

Avoiding the Client from Hell

By Kathleen Harleston

One of the benefits of having a solo/small firm practice is the direct contact we enjoy with the client. Although the great majority of client relationships are positive, occasionally one encounters a difficult client. Such clients can, without realizing it, display behaviors that make them their own worst enemy. Tips for handling such a situation include the following.

- **Examine yourself.** Are you contributing to the solution or the problem? Lawyers tend to have competitive, assertive personalities, and to value justice over harmonious relationships. If your behavior is fanning the flames, step aside and let the fire blow by.
- **Keep your cool.** Recently, I watched Judy, a long-time cashier at my favorite salad restaurant, deal with an unjustifiably angry customer. Judy looked directly at the woman, listened carefully, and responded briefly and kindly to her complaints. In her words, “You have to pick your battles.” This works equally well with a difficult client, and may permit you to rehabilitate the relationship in the end.

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- **Stay open.** Maintain open lines of communication, even though avoidance behavior is a natural response to stress. At Joan Swartz’ small law firm in St. Louis, they annually review their client relationships. On the few occasions in the past that they determined a relationship was irreparable, they were successful in withdrawing from the case. Joan cautions, though, that local and state rules of professional conduct must be consulted first.

- **Look for other problems.** Question whether an underlying, treatable illness exists. Jane Tate, a solo family law attorney in Kailua, Hawaii, sometimes recognizes Post-Traumatic Stress Disorder (PTSD) in a client’s behavior. When Jane sees certain symptoms, such as hyper-vigilance and multiple (and sometimes hysterical) telephone calls, she recommends a PTSD specialist. Conditions such as low blood sugar, hyperthyroidism, drug use, or manic depression may also cause such symptoms.
- **Just say no.** As solo practitioner Ava Monique George Stewart of Chicago points out, “We all read about how to recognize difficult clients up front. Then one shows up and we recognize him or her, yet we immediately go into denial. Why are we so afraid to say ‘no’ early on? Probably because handling difficult clients has to be experienced to be fully understood.” You can explain to him or her, for example, that a lawyer and client must mesh well in order to make a successful team, and that you do not feel that you are the best choice for him/her.

Kathleen Harleston

is a registered patent attorney at the Harleston Law Firm, LLC in Charleston, South Carolina. She is a graduate of Clemson University (BS, MS) and the University of South Carolina School of Law. She can be reached at 843-971-9453 or kathleen@harlestonlawfirm.com.