

Client Psychology

– The Art and Science of Managing Difficult Clients

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The client relationship

What is so special about the client relationship? What sets it apart from other relationships in our business and private lives? First of all, there is a helper and a help seeker, that is, there is a consultant offering his expertise, which a client is in need of. In other words, there is an imbalance of power in the relationship. This fundamental distinction yields a potentially very different dynamic to the relationship than what we usually encounter in our everyday lives.

The rules and ethics specific to the lawyer-client relationship directly reflect this distinction. Two examples would be the professional confidentiality and the fact that the client pays for your time. These rules of the lawyer-client collaboration have, as we shall see, an immediate psychological impact. In fact, the very word “client” makes an important demarcation from that of a “customer”. The word client probably comes from a Latin word meaning “to lean unto,” thus, a client is someone who leans or depends on you for help in a possibly dire situation. This dependence, which sets it apart from the challenges of working with customers, can sometimes form the basis of unrealistic expectations, which are then projected onto the lawyer. It is not always so easy for clients, especially in civil law, to discern exactly what facet of their problems is of legal relevance. Thus, the client may dump a big parcel of legal, social, economical, psychological, and practical problems in the lap of the lawyer with the expectation that the lawyer will be able to work on all of them. This is of course unrealistic, and the longer the client’s unrealistic expectations live on in the case, the greater the disappointment will be when they hit the harsh realities of the situation. The frustration, grief or anger is often then directed toward the individual who stands closest to the client in the case - the lawyer. It is therefore imperative that the client understands how much the lawyer can help, in what ways the lawyer can be of assistance and his or her availability.

Difficult clients

Most lawyers would probably agree that clients in general are agreeable and not challenging to handle. However, there is a small group of clients that could be referred to as “difficult” in the sense that they really are a handful for the lawyer to manage. Although being relatively few, they can occupy a rather big place in the workload and demand a substantial amount of resources, time and energy. In fact, just one difficult client can prove to be quite overwhelming, as any seasoned lawyer knows.

So what characterizes this group of clients? Well, they are prone to flounder with payment, often vent complaints to the lawyer and may even file a complaint. They also demand time and energy far beyond what is motivated by the actual legal task at hand. That is, their psychological needs constitute a large amount of the actual work with the client. This is manifested in various difficulties in the collaboration, ranging from a rather vague sense that the two of you are not pulling the same direction to a full-fledged open conflict. In the wake of these difficulties, there is

often a sense of emotional drain for the lawyer, which can be experienced as physical fatigue, sadness or lack of energy.

Managing a difficult client often creates a tension between the psychological needs of the client and keeping focus on the actual legal task at hand. There may be many reasons why a client may have difficulties in staying focused on the task, such as psychological disabilities, substance abuse, personality disorder or physical or emotional trauma. It may simply be that the case is really quite uncomfortable for the client and that he or she prefers to talk about anything but the case. Whatever the reason, it is a fact that some clients do need extra time to arrive at the legal kernel of the case, be it because they are upset and crying or because they do not fully understand with what the lawyer can and cannot help. On the other hand, the lawyer is paid to do legal work for the client, and not be a pseudo- therapist. Indeed, the best way for the lawyer to assist their client is usually to stick to what he or she does best; legal work. This should of course not bar the lawyer from showing normal courtesy and empathy where appropriate. This is an important point, since a stark disregard for the client's psychological needs and suffering may create difficulties in the collaboration since the client may – perhaps rightly so – regard the lawyer as cold-hearted and insensitive. So striking the balance between doing legal work and being sympathetic can be quite a challenge. Various studies show that between 22-40% of the billable time is actually absorbed by so-called curative talk. The main problem here of course is that the lawyer is paid to do legal work and has a lot of responsibility in making sure that the legal work is getting done, even when the client may have severe difficulties staying on task.

However, client psychology is not just relevant for the more neurotic clients. It includes procedures and routines which prevents problems in all your client relations, and which ultimately increases the satisfaction of all your clients, as well as your own.

Managing expectations

From a psychological perspective, one of the first and most important tasks of the lawyer is to manage the client's expectations and to eliminate any expectation gaps. An expectation gap is present when the expectations of the client are not in full accord with what the lawyers actually can do, without either the lawyer or the client being aware of it. Without any awareness, there is no possibility of either one putting the discrepancy on the table, which would allow for a clarification of the unrealistic expectation.

