

Don't Be Your Own Worst Enemy

Mary G. Commander, Attorney & Mediator, 5442 Tidewater Drive, Norfolk, VA 23509

I answer questions on the Avvo.com website as a public service to people who have legal issues. Often these are people who are getting second opinions about the manner in which their lawyer is handling their case or venting about how their lawyer is mishandling their case. More and more frequently it seems, however, the questions are coming from people who have fired their lawyers for not doing what they wanted and who have then ventured out to handle their cases on their own with bad results following. Most recently, the questioner was a woman who had been through three lawyers, then represented herself and managed to antagonize the judge and the Guardian Ad Litem to the point that she lost custody of her children and had to pay her husband's attorney's fees. She complained that no one would listen to her.

While it is quite possible to hire one lawyer who does not listen well, it is unlikely that you will have the misfortune to find three in a row. That should be a sign that there is a problem with what you are saying. And when the stakes are as high as custody of your children, you should be listening to the advice of the experts that you are paying. Unfortunately, clients often come to lawyers with preconceived ideas about how the lawyers should be doing their jobs. When the lawyers do not perform on cue, dissatisfaction occurs. This is damaging to the success of the client's case. Often, the client then embarks on self-defeating conduct like lawyer switching or representing themselves. The result is predictable, like the case of the Avvo.com questioner. Still the blame is placed on the three lawyers, the judge, the Guardian Ad Litem. The reality is that the blame is much closer to home. It is always easier to blame someone else for failure, but in the long run it is better to have a good result. That requires working with, instead of against, your lawyer. Don't be your own worst enemy!

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