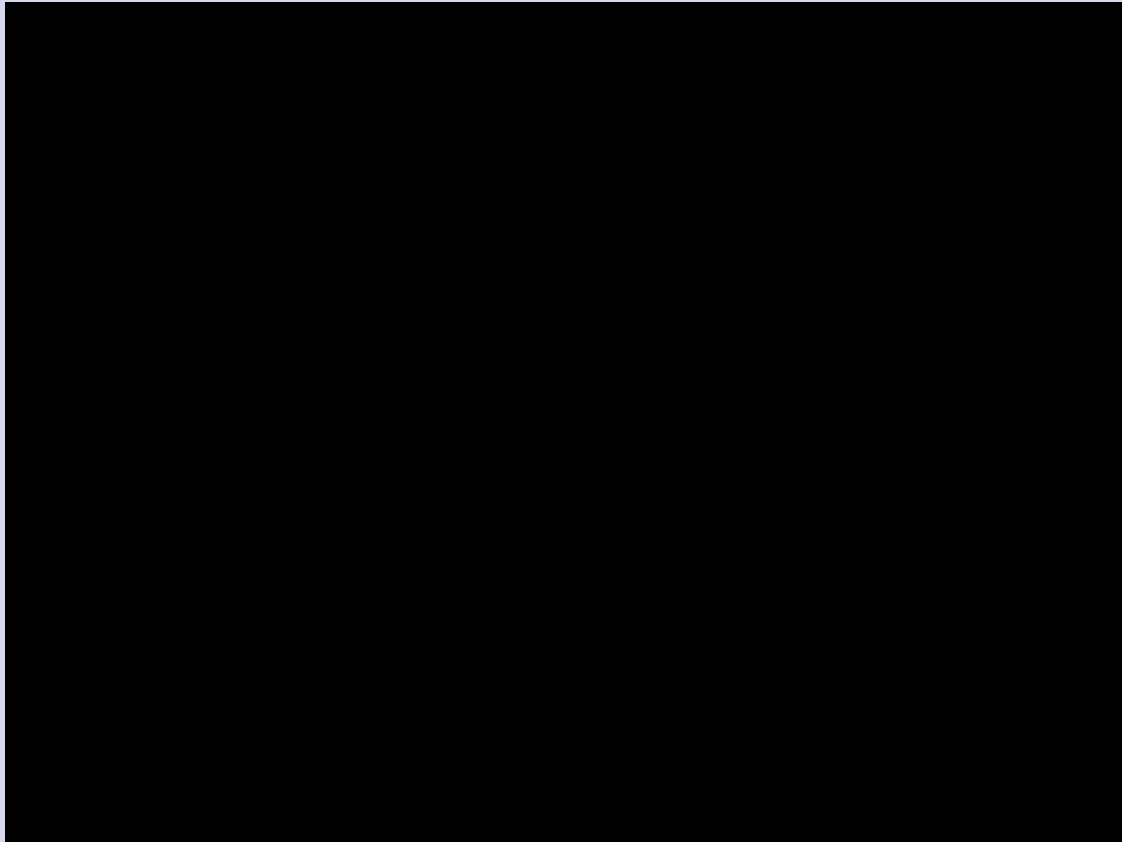
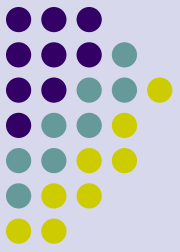
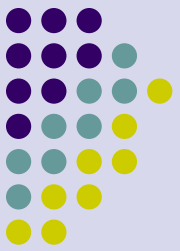


Challenging Clients

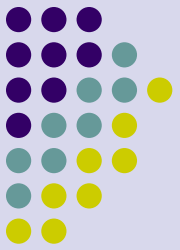
Presented by
Amy Belger &
Michael A. Nam-Krane