Many unrealistic expectations can be eliminated initially by using a protocol when accepting new clients. This protocol clearly describes the four aspects of the lawyer's practice that clients tend to be frustrated with most often.

1. The time it may take to close the case
2. How much it is going to cost
3. The type of service you can provide
4. What kind of results are possible to achieve

However, unrealistic expectations may not only arise because the client does not fully understand his or her legal situation and its threats and opportunities. It may also be because the client has a hard time accepting an inherently painful situation. The latter case is simply a reflection of human nature to avoid what is unpleasant and to seek that which is pleasant. For instance, dentists are quite familiar with the phenomenon of their clients forgetting their appointments, although many of them do it quite sincerely. (Perhaps you yourself have honestly missed an appointment with the dentist!) This is also a common phenomenon in therapy, and represents an example of a lighter, and rather subtle, form of avoiding the unpleasant. But resistance can also be rather blatant, as in the case of denying something that is obvious. How the client is reacting when you are adjusting

their expectations can give you important clues of their level of psychological function, and can indicate how rough the road of collaboration ahead may turn out to be.

If your client is simply not knowledgeable enough, all you have to do is enlighten him or her. However, if your client is showing resistance then you have a different challenge at hand. It is important to keep in mind, though, that your client may well be both uninformed and reluctant to accept important information. It is also imperative that you accept a client's different opinion in the matter.

So how do you identify resistance? A client will often elicit clues when uncomfortable information and facts are conveyed. The client who responds, "Well, that's a real disappointment, but I can see what you mean," is proving himself to be open and flexible to disconcerting information. But if they say, "Well, you are wrong, because I have read on the Internet that..." you do definitely have a different task at hand. Ask yourself this, Is the client reacting adequately, considering the nature of the information you have presented, or is the client showing disproportionate resistance to it? Remember that even well-functioning clients can show some initial resistance to painful facts, but the level of resistance will be in proportion to the negativity of the message and should subside over time.

If you can clear out any unrealistic expectations very early on in your work with your client, you will definitely have improved the working conditions of managing the case. This is because you have greater opportunities for establishing the rules of work and conduct with your client in the beginning of the relationship. This does not magically make disappointments or non-constructive personal antics dissipate, but unrealistic expectations will have much less power than if they had lived their own life in the mind of the client for an extended period of time. You will also have greater psychological leverage if you can refer to the protocol you established initially, and that the two of you have agreed upon in the beginning of your collaboration. Also, by addressing this dimension early on, you have greater possibilities of indentifying what aspect of the case the client is having difficulty relating to. Painful facts may, tactfully, have to be repeated on several occasions for the client to gradually accept them.

Purposes and aims of client psychology

Having introduced some of the rationale for using client psychology in your legal practice, it may be pertinent to discuss the purposes and aims of client psychology. Of primary importance is to increase the work satisfaction of client and lawyer alike, and note that there is no conflict of interest for either party in having a well-functioning collaboration. Another important purpose is to increase the efficiency of the practice, that is, the profit, by avoiding unnecessary time, resource and energy drainage in client-related work. Improving communication is a vital feature in client psychology. Sometimes we need to use specific strategies to enhance our communication in getting important information across to a client who has difficulties taking in information. Such difficulties may be due to cultural or language barriers, substance abuse, resistance or psychological impairment.

Another important strategy in client psychology is matching your approach according to the needs and personality of the specific client. In fact, this matching is a cornerstone in effective client management. You simply cannot approach all your clients effectively in the same way; it is imperative to take into account their individual needs, expectations, personalities and antics. If you do so, and adjust accordingly, using what has been proven to be effective, you will simply be a much more appreciated, effective, less frustrated lawyer. Lastly, client psychology minimizes the stress that is experienced by many lawyers in their stressful work with clients.

Service – an integral part of client psychology

Client psychology is also about service, and service boils down to one question: Are your clients satisfied? This is obviously a question that most of us would like to answer with a resounding, “Yes”. But how do you know if your client is satisfied? One answer we often get from lawyers at our seminars is that content customers come back. This was actually investigated in one study, which was based on interviews with the heads of the legal departments in a large number of Fortune 500 companies.

