

Tips on Working with Types of Clients Who Aren't Working Well with You

By Denise Blommel

1. *The Talker*

Some clients talk incessantly, repeating the same story. Many clients go into great and tedious detail to the point where you feel like you are looking for a needle in a haystack. The way to deal with a talker is to set boundaries. You have a limited time available to listen. You may have a limited scope in handling the client's problem. When an individual continues to repeat a story or an argument, this is an indication that the individual does not believe that she is being heard. Therefore, it is helpful for you to interrupt any perseveration by saying, "I hear you." Remember that it is not impolite to interrupt in order to redirect the client, particularly to the issues that the client raised in your intake process.

2. *The Angry Bear*

Many clients are seriously upset by what is happening to them. Some will lash out at you. It is important to know how to deal with clients who are angry. First, acknowledge the anger by saying, "I understand that you are angry. Please do me a favor and put your anger out in the parking lot while we talk." Second, remind the client that anger will not resolve the problem, so the anger needs to be separated from the problem. Third, after you have the client's full attention, gently move the client to a more logical position. If you encounter a raging client, ask him a question. The brain cannot simultaneously rage and answer a question.

3. *The Weeping Willow*

Clients tend to heavily invest their emotions in most legal matters. Many cases involve clients who have either a diagnosed or undiagnosed mental illness. Some clients will cry uncontrollably while trying to recount the facts. It is important to acknowledge the client's emotional state. You may want to postpone the conversation until the client has calmed. It is helpful to remind the client that you are not a psychologist or therapist and that you can only help the client within the scope of your practice area. It may be useful to refer the client to an employer's Employee Assistance Program (EAP) or a mental health provider.¹

4. *The Hesitant*

Some clients just cannot make a decision. Some want the advice of their friends before taking your advice. This is to be discouraged in a gentle but firm fashion. Some will not give you an answer until they have checked it out with their spouse. The problem is that the decision-maker may not be the client. When this happens, you have to be mindful of ethical responsibilities but also of reality. Include the decision-maker in your conversation but warn the client that any attorney-client privilege is in jeopardy. The best tip for dealing with the hesitant is to have him commit in writing.

5. *The Torpedo*

Some clients' worst enemy is themselves. This is the employee who will contact her boss or HR before talking to you, or the employee client who sets up a one-man picket line with a big offensive placard without telling you (and you see it on the evening news). The best way to deal with this kind of client is to give strict instructions in writing (email is great). If the client does not follow your instructions, remind him that you may or will withdraw if he does not comply.

¹ Check out www.rtor.org; www.terroshealth.org/counseling-services; www.catholiccharitiesaz.org/all-locations/counseling on the Internet.

6. *The Fragile Flower*

These clients are incapable of doing anything by themselves. They need someone to hold their hand through the entire process. Your job is to set boundaries. You cannot perform every function for these clients. Assign these clients homework in written instructions because they will obsess over every detail.

Attorney Nadine Atkinson-Flowers wrote about these clients, calling them “helicopter clients,” in the December/January *ABA Journal*.² They show up at the office without an appointment and demand to be seen. Ms. Atkinson-Flowers recommends setting firm boundaries.

7. *The Ghost*

This is the client who aggressively pursues assistance through your intake process; schedules an appointment, and then disappears into the ether. Your staffer emails her; you call her, but her voicemail box is full so you email her; wait a week and send another email. Crickets. Give this person a firm deadline in writing and if she misses the deadline, withdraw due to noncooperation. Document-document-document!

8. *The Weasel*

This is the client who has “buyer’s remorse” and goes to the opposing counsel or party directly after you made a deal for her in order to undo it. When confronted, this individual usually cries and pleads ignorance. Another species of weasel disobeys your direct instructions at a crucial moment, like at a hearing or at trial. Yet another type of weasel desperately wants the opportunity to tell his story, notwithstanding that his story has no merit and you have told him to keep quiet. Still another weasel species has you jump through many hoops to gain a resolution and then refuses to sign the settlement agreement at the last minute.

What to do besides scream into a pillow? Call the client on the behavior in writing as conduct violative of your Letter of Engagement. If you can fix the problem, tell the client that either she accepts your remedy, or you are going to withdraw. This client fits into Ms. Atkinson-Flowers’ group as “The lying client.” You cannot lie for a client; you can only do damage control. If the client won’t budge; get out.

9. *The Clam*

Usually celebrated in TV Westerns as the “strong silent type,” it takes a crowbar to get the facts out of these clients. When you can convince the client that you are on his side, you will receive only a fraction of the whole story. You need to build trust with these clients, and it can take a while. Try to find some common ground with the client (sports, birthplace, pets) and engage her in small talk before going into the issues. You can then ask open-ended questions to draw out the information.

This client may also fit Ms. Adkinson-Flowers’s definition of the “I read all your documents” client who never reads what you send him.

10. *The Midnight (e)Mailer*

This client emails you at 12:01AM and expects an answer from you within the hour. She receives your draft for review on Monday and waits to give you feedback ten minutes before you leave on vacation. Executive Coach Rebecca Zucker wrote a great article for the *Harvard Business Review* in April 2022 about dealing with unreasonable requests.³ Ms. Zucker shares six strategies for responding:

- a. Assess the relationship. Is this a client that you really want to keep?

² “Strategies for Success: 8 types of clients you must manage in your legal practice.”

<https://www.abajournal.com/magazine/article/strategies-for-success-8-types-of-clients-you-must-manage-in-your-legal-practice>

³ <https://hbr.org/2022/04/how-to-respond-to-an-unreasonable-request>

- b. Be curious. Ask questions to ascertain what the client really needs before acceding to the unreasonable ask.
- c. Raise awareness for the client. Sometimes the client has no clue that what he is requesting is unreasonable. One way to address this is to say that you already have a plan mapped out with the client for litigation or a major transaction. Does the client really want you to drop everything on that plan to begin something else?
- d. Be clear on your boundaries. You don't return emails at 12:02AM! Let the client know when to expect your responses to his emails and your deadlines for his responses to your emails.
- e. Offer alternative solutions. There are times when someone else can do the job.
- f. Let the client know what would work next time. If there is a next time, you can tell the client how best to manage the situation. If everything is an emergency, then nothing is an emergency.

11. *The Relentless*

You have reviewed the facts of the case from the beginning. You have fully informed your client in person and in writing about the weaknesses of her case. The client has an answer (really an excuse) for every argument you raise. The client pushes back on every case problem you identify. Although you have advised resolution at the earliest possible time, the client stubbornly refuses and says, "I am right, therefore, I will win."

This client's tunnel vision may not be curable by just you. You may need to enlist the support of family members, other members of your Firm, or other trusted individuals to help you persuade the client that all you can do for him is damage control. This is particularly true when the client has absolutely no witnesses or documentation to support his case. If the client still will not budge, withdraw. Document-document-document!

12. *The Ingrate*

As Don Miguel Ruiz says in **The Four Agreements**⁴, don't take it personally. Many clients do say "thank you," but do not expect it. When it happens, be grateful.⁵ Remember that you are making the world a better place one client at a time.

⁴ <https://www.miguelruiz.com/the-four-agreements>

⁵ If you want to read a great story about gratitude, or the lack thereof, check out Luke, Chapter 17, in the New Testament of the Christian Bible.