

How to Avoid Disaster with Clients

Posted by [Martha Newman, J.D., PCC, TopLawyerCoach, LLC](#) • July 28, 2010 • [Printer-friendly](#)

Steps You Can Take to Avoid Disagreements



No lawyer is immune to difficult client relationships. Some are severe and some are, well, just an annoyance.

The key, though, to dealing with [difficult clients](#) is to learn how to work with them. And, you can start by being **CLEAR** from the get go!

Here are **five ways you can avert disastrous disagreements**.

1. Establish your role.

Difficult clients are sometimes totally unwilling to make decisions about their legal issues and want the lawyer to do it for them. Do not do it! Let some other influential person in their life help them with the decision. **Your job is to help the client understand the choices. It's the client's job to decide which course of action to follow.**

2. Document everything!

Document everything you possibly can, including phone calls, voice-mail messages and e-mail messages and store them in a permanent record file. Also, be sure to confirm instructions - both

Top Lawyer Coach, LLC
601 Penn Street
Fort Worth, TX 76102

817/992-6711
newman@toplawyercoach.com



the client's and your own - in writing. Doing this will help keep a difficult client from turning on you and starting a disagreement.

Make it a habit to at least record the following:

- **The client's name.**
- **The file name.**
- **Who the contact was with.**
- **The date of the contact.**
- **The nature of the contact (phone call, meeting, voice mail, e-mail or the like).**
- **How long the contact took.**
- **The details of who said what, including what you said.**
- **Any instructions given during the contact.**

3. Stay calm and be patient.

No one says that dealing with difficult clients is easy. But you will need to be **calm and very clear** with them about everything. The more information you give in writing—and as early in the representation as possible—the less likely there will be misunderstandings.

Also, explain what they should expect regarding their interactions with you and your staff. Be sure they understand whom to deal with on which issues—for example, whom to call to get certain types of information, and when they need to speak directly to you. **Many difficult clients want to deal only with the lawyer at every turn, which is expensive and not very efficient.**

4. Fill your staff in.

Usually staff can spot a difficult client a mile away. The staff, however, may not be so savvy in dealing with that client. They need to **know the risks of interacting with difficult clients**, so they can behave in ways that minimize those risks, especially in terms of documenting contacts, instructions or information. Make sure they deal with the client the same way you do, using an extra dose of patience.

On a side note, trust your staff and believe them when they describe the client's behavior. Deal directly and promptly with the client concerning any inappropriate treatment, to ensure that the client understands what the staff's role is in the representation and, more importantly, to ensure that the behavior is not repeated. **No client is more important than the people who work for you!**

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5. Manage expectations from the start.

Some clients' expectations are outside the realm of the services you can provide - or achieve. Have a discussion with clients, as early as possible, to identify what their expectations are in retaining a lawyer to deal with this particular issue.

If the client has service expectations that are impossible to meet, be clear from the outset that you cannot provide that kind of service. If the client has expectations that are unrealistic or very expensive, be clear about whether you can meet that expectation, or what alternative will be provided.

Billing and payment are also important factors. Difficult clients are often unhappy about fees, so be sure to establish mutual expectations in that regard. It's important to bill clients with high service expectations frequently and regularly, and to provide as much detail as possible, so they can understand the cost of those expectations.

The good news is that difficult attorney- client relationships can be managed well! But, they must be managed from the outset.

Stay sane by being clear and concise from the start!

Adapted from article [How to Handle Difficult Clients](#) by Justice Carole Curtis.

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