One of the questions was, Would you recommend your primary legal firm? That is, the one you usually employ. Only 30% said yes. Another answer we usually get when we ask lawyers how they know if their clients are satisfied is that they pay on time. But most people do pay on time even if they are not happy with the service they have received. It is not safe to assume, either, that dissatisfied clients will complain, as studies in similar fields of business show that about 4% of those who are less than happy with the service they have received will actually tell you so. One possible conclusion one could draw is that many lawyers do not have a very good idea of whether their clients are satisfied or not.

This is where sometimes the meaning of service may be understood differently by lawyers and their clients. It is important to remember that many clients cannot evaluate the level of expertise of their lawyer, nor critically examine the quality of their input in, for instance, a contract or in the case of a trial, since the outcome is not solely based on the efforts of the lawyer (even though some clients think so). Still, all clients have an opinion about the attitude of their lawyer, their general approach and demeanor. We all spontaneously evaluate the service we receive in important matters. That is, we all have some impression, be it a feeling or opinion of the service. That impression is often largely based on the approach of the person we have interacted with. Thus, a very competent lawyer who is not concerned with the impression he or she make on a client may well be less appreciated than a more modestly proficient lawyer with great psychological skills. Now, we all make effort to make good impressions in our professional relationships, but relationships with clients are – as previously stated - different from other relationships. Therefore, they present different psychological challenges and terrain, as will become clearer as we learn more about the psychological dimension of working with clients.

This points to the possibility of increasing satisfaction among clients, regardless of the outcome of the case. This is illustrated by the cases where clients are highly appreciative of the lawyer’s representation even if the case was lost, and vice versa. There is a strong relationship between the satisfaction of the client and the outcome of the case, but it is neither fixed nor absolute. And this is where you can make a significant difference in your work.

Working with clients in crisis

Some clients seek lawyers (especially civil law lawyers) because they are in a crisis that has a legal component. They may have been detained, been victims of a violent crime, lost custody of their child, faced bankruptcy or been sued for large sums. Indeed, the spectrum of conditions that may initiate a crisis is vast and varies greatly from individual to individual, depending on the subjective experience and the resources available to the client. Resources can be many different things; for instance a rallying network of family and friends, a good income which allows for professional help, support groups, etc. So you may need to think about, and perhaps ask about, your client’s possible resources.

Crisis spectrum

Crisis is a span of reactions to a critical situation of which the legal case is but one of several problems associated with it. It typically means that you are facing a radical change that demands a fundamental reorientation of yourself, of those near and dear to you, and your view of the world. It is a psychologically unstable and volatile situation where great values of personal relevance are at stake. The scope of crisis reactions range from normal emotional reactions, to genuine crisis, to posttraumatic stress disorder (PTSD). PTSD means that the person experienced something so traumatizing that the psychological defensive mechanisms cannot cope. We will get back to PTSD in a moment.

Normal reactions to a severe situation

There are a few factors in the legal process itself that are likely to deepen a crisis reaction. To begin with, a legal process typically constitutes a loss of control and helplessness - someone is going to make a critical decision about something in your life. Also, there are often feelings of abandonment, rejection and loneliness, either because the client has been detained, or because their fellow workers, friends and family are turning their backs on them. Accompanying this are strong feelings of disillusionment and failure. Fighting over the house with your partner in court is not what you had hoped for and dreamed of when the two of you bought it together. The possibility of ending up in jail is an earth-shattering prospect for most clients. Losing the custody of your child may be your worst nightmare come true.

So the client may feel very lonely and experience very strong negative feelings as they are trying to cope with, relate to, and handle a very difficult situation. They might truly fear they are going insane from everything. It may be helpful to address the stressfulness of the situation, their feelings and reactions, and offer the client some kind of framework by which to relate all of this to. One powerful approach is to de-dramatize by saying, for instance, "I have seen many clients in your situation before, and it is quite normal to feel anxiety and great concern. It is often helpful to have a little patience with oneself in going through this kind of crisis. If you find it too hard to cope, I suggest that you talk to someone about it. I can give you some suggestions if you want. I am a lawyer, and not very good at helping people coping with crisis, although I will of course do my very best working on the legal part of it."

Phases of a crisis

A crisis characteristically proceeds through four phases, and it may be quite useful to know the phases, as the client's level functioning often can be directly related to these.

