there an agreement not to disclose the terms?
    - If not: What were the terms (including the amount)?
    - If so: We just have some questions about how you *felt* about the agreement.
  - c. Did you think it was a fair offer?

- d. Did you think you should take it?
  - e. Did your lawyer advise you to take it?
  - f. Did you take it? Why or why not?
  - g. If you took it, were you satisfied with that outcome?
  - h. Was there anything else you wanted?
  - i. Who else, if anyone, did you ask about accepting or rejecting the offer, and what did they advise?
25. Did you go to trial?
- a. Were you in the courtroom?
  - b. What surprised you about the process?
  - c. Do you think your lawyer did a good job? Why or why not?
  - d. What was the outcome of the trial?
  - e. Were you satisfied with that outcome?
26. Did any part of the process surprise you?
27. How do you think about that period in your life now?
- a. What kinds of strain (if any) did the process put on you and your family?
    - i. What was the worst part?
    - ii. What did you do to deal with that?
  - b. Was there any point when you felt like dropping this case?
    - When were you closest to dropping it?
  - c. Would you do it again, knowing what you know now?
    - Is there anything you wish you had done differently?
28. Are you satisfied that you got everything you deserved?
29. Do you think your employer got everything they deserved?
30. As you reflect back on this whole experience, did your goals change?
- If so, why?
  - You said that when you started to case, \_\_\_\_\_ was important to you. Was that still important to you at the end?
31. Do you think you have been discriminated against since then?
- a. What did you do about it?
  - b. Did this experience play into those decisions?
32. Do you think you had been discriminated against before this?
- a. What, if anything, did you do about it?
  - b. Why was this time different?
33. If you were fired, did the company offer you any kind of severance?
34. Did the company ask you to sign a waiver that you wouldn't sue them?
35. Is it ok if we contact your lawyer to talk about this case? (If so, which lawyer[s] do you think we should speak with?)