

How to Handle OBNOXIOUS Opposing Counsel

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Don't Let Difficult Opposing Counsel Manipulate Your Emotions. Stay Calm, Cool, and Collected!



All of us have a treasure trove of war stories about dealing with difficult opposing counsel. You know, the ones whose repertoires include snide remarks, explosive arguments, and rude behavior.

There's a good chance you may have even engaged in these heated exchanges because you felt baited or you simply couldn't help yourself.

The next time you come across an opposing counsel who is a jerk, tell yourself to **GET A GRIP!**

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Losing control and plotting revenge is a waste of time and energy! Deal with the situation with dignity and grace by learning how to identify when someone is truly goading you and choosing composure over emotionalism.

Here are a few everyday jerks to watch out for.

1. The Yeller.

This is someone who likes to yell and scream to make a point, or simply vent. If you encounter a lawyer like this, **RESIST THE TEMPTATION TO YELL BACK.** Doing so will only convince the person that he or she can control your emotions and thereby gain power over you.

Take a deep breath and think about how to respond. Maintain your calm and simply end the conversation peacefully. For example, you could say, "This conversation isn't helping either one of us. Call me tomorrow when we can talk to each other with respect." Ultimately, you may gain respect from the bully who will then know that his or her tactics don't work on you.

2. The Baiter.

Condescension. Eye rolls. Exaggerated sighs. All of these are signs of someone who is trying to bait you into an argument. But will lashing back at any of these zingers really help anything?

The answer is **NO!**

Take the high road by remaining civil, even pleasant. Ignore your opposing counsel's tactics and remain focused on the task at hand. Carry on with your questioning and eventually your opponent will see that you can not be shaken.

3. The Documenter.

This is an opposing counsel who will pleasantly engage with you on the phone, but as soon as you hang up, you receive a fax or e-mailed letter "confirming" your conversation and misconstruing everything you said. It reads as if your opponent were typing it as you spoke, but it's totally inaccurate.

While you may be able to ignore these letters occasionally, they often require some response, like a long letter that explains your side of the conversation. This is a trap that is a waste of billable time!

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Take control of the situation by advising your opponent that although you appreciate the convenience of speaking to him or her by phone, you will have to conduct all future communications in writing.

4. The Innocent One.

This type of opposing counsel will walk into a courtroom seeming innocent, even angelic, *despite* weeks of goading and yelling at you. And, chances are, his or her hypocritical professionalism will leave you seething.

In this situation, **you must not allow the other lawyer's chameleon-like behavior to dictate your demeanor.** Be kind, be pleasant, be firm in your focus, and never let your frustration show.

Maintaining composure and perspective in difficult situations will not only make you a better lawyer, it will allow you to serve the interests of clients more effectively and give you peace of mind in otherwise stressful situations.

Don't let obnoxious opposing counsel set the tone of your interactions.

Only YOU have the power to decide how to act!

Adapted from article [How to Cope When Opposing Counsel is a Jerk](#) by Deena Beard.

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