Phase one: Shock

The first phase is the shock phase, which may last up to a week. It is a radical reaction to an insufferable situation. Symptoms include apathy, regression, and denial. Shock is sometimes not properly diagnosed, because the individual may seem collected and calm on the surface. This is because the person is occupied by a maelstrom of emotions and thoughts on the inside, and just about all energy is invested in processing that maelstrom, thereby managing to hold the psyche together. So the calm surface may hide severely decreased intellectual and emotional levels of functioning. In particular, judgment and short-term memory may be impaired. If you encounter a client that you suspect is in shock, it is advisable to wait a week or so, if possible, after the incident before you start working with him or her to allow the initial shock to subside.

Phase two: Reaction

Following the initial shock is the reaction phase, which may last up to a year. At this point, the

client has begun to take in the experience and starts to react to the new situation. How the client reacts differs widely depending on the type of trauma and the people who are involved. It can be anything from shame, grief, fear, anxiety to bitterness and wrath - or a mix of them. While the client has a fair idea of what has happened, there may still remain elements of magical thinking, that is, irrational ways of relating to the trauma. A very common example of magical thinking is when we momentarily "forget" that someone near and dear to us has just died. Magical thinking may also color how a crime victim interprets the scene of events that transpired during crime, such as when a rape victim wonders if it wasn't her fault after all since she did take the short cut through the park in a party dress that may be considered "revealing."

Phase three: Reflection

The third phase is the reflection phase, where the trauma is being considered in a more mature and rational way. The client can then see their traumatic experience in the wider context of his or her life. If they have been impaired in their living, there are usually signs of the lifestyle being normalized, such as getting back to work, picking up leisure activities again and a normalized social life.

Phase four: Acceptance

Lastly, the client reaches the acceptance phase, which lasts for the remainder of his or her life. However, although acceptance has been achieved, sensitivity may remain.

The reaction and recovery pattern of a trauma can vary widely from individual to individual. And the different phases can also display a great variance in the repertoire of behavior and the scope of symptoms. For instance, the reaction and recovery of a victim of a violent crime may begin with a quiet shock, which is followed by a debilitating depression in the early reaction phase. As the victim processes his or her experiences, there may be mood swings as they move to the late reaction phase, where a much more adequate expression of anger is directed towards the perpetrator. When the strong emotions subside in the reflection phase, the client can start to reflect in a more constructive way on the questions that lay in the wake of the trauma. Why did this happen to me? How has this changed me and my view of myself and the world? What conclusions can be drawn from this?

PTSD: Posttraumatic syndrome

Sometimes the initial shock is so overpowering that the client is unable to process it. This is because the trauma is so painful that the only way of relating to the experience is try to push it away, which not only prevents the processing of the trauma, but it also keeps it firmly in mind. If told not to think about a pink elephant, the normal reaction is paradoxically to think of the elephant in an effort to get rid of it. In the same way, individuals who are suffering from PTSD are focusing on the trauma in an effort to suppress it.

So what is the difference between shock and PTSD? The strength of the symptoms of shock should recede in about a week, so if there are no signs of recovery from shock in a month, there is good reason to suspect PTSD. This is important for the lawyer to know, since a client who is suffering from PTSD will be substantially handicapped. They will have decreased short-term memory and attention span, poor judgment, and experience a great deal of anxiety. Children suffering from PTSD often get stuck in repetitive playing patterns, as an attempt to ward off the trauma. Adults and children alike experience reoccurring and profoundly disturbing nightmares. Since PTSD is also associated with substantial agony with virtually no hope of spontaneous recovery, it is important to refer a suspected case of PTSD to mental health care for proper diagnosis and treatment.

Approaches to working with clients in crisis

So what is the best way to relate to and work with clients in crisis? Expressing empathy and sympathy in a sincere, but balanced, way is of course of pivotal importance. If you don't know what to say, it is better to stay silent than to say something that may upset the client. Typical phrases to avoid are, "Don't feel bad," "It's God's will," "Don't cry," and "At least you still have your other leg," (these are all authentic phrases). Strong negative emotions can be frightening and very uncomfortable, and one common reaction is to back away. Try to stay present and open in the situation, as heavy and awkward as it may feel for you. Appearing phony or insensitive will alter the client's image of you badly. If they are overwhelmed, asking them to take one day at a time may not be enough. In that case you may suggest that it may be helpful to seek out a support group, or mental health service.

