Working with Difficult Clients
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Who Are Difficult Clients?

- Stressed & scared
- Unreasonably demanding
- Emotionally unstable
- Mentally ill
- Demented / Cognitively Impaired
- Substance abusing
- Angry – looking for revenge through the courts
- Family and/or friends...
What do Difficult Clients do?

- Unreasonably demanding of your/the court’s time & energy
  - Multiple calls and/or meetings
  - Showing up unscheduled

- Non-cooperative
  - Not providing needed information
  - Giving conflicting information

- Angry
  - Shouting, cursing, threatening

- Frustrating your efforts to provide effective representation
Prepare Before First Meeting / Call

• Know what you can about the client
• Know the type of people and behaviors that impair your ability to work (button pushers)
  – Needy?
  – Demanding?
  – Unappreciative?
  – DV Perpetrators & other abusers?
  – Old?
  – Young?
  – Reminiscent of family?
First Meeting / Call

• Set the ground rules
  – Do we chat informally before starting to work?
  – Are we “all business”?
  – What do we call one another?
  – Do we both share personal information or just the client? How much?
  – Do we focus only on the legal issue at hand or identify other needs (e.g., social service)? What happens when a non-legal need is identified?

• The ground rules start being set from the first phone call or even by how someone describes you & your services to the client. The earlier you lay them out the better.

• Make the ground rules and expectations more explicit as you identify that the client may be difficult.
When Problems Start

• Check your own feelings & perceptions
  – Are your buttons being pushed that will make it hard to be effective

• Empathize & understand

• Identify overall goals
  – Provide high quality representation?
  – Efficient use of time?

• Stay focused on immediate objectives
  – Gather information?
  – Obtain signature or approval of actions?
  – Decrease amount & frequency of calls & office visits?
General Steps to Take

• Identify the specific problem behaviors and target them explicitly and openly

• Explain consequences unemotionally (e.g., I am not going to be able to draft a good letter or make a strong argument to the judge if you don’t...)

• Make the ground rules and expectations more explicit as you identify that the client may be difficult – go back to setting the ground rules.
Initial Escalation: Anxiety
Intervene with Supportive Actions

- Observation: Increase or change in behavior, spending lots of non-directed energy (pacing, visually scanning the room repeatedly, standing up & sitting down repeatedly, wringing hands, muttering, etc.)

- Intervention: Support, empathy, active listening, non-judgmental, calm soft voice, drink of water/juice, food, try to address all or some of the immediate need
Secondary Escalation: Defensive Intervene with Directive Actions

• Observation: Beginning to lose rationality, more volatile, verbal belligerence and hostility, challenging you and authority, more responsive to your posture & proximity & tone than meaning of words.

• Intervention: Stay rationale, focused, clear, do not indicate that your “buttons are getting pushed”, less supportive more firm, firmer voice but still calm & not emotional, set behavioral limits with explanations why, simple options with positive consequences when possible, reality-testing & reality-focus, alarm button.
De-escalation: Tension Reduction
Intervene with Therapeutic Rapport

• Observations: Physical and emotional “coming down”, muscles loosen, emotionally drained, exhausted, upset, withdrawn, perhaps remorseful & apologetic & vulnerable, regaining rationality.

• Responses: Reassurance, “take a few deep breaths”, allow choices, clearly state consequences & next steps, nonjudgmental of the person if not the behavior.
Personality Types

• Personality disorders (DSM-IV)
  – Enduring patterns of behaviors and feelings
  – Very different from cultural norms or expectations
  – Pervasive, inflexible, stable over time
  – Begin by adolescence or early adulthood
  – Lead to emotional distress or impairment in functioning

• Everyone exhibits some of these characteristics at times and most people have a propensity towards one or another, albeit at a much lower level of intensity or frequency.
Dependent

Excessive need to be taken care of that leads to submissive and clinging behavior and fears of separation.

1. difficulty making everyday decisions without an excessive amount of advice and reassurance from others

2. needs others to assume responsibility for most major areas of life

2. difficulty expressing disagreement with others because of unrealistic fear of loss of support or approval

3. difficulty initiating projects or doing things on own because of lack of self-confidence or confidence in own judgment
Dependent
(continued)

5. goes to excessive lengths to obtain nurturance and support from others, to the point of doing things that are unpleasant

6. feels uncomfortable or helpless when alone because of exaggerated fears of being unable to care for self

7. urgently seeks another relationship as a source of care and support when a close relationship ends

8. is unrealistically preoccupied with fears of being left to take care of self
Strategies

• Be very gentle, reassuring, supportive and encouraging.

