

Presentation - Ethics - Representing Difficult Clients

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I. Type of Clients who pose risks:

1. suicidal clients
2. obsessive clients
3. angry clients
4. Non-paying clients
5. Lying clients = lie to the lawyer, lie in the case/trial
6. Older clients
7. Insecure Clients
8. Clients without Boundaries
9. Clients who won't actively participate in their cases
10. Clients who have 'magical thinking' - that the lawyer can solve all their problems

II. Prevention - Careful screening of prospective clients

III. Handling them when they are your client

Establish your role with the client; involve your staff
Document thoroughly
Manage expectations

IV. Resources:

How to Handle Difficult Clients, July/August 2010; ABA Law Practice article by Justice Carole Curtis. http://www.americanbar.org/publications/law_practice_home/law_practice_archive/lpm_magazine_articles_v36_is4_pg40.html

Avoiding Withdrawal Pains, May 2010 Illinois Bar Journal article by Helen Gunnarsson. <http://www.isba.org/ibj/2010/05/avoidingwithdrawalpains>

Difficult Clients, July 2004, ABA Journal, James W. McElhaney. http://www.abajournal.com/mobile/mag_article/difficult_clients

How to Handle the Client from Hell, July 2014, Law360, Erin Coe. <http://www.law360.com/articles/545710/how-to-handle-the-client-from-hell>

Practical Advice for Dealing with Difficult Clients, July/August 2013, The Benchers, American Inns of Court, Jason Hedman & Guna Ose; <http://home.innsofcourt.org/for-members/current-members/the-bencher/august-2013/practical-advice-for-dealing-with-difficult-clients.aspx>

V. Selected Ethics Rules on Client Relations

1. Communication (Rule 1.4)
2. Client with diminished capacity (Rule 1.14)
3. Allocation of authority between client and attorney (Rule 1.2)
4. Candor toward tribunal / Client falsification (Rule 3.3)
5. Meritorious Claims (Rule 3.1)
6. Withdrawal / termination of representation (Rule 5.16)