You should also have realistic expectations of the client's capacity, especially in the beginning when the trauma is more recent. Work in short sessions, take frequent breaks, pay attention to the client's reactions and your own gut reactions as to how well the client is able to work with you. In particular, prepare the client before interrogations and questionings since these may reactivate trauma. Rehearsing and role playing the situation may be helpful.

In working with traumatized clients, it is also important to keep an eye on your reactions and be mindful of how you are affected by being involved with a traumatized client. Transference is of course present in this group of clients, too, and often in a particularly powerful way. The term "secondary traumatization" refers specifically to the adverse psychological reactions in those who work with traumatized individuals. If you have difficulties letting go of the client when you are not working, if you have been brooding over a case for a long time, or if you simply feel very affected by a client that stirred emotions more than usual, then you may want to consider talking to a therapist.

One crucial aspect of your approach in working with this group of clients is clear communication. Although, strategies for effective and enhanced communication are relevant for other groups, too, where the client may have decreased psychological functioning, such as when there are language or cultural gaps, substance abuse, etc. In these cases you can apply communication strategies to increase your communicative leverage.

Communication strategies for clients in crisis

The first rule in communication strategy is to simplify communication. It is very easy to slip into the jargon of the legal world. The legal jargon, or discourse, has a large set of terms and expressions that concisely encapsulate unusual or complex meanings. This makes for really effective communication with those who understand, and conversely, seriously hampers it with those who are not well-versed in it. So prepare yourself before the meeting, and consider who you will communicate with in order to consider the level of the client's understanding. Simplifying the message, you can make the information even more accessible by breaking it into smaller parts that are served portion by portion - all while you make sure that the client is taking in what you are saying.

Next, you may ask the client to summarize the most important points. By doing so, you will not only receive a kind of mental receipt that the client has understood the information, but it also serves as a kind of rehearsal or repetition that makes it easier for the client to retain the information. Any misunderstandings will most likely become evident, and are therefore usually easy to rectify.

At the end of the meeting, it is helpful to summarize the most important points. The amount of

information may have been overwhelming for the client, and they may have problems remembering it, or they may have difficulties sifting through and identifying what they should focus on. So it might serve as a support to say something along the lines of, "We have discussed many things today, but what I want you to focus on and think about is A, B and C."

The final step in communicating clearly is to send a letter that briefs and summarizes the meeting. The client will then have something tangible to read through as many times as they need at the convenience and comfort of their home. The lawyer has then done a fair job in preventing discrepancies further down the road based on misunderstandings, where the client claims, "You said that I should do this."

Evaluating clients in crisis

In evaluating a client in crisis, you should have two questions in mind. The first is whether the client is high functioning or low functioning. An individual can be severely depressed but still be highly functioning; that is, he or she can still show up at the meetings, do his or her part of the work and clearly see and understand their own depression. Other individuals cease to function even though they may not be severely affected. This is related to, but not identical with, the second question: Are the reactions proportionate? You expect a strong reaction from someone who has lost a close family member. It is a rather normal reaction. But if you see signs of a traumatic reaction from a minor incident, it may well be an indication that you are dealing with someone who may be quite fragile. You do need to use caution in both cases of course, but the way you approach will differ.

Client typology

We will now present a gallery of common types of difficult clients. This gallery of client typology has been developed on the basis of research as well as requests from lawyers at our seminars. It is intended to be a helpful pedagogical tool, along the lines that have been used traditionally in personality psychology and psychotherapy, and to assist the lawyer in creating the optimal psychological conditions for the individual client. As such, it is somewhat prototypical, and it is important to keep in mind that a client can have characteristics from several types. It also pertinent to remember that what may be a difficult client for one lawyer may be no problem for another. Experienced lawyers often have, consciously or not, identified what types of cases and clients that suit them best, which give them the optimal circumstances to do their best lawyering. Thus, using client typology enables the lawyer to more easily, consciously and effectively adapt his or her approach to the personality of the client. It cannot be stressed enough that this typology must be applied with common sense and a keen sense of good judgment, or it will backfire. But before we discuss the actual typology we will begin by looking at some of the early warning signs that may be indicating a difficult client.

Warnings signs

These, then, are signs to watch out for.

