

BowTieLawyer

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Red Flag Representation

This blog topic was requested by a colleague. This posting is geared toward attorneys on spotting v and/or red flags of potential difficult clients. This can also apply to a variety of business owners to for potential difficult customers.



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Difficult clients and difficult cases come with the territory of being a lawyer. The following are some aware of, however, these are not necessarily cases or clients to avoid. I have read many other attorney's opinions on avoiding certain types of clients/customers. They are time stealers, energy wasters, and headaches in the making. In my practice, however, "clients to avoid" have been some of the more common for a variety of reasons. Nonetheless, it is always best to know what you are getting into.

- **Calling/Hiring at the Last Minute.** We have all had the call. "I need an attorney for tomorrow in a trial setting that has been ignored and the client wants you to work miracles. When the trial starts, it's a red flag."
- **Multiple Past Attorneys.** This client has been through 2 or 3 or more attorneys. This is a common sign of a former attorney's either "did not know what he was doing" or "was on the take" or both. (Some former attorneys "no longer willing to do anything" because the potential client owes them a large sum of money.)
- **5 Boxes on the First Visit.** It takes 3 trips to get everything upstairs from car. Every possible box has been kept, not necessarily in an organized manner, but..."I know it's in there somewhere."
- **No Call/No Show for an Appointment.** After accommodating someone's work schedule, scheduling a meeting, and they do not show, did not call, and did not answer when you tried to call them, it could be a red flag for the future.
- **When it's Just Too Hard.** You know the client. Having to convince them you are honest and reasonable, having to justify every minute spent speaking to them and/or working on their case. I do this because I provide valuable information, answer questions, and give them a specific plan of action and it creates a "future conflict" upon the meeting taking place. They have to go to great lengths to justify a fee because so and so will see them for free for a "consultation" to go see so and so.
- **When There is Animosity at the Outset.** Along the lines of being *Just Too Hard*, is when there is a "click" or "clash" from the start. Sometimes we have to give hard advice. Sometimes we tell people what they do not want to hear. Sometimes they attack the messenger.
- **Interviewing Multiple Attorneys.** This one is seemingly innocuous. It differs from the other types of difficult clients above because the potential client never actually hired the interviewees. This is the "Attorney Out" scheme. People do it. Be aware.
- **Super Emotional.** Family law is always difficult and is always emotional. However, some clients are particularly emotional.

emotional pain of a case are too much for the client to deal with AND litigation and all of the : requires at the same time. Recognize this to better serve your clients.

- **No Pay or Slow Pay.** The check is in the mail, can you hold the check until ____?, or the che Professor Jeffrey Jackson* at Mississippi College School of Law is known to say, “*I can worry a the money you owe me, but not both.*” It is fair to ask the potential client about their income, and intentions to pay the necessary fees. *(As an aside, Professor Jackson was named to Natio Law Professors to Take Before you Die.)

These are just a few red flags that a potential client could be difficult, but in my opinion any one of due to the circumstances of a particular situation and should not disqualify representation. If all s your next new client consultation, tell them to go hire so and so.

Matthew is a family law attorney and is not scared to take on a red flag representation, well, except i pay.

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It's So Cold...

How cold is it?

It's so cold outside I saw a divorce attorney with his hands in l