Importance Of Managing Challenging Clients



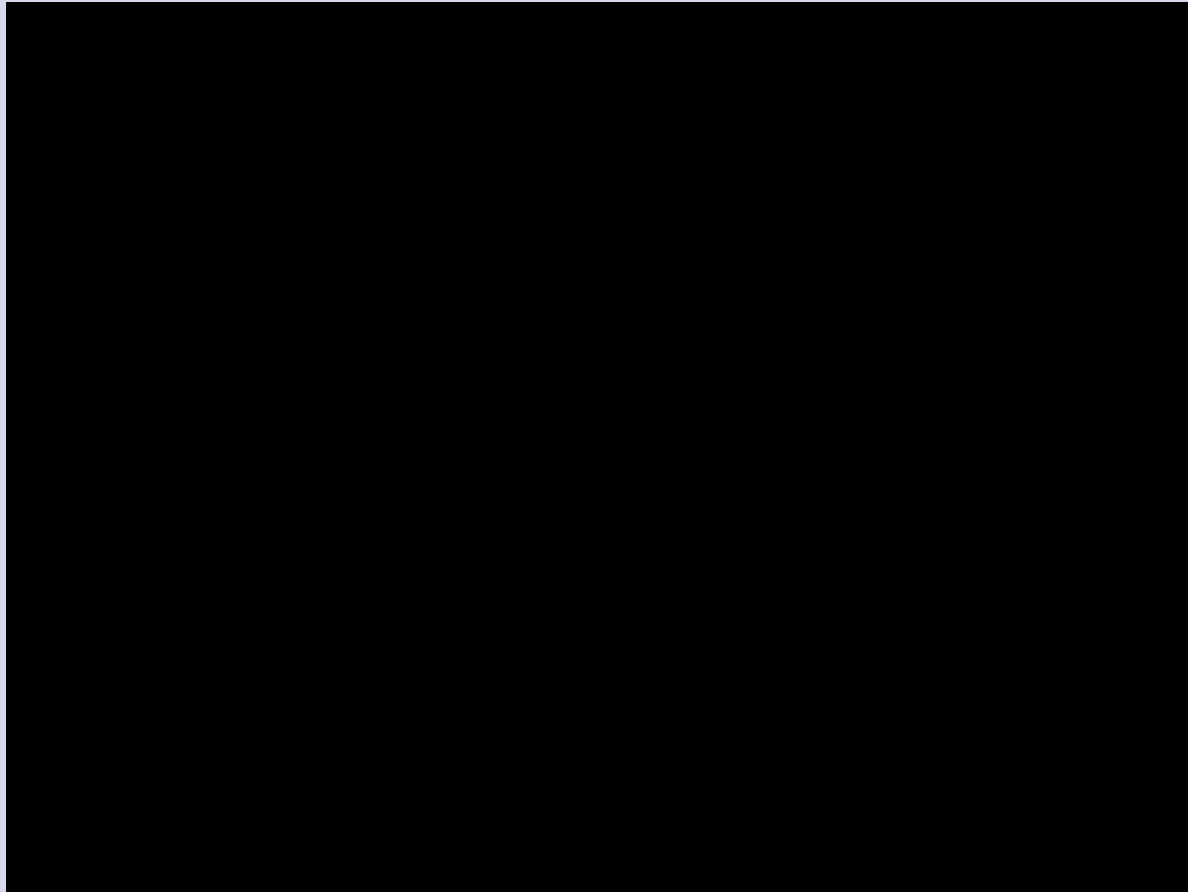
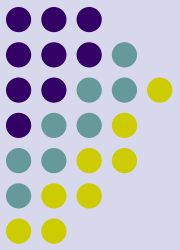
- Our job is zealous advocacy
 - Can't help a client without relationship
- Reassignment delays relief
 - 12-16 weeks to assign new case
 - 32 weeks to reassign
- Reassignment does not always solve problem
 - A challenging client can go through several attorneys
 - Successor counsel has to start from scratch
- Managing client is advocacy



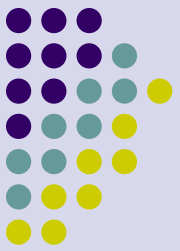
Challenging Types

- Jailhouse lawyer
 - "I know the law"
- Litigious paranoid
 - 211-3 everything
- The bully
 - "You're &%*#@# selling me out!"
- The delusional
 - "I am too big not to cause an injury"
- The liar
 - "I don't care what the transcript says..."
- The Casanova
 - Be my Valentine Ms. Attorney

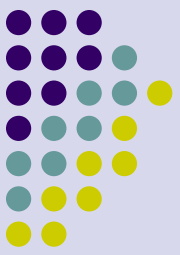
Breakups



The Breakup # 1

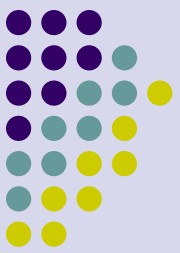


- Avoidable Break-ups
 - the attorney is at fault
 - neglecting the client
 - failing to visit
 - communicate, and
 - follow up on necessary tasks
 - No excuse for this type