"The overwhelming client" considers, and truly experiences, his or her case to be an absolute emergency of catastrophic magnitude, or perhaps a last minute life and death case. The point here is that the legal needs of the client are not correlated with the emotions that the client has invested in the case, and that the client is not calmed by attempts to explain that the case is not burning up as you speak. The overwhelming client demands much attention and resources, and can unnecessarily get coworkers (such as secretaries) overtly engaged.

"The notoriously unfaithful client" shuttlecocks between different lawyers and law firms. Ask if you are allowed to contact others who have been involved in the case. Also, ask the client why he or she chose not to continue to work with those lawyers.

"The demanding and complaining client" is characterized by persistent unrealistic demands and expectations. They have a very hard time adapting their world view to the realities that are presented to them. When things don't go their unrealistic way, their lawyer is quite likely to be blamed, which may be part of a pattern where everything is everybody's fault with the exception of the client themselves.

"The threatening and manipulating client" is more malicious, and uses unreasonable pressure or dishonesty toward his or her lawyer.

"The critical/distrustful client" has a generalized negative view of lawyers, staff at the law firm or the legal system as a whole. The relationship therefore often does not begin at the ground floor, but rather in a muddy ditch which the lawyer and the client have to climb out of in order to get a satisfactory working alliance.

"The layman-expert" is a cousin to the critical client, but is characterized not so much by their low opinion of the lawyer, but rather of his or her high thoughts of themselves. They are also critical of the lawyer's expertise, but not of their morals. Furthermore, they vastly underestimate the level of expertise of a competent lawyer. The layman-expert typically reads the law and interprets the law in his or her own way and finds material on the Internet that they are convinced is relevant to the case.

Finally, **"the I'll pay within 30 days client,"** who has an exaggerated fixation on costs and fees. This client may either be trying to bargain on the fees, or display a blatant disregard for the economical dimension of the work, perhaps bragging about the financial resources available.

From our seminars over the years we have also picked up suggestions from lawyers on other more specific warning signs. For instance, written communication from a client that contains repeated exclamation marks, underlining, or bold typesetting in letters or e-mail might be a display of volatile emotions. Another example is the client who wants to tell about his or her injustice in the media, or clients who very early talk on about appeals, or even taking the case to the Supreme Court! Lastly, clients who bring enormous amounts of material may call for a second look at the screening process.

After these preliminary advices on what might give cause for alarm, we now proceed to the actual typology.

The client without boundaries

The first type is "the client without boundaries." It is a person who devotes all their available time and energy to the legal process of his or her case and thinks you should do the same. They therefore demand your total attention and want full access to all documents, to know all the details and also does research on their own. They will also have a set idea on what strategy is best for the case and will not likely heed reasonable warning to the contrary. Psychologically, they seek out attention and praise for their effort, skill and devotion to the case. In actual contact, they are unrestrained and invasive by calling incessantly, making unannounced visits and sending copious numbers of documents and e-mails. For the lawyer, the client without boundaries may feel very invasive, and you may in meetings feel like the client is right in your face with your back against the wall.

Since the client lacks their own boundaries, the fundamental approach to this client is to provide the necessary boundaries. You need to be firm with appointments, routines and the overarching framework for the collaboration. It must also be abundantly clear to the client what is included (and not included) in your work. You may need to reaffirm your position as the legal expert in your collaborative effort. An example of such a situation is when a client expects you to read two three-ring binders of printouts of general information from the Internet. A method that sometimes works well is to delegate control to the client on your own terms by giving homework that actually could be useful for the case. For instance, you may say, "It could prove to be valuable for us if you could research this particular aspect of the case." It gives the client a sense of control and can strengthen the psychological alliance between the lawyer and the client. To summarize, with this type of client it is important that he or she understands what your time and availability costs them, such as answering questions over the phone or e-mail. Sending invoices on a regular basis also serves as a reminder of this.

The angry client

This is a client who has been angry and hostile long before he or she engaged a legal representative. Although the anger is not derived from the association with the lawyer, it is often transferred to the lawyer, his or her colleagues and/or staff. The relationship is often described as being devoid of trust and confidence, and the attitude is aggressive, threatening and demanding. The best approach with this type of client is to be firm and responsive. The lawyer needs to express boundaries in the relationship very early on for what is accepted in the dealings with not only the lawyer, but also their staff.

