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Are Your Clients Making You Crazy?

How to Avoid Drama with Maddening Clients

BY ELIZABETH WITTENBERG



Statistically, over 9 percent of American adults have a diagnosable personality disorder, so it's likely that some clients you encounter are difficult, obnoxious, or just plain maddening. Given enough information about these disorders and how they may be presented by clients, lawyers can respond better and offer more effective representation.

Here in Minnesota, the land of 10,000 lakes, where the women are strong, the men are good looking and all the children are above average, lawyers may have the idea that our clients should be decent, hardworking folks, like those who live in Lake Wobegon. However, even in Minnesota, we have our fair share of difficult, obnoxious and maddening clients. You may have run across one of these clients lately. Perhaps you've worked with the client who feels he's blameless in a dispute, saying his legal problems are all his business partner's fault, who thinks you must be padding his bill and then fails to pay you. Or maybe you've represented the business owner so mercurial and infuriating you frequently wonder if it's even worth it to keep accepting the work.

Although people can be vexing in an astounding variety of ways, there are categories of personalities that one sees again and again. It's helpful to have a template in mind for some of these personalities so you can recognize them, understand a bit about the dynamics of the personality, and know how to work with someone who has it. Mental health professionals use the American Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders* (the "DSM-IV-TR"), which outlines symptoms and characteristics for a whole range of disorders, as a shorthand for certain character types.¹ Some people have many of the symptoms or qualities of a particular character type and some have only a few. And most of us exhibit, at one time or

another, some elements of these character types, particularly when under stress. Notably, clients who seek help from an attorney may be experiencing extreme stress which exacerbates tendencies they usually keep under better control. Depending on your type of practice, you may regularly see people in acute distress revealing high levels of dysfunction and disorder, who at other times are able to function in much more adaptive and flexible ways. Keep in mind that there are no absolute dividing lines between character types or between normal and disordered personality. It's also important to leave diagnosis to trained professionals. These descriptions are offered to give lawyers some familiarity with terms, character types, and patterns of behavior but are not meant as diagnostic tools.

Personality disorders are defined as enduring patterns of behavior and subjective experience that affect a person's thinking, feeling, relationships, and impulsiveness. Often the affected person sees these patterns as perfectly reasonable and appropriate despite their dramatic, negative impact on her daily life and the lives of those around her. Disordered personality is fairly common: over 9 percent of American adults have a diagnosable personality disorder.²

Because personality disorders are characterized by longstanding, inflexible patterns of thinking, feeling and interpersonal relating, people who work or interact closely with those who have these disorders often find themselves responding in uncharacteristic ways or experiencing uncomfortable feelings they don't usually have. Because someone with a personality disorder has limited life scripts and typically behaves in fixed, unyielding ways, those around them, such as their lawyers and colleagues, are often compelled to play specific, implicitly assigned roles (e.g., caretaker, bad guy), regardless of how they usually act. Even when others can avoid playing out

a particular role, they may be induced to experience unusual feelings like shame, incompetence, or rage when those are not a regular part of their emotional repertoire. Or they may have those feelings with greater intensity than is warranted by the situation. If you find you are responding in this manner, these are clues that you may be working with someone who has a personality disorder.

What follows is a description of several personality disorders, the kinds of things a lawyer would probably notice when representing someone who has one of them, and what many mental health professionals view as the likely origin of the character type. For each disorder, particular traps for the unwary are also explained. Given enough information about a handful of personality disorders and how they may be presented by clients, lawyers can avoid becoming caught up in unproductive dynamics with these clients and instead simply get down to the business of representing them.

Narcissist Personality Disorder

The DSM-IV-TR describes people with Narcissist Personality Disorder as showing "a pervasive pattern of grandiosity (in fantasy or behavior), need for admiration, and lack of empathy, beginning by early adulthood and present in a variety of contexts ..."³ People with this disorder often believe that they are special or deserve particular treatment and have an exaggerated sense of entitlement. They are exceedingly status conscious; they treat people differentially according to their status and seek to align themselves with high-status people. Although they can be superficially charming, when it comes down to it, they habitually exploit others, taking advantage of them to achieve their own aims. They are unable to take account of other people's feelings or perspectives and can come across as arrogant and haughty.

Personality disorders... affect a person's thinking, feeling, relationships, and impulsiveness.

In a professional setting, when seeking assistance from you, they are apt to be cooperative and engaged, at least initially. However, if things don't go well or there are unexpected problems, they are the first ones to start blaming others. And they are likely to do it in a harsh and punitive way. It is very hard for them to take responsibility or acknowledge their role in problems or disagreements. If you point out their role, they will probably respond angrily and may even storm out; they are acutely affected by criticism and find it practically unbearable.

To keep a professional relationship with a narcissistic client running smoothly, it helps to have in mind how this disorder originates. Often these are people who as children had their real needs overlooked. Frequently they received recognition for superficial accomplishments or for fulfilling a role that gratified their parents or fulfilled their parents' wishes, while their truer selves were not recognized and stayed in the background. This caused them to develop a protective, self-important shell that faces the world and conceals a fragile part of them that fears being exposed as unworthy and inferior. Their preoccupation with status helps them ward off those profoundly unpleasant feelings. Rather than coming from an internal sense of pride and accomplishment, their self-esteem comes from being recognized or associated with others whom they admire, so they continually seek affirmation and acclaim from outside sources.

The best way to build a working relationship with these clients is to be sensitive to their comfort and convenience and help them maintain their self-esteem. You can do this by treating them with utmost courtesy and respect. These are folks who can't easily tolerate being unable to reach you quickly or having to wait for you to arrive at a scheduled meeting. Your client will be inclined to invest you with "specialness." Go along with her desire to see you as worthy and high in status; you can mention your experience and success in similar representations. If you know people in common or frequent the same places, you should talk about that as a way to

build rapport and confidence in you. No doubt she chose you because you are "the best." Don't disabuse her of this; this is not a time for Minnesota-bred self-deprecation. On the other hand, try not to overshadow the client or appear to be competitive with her: she will want to know that you are exceptional, but not more exceptional than she is. Walk the narrow line between gently cultivating her confidence in you and inflaming her need to be better than others.

A narcissistic client will try to elicit admiration from you. He may tell you about his accomplishments, income, travels, or *bons mots* to let you know how extraordinary he is. You will