• Expect them to want you to make all the decisions.

• Be aware that any suggestions or hint of suggestions you make will tend to be accepted.
  – Difficulty weighing options and will look to you to decide. Present the pros and cons and give “homework” to go home, write down options, talk about them with friends/family, consider them, and write down their decision. The person probably already has some network of people who help to make decisions.

  – Don’t answer the question “what would you do if you were in my shoes?” or “What would you suggest if I were your brother or sister?”
Strategies

• Only suggest things that you are clear you want the person to do.

• Don’t let them see your frustration at their inability to make a decision or because they are calling too often.

• Consider giving them a standing time for a phone call (e.g., every Monday from 12-12:15)
Histrionic

Excessive emotionality and attention seeking.

1. Uncomfortable when not the center of attention
2. Inappropriate sexually seductive or provocative behavior
3. Rapidly shifting and shallow expression of emotions
4. Uses physical appearance to draw attention to self
Histrionic
(continued)

5. speech that is excessively impressionistic and lacking in details

6. shows self-dramatization, theatricality, and exaggerated expression of emotion

7. suggestible & easily influenced

8. considers relationships to be more intimate than they actually are
Strategies

• Listen carefully and be patient because these clients will want to talk and talk and talk and talk and can never seem to get to the point and give you the information you need.

• Allow the client to express and vent, even if it is not relevant to your discussions.

• Flatter the person but be careful about sharing personal information, seeing the person outside the office or coming across as flirting.

• Expect to be frustrated.
Strategies

• Balance being very gentle because the person will tend to feel that you aren’t paying enough attention or appreciating him or her enough.

• After a period of allowing expression, narrow the focus. During the “work” part of the meeting you will need to control and focus the conversation. Don’t hesitate to be quite forceful & directive in doing this but apologize for having to do it.

• Be cautious about making suggestions as the person will tend to accept them. You will have to work harder to make sure the decisions are the clients and not yours.

• Consider giving them a standing time for a regular phone call.
Narcissistic

1. Grandiose sense of self-importance

2. Preoccupied with fantasies of unlimited success & power

3. Believes that he or she is “special” and unique and can only be understood by, or should associate with, other special or high status people

4. Requires excessive admiration
Narcissistic

5. Has a sense of entitlement

6. Is interpersonally exploitative, i.e., takes advantage of others to achieve his or her own ends

7. Lacks empathy

8. Is often envious of others or believes are
Strategies

• Give approval and complements.

• Mention your background, experience, degrees, etc. if impressive. He or she will be more cooperative if you are seen as a “high status” or “well above average” person (and deserving of a client like him/her).

• Expect personal questions – the narcissist may want to know that you drive a nice car or live in a wealthy suburb, as long as it doesn’t make you appear “better” or more “successful” than him or her.

• Flatter and complement but only when you can be sincere. If the narcissist makes a good point or asks a good question, tell them so.
Strategies

- Do not patronize. The narcissist needs to see you as “special” but not so special that you outshine and that you recognize him or her as your equal. Being outwardly and vocally impressed at the client’s own accomplishments, clothes, etc. will help him or her feel good.

- The narcissist will flip from being flattering and charming and being angry at having been poorly treated. Will look for signs of being a “special client” who gets favorable treatment, like extra attention from you or your staff or not having to sit in the waiting room with “ordinary” clients. Appearing extra excited and pleased to see the client will help. Making the client wait for a scheduled appointment or on hold on the phone may tend to anger
Antisocial

Disregard for and violation of the rights of others.

1. performing acts that are grounds for arrest

2. deceitfulness, lying, use of aliases, or conning others for pleasure or gain

3. impulsivity or failure to plan ahead

4. fights or assaults

5. reckless disregard for safety of others

6. failure to sustain consistent work or honor financial obligations

7. lack of remorse, indifference to or rationalizing having hurt, mistreated, or stolen from another
Strategies

• Pay attention to your safety

• Expect the person to be either charming and engaging or somewhat scary and threatening, or alternating between both.

• If you feel uncomfortable or intimidated, tell the person that you are uncomfortable with their actions (gently confronting a bully)

• Adopt a direct, matter of fact, professional stance at all times. Share nothing personal; keep it all business. Help the person see you as a means to an end.
Strategies

• Be very clear about expectations – if anything, minimize expectations.

• Confirm any information the client gives you from another source when possible. Reluctance on the client’s part to give you information or access to people should throw up a red flag that the client is not telling you the whole truth. Explain that the more the client limits what you do and how you work the less likely it is that you will be able to do your best.
Q & A