This last point is important since some of these clients will not vent their red-hot anger directly at the lawyer, but rather with his or her staff. Any outbursts or transgressions need to be curbed right away, since they are likely to increase and intensify if the client feels that they can get away with them constituting a kind of psychological precedent in the relationship. Psychologically, these clients have forgotten that they are in a professional relationship, and that is exactly what you need to remind them of. If you feel that they are way out of line, or that you yourself are about to lose your temper, calmly round off the meeting or telephone call and tell the client that it is better to continue another day when feelings have cooled down. If you are very concerned, arrange seating so that the door is behind your back. Use a conference room if your own office does not allow such seating. You could also ask someone else to be present at the meeting, such as a secretary. Don't dismiss your gut feelings too quickly.

The legal dogmatist

Then we have the legal dogmatist, who engages the lawyer for the purpose of getting personal restitution. This client claims insistently his or her rightful cause, which may have substance. Looking into the history of the case, you will often find that the client has, indeed, been wronged. The problem is that the client has lost all sense of proportion of this wrongdoing and can't let go of it. They devote unreasonable time and energy to change judicial decisions that are perceived to be erroneous and can make demands from the lawyer that are not compatible with the ethics and tasks of a lawyer. Through his or her efforts, they strive to get a psychological reconstitution through a legal process. But no matter how hard they try, they are very unlikely to achieve that because the primary concern of a legal process is not to satisfy deep emotional needs. Thus, they are doomed to fail in his or her objective and will only reap frustration. As they cannot contain their frustration, he or she will project blame outwardly onto institutions and individuals, including the lawyer. Sadly, the only way this client will try to solve the situation is to try even harder by devoting themselves to what could be termed as "trial addiction" and abuse of court.

So what is the best approach to the legal dogmatist? First of all, it is important to think twice before initiating collaboration with this type of client. Try to clarify the client's real motives and goals for the collaboration. Ask what previous contacts he or she has had with lawyers and courts concerning this case. What other cases have they been involved in? Can you get permission to contact any of the lawyers previously engaged in this case? Be sure to document all interactions and communications if case conflict and discrepancies arise. Send invoices on a regular basis, and consider asking for advance payment.

The depressive client

The depressive client is much more common than many think, and it is helpful if their problems are recognized early. There are many reasons for being depressed, ranging from a chronic depression to a reaction to crisis, trauma or loss - perhaps directly related to the case. The depressed client is dispirited, pessimistic and passive, and is characterized by the lack of interest in, and commitment to, the legal process and to take care of their own interests. This may be manifested in very concrete ways, such as not showing up or calling, or as a general feeling, such as the sense of being very lonely in the room when you are having a meeting with the client. This is because the client is too withdrawn and disengaged from the relationship and the case. Clinical depression often results in a decreased intellectual capability, with difficulties in receiving and remembering information. While working with depressed clients, one often needs to extend extra support and help and have realistic expectations of the client's participation in the legal process. It may be helpful to strengthen the communication with having written summaries and instructions being sent to the client. If the client is severely handicapped by their depression, getting a mental health professional involved is a priority.

The helpless client

The helpless client is unwilling to accept responsibility and make his or her own decisions, and often has a long history of relationship based on psychological dependency. This tendency to be dependent is transferred to the lawyer, with the expectation that the lawyer will make decisions for the client. Getting the client to realize and accept the limitations of the lawyer's role and responsibility can be an arduous and trying task when the client is passive and psychologically helpless. They also have difficulties in relating independently to advice given and have a hard time focusing on the legal work. The relationship itself may be experienced as unequal and frustrating due to the client's tendency to shuffle his or her responsibilities to the lawyer. The basic challenge in working with this client is to uphold the division of responsibilities. It might be useful to ask the client to get help and support from someone they trust, be it a family member or a very good friend. That person can then serve as an external advisor for the client in the case, which offers an alternative for the client to lean on in the decision making.

The client without a case

"The client without a case" is engaging the lawyer for a specific task that may not have legal substance. The client's real mission is kept hidden, but often contains motives steeped in revenge, a stalking strategy, an effort to get psychological restitution, or something along those lines. This kind of client often has a strong personal sense of morals, justice and injustice, which is not always in accordance with the actual legal conditions of the situation. Take a good inventory of their goals, which often are vague to their emotional nature and do consider carefully before accepting this type of client. If you do not achieve the expected goals of their very personal agenda, there might be complaints or problems with payments. Document all dealings in the case carefully.