The Breakup # 2

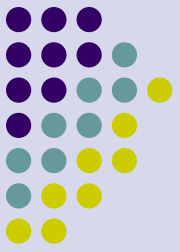
- Avoidable Break-ups
 - challenging client
 - the attorney can't hold relationship together
 - lacks the experience
 - interpersonal skills or
 - patience



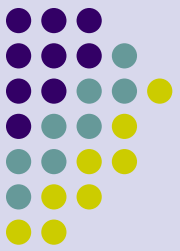
The Breakup # 3

- Unavoidable Break-ups
 - attorney cannot ethically adopt client's case strategy
 - conflict arises that cannot or will not be waived
 - attorney has unforeseen problem and is unable to represent client

Relationship Strategies

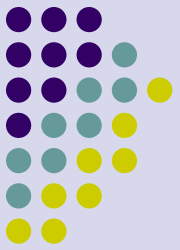


Respect



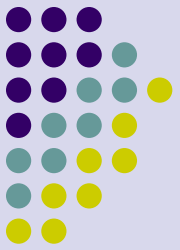
- behave like a professional
 - follow the *CPCS* standards
- dress the part
- treat the client like an adult

Patience



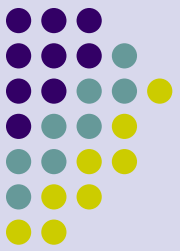
- keep your cool
- watch your tone

Empathy



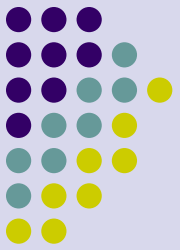
- recognize his humanity
- try to see it his way
- don't scold

Communication



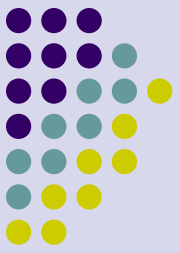
- answer the phone
- read the letters
- write back
- VISIT

Listening

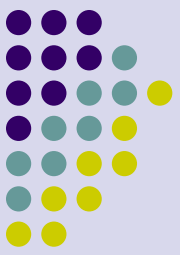


- hear without interrupting
- let him vent
- listen for nuggets

Acknowledge his feelings



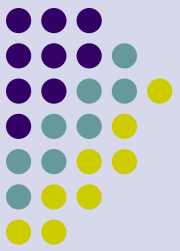
- validate anger to diffuse it
- you don't have to actually agree



Even tone of voice

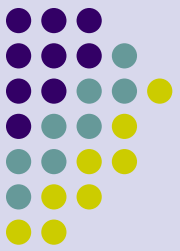
- don't let impatience creep into your voice
- don't be baited by client's anger/manipulation

Deliver the goods



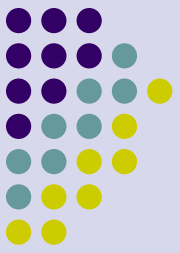
- send him your work
- set deadlines for yourself
- meet the deadlines

Set Boundaries



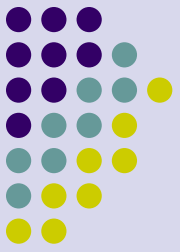
- avoid familiarity
- set times to call/visit
- explain ethical obligations
- explain about other clients
- put it in writing if necessary

Explain sufficiently



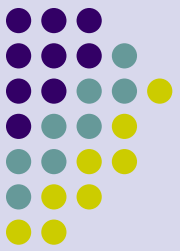
- "that's just the way it is"
≠ an answer
- start from original principles and work to issue

Compromise



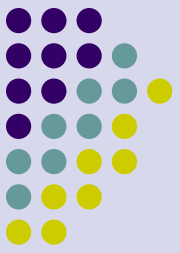
- accomplish what needs to be done
- Moffett
- standby counsel

Advocate



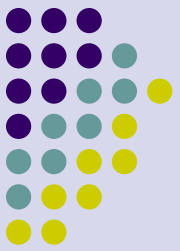
- share the enthusiasm
- make him believe you believe
- write a helpful letter

You have it good



- your worst day is still better than his
- his nastiness is not about you
- don't take it personally
- clients have heavy baggage
 - mental illness
 - trust issues
 - immaturity

YOU MAY NOT BE THE RIGHT LAWYER FOR EVERY CASE



- Client contact makes you depressed or anxious
- You're taking it home
- You dread and therefore neglect the case
- You are not treating the client respectfully