The client with attention deficits

A substantial portion of the general population are nowadays diagnosed attention deficit, with conditions such as ADD or ADHD. The prevalence is much higher among criminals and in prisons. Individuals suffering from this are intensive, impatient and impulsive. The marked difficulties are in the ability to concentrate and paying attention to a given topic. They can be quite disconnected in the social intercourse, as they repeatedly venture off in their own track. The suggested approach is to compensate by being very clear in communication, exerting firm leadership, making a conscious effort to help the client keeping focus and being ready to repeatedly bring back their attention to the matter. It is very important that the lawyer minimize disruptions, such as phone calls, since these can throw the client off track severely. Working with frequent breaks is also helpful. Ask the client to summarize the main points at the end of the meeting to help him or her remember the essentials of the meeting and to ensure the lawyer that they got the message across.

The client with a mission

This client is characterized by being somewhat secretive and, perhaps, also unreliable. They are driven by hidden motives that are derived from a need of personal restitution, and contacting the lawyer can be part of a strategy for exacting revenge or furthering stalking. In either case, the true mission of the collaboration is kept secret from the lawyer. It is often difficult to define a solid legal kernel in their case in a straightforward manner. It may all strike one as being disproportionate or contrived. In terms of approach, it is very important to carefully consider whether you really want to work with this client. Clarifying the client's real goal is crucial. Take extra care in documenting all communication with the client, in case discrepancies should arise. And, of course, send invoices on a regular basis!

The psychopathic client

The psychopathic client is very difficult to spot or diagnose, even for psychiatrists and psychologists. The fundamental diagnostic feature of psychopaths is their lack of empathy. This deficiency ranges from being rather mild to that of utter and total disregard for others, as in the case of severe psychopathy. They are prone to being manipulative and having no problem understanding the difference between being deceitful and truthful; they just don't see the problem with lying. As long as everything is going their way, they can be very charming and make for great company. But once there is a setback, or they feel that you are not going along with their scheme, it all turns black very quickly. There is no possibility for a constructive conflict. You are either "with" or "against" the psychopath. Being against a psychopath can be a rather alarming experience given that they act according to the axiom that the end always justifies the means, and they can be rather ruthless in their efforts. This does of course not mean that all psychopaths are prone to violence, but they can be psychologically vicious and are much more likely to play ugly. It is also important to note that many psychopaths are quite successful, and may be prominent business people or have a high position in companies and society. Being ruthless can be quite effective if you want to get somewhere.

The psychopathic client needs very firm and incorruptible boundaries for the collaboration. That means no special treatments! This is because the psychopath will very often try to get you out of your protected professional role, perhaps by giving you presents or favors that have strings attached. By having you accept these, the psychopath can later claim for something in return. Or they may just be coaxing and manipulating you to give them special treatment. By giving them extra that you normally would not give does not alleviate you, but it often results in the psychopath losing their respect for you. Being incorruptible is one thing they really can respect,

although he or she may also resent you for it. The lawyer also needs to be straightforward and realistic and not duped into the psychopath's worldview. It is important to sit very heavily in the chair, and be anchored in yourself.

It is very important to listen to your own emotional reactions when dealing with a psychopath; in fact, it is one of the best ways of identifying a psychopath. The case and the client may sound promising, but there is this sense that something is not quite right. The lawyer may find him or herself reacting in unusual ways, perhaps agreeing to do things that they would not normally do, such as socializing privately.

Goals and purposes of client psychology

So what are the goals and purposes of client psychology? They are...

To strengthen and improve the communication, when needed, using appropriate communication strategies.

To adapt the lawyer's approach, according to the type of client, and their specific needs.

To increase the satisfaction of both parties (please note that there is no conflict of interest here).

To decrease client-related stress. Working with difficult clients, or any clients, who are in a difficult situation is simply stressful. By using appropriate approaches and tools, this stress can be lowered.

Client psychology is never about manipulating the client, but rather to look out for the two interests by facilitating the collaboration. It increases the efficacy by helping the lawyer and client to be able to stay focused on the legal task at hand and to minimize difficulties and frustrations in the relationship

I would like to mention that interesting work in this area has been done in the comprehensive law movement, which includes initiatives such as collaborative law, restorative justice, holistic law and preventive law, just to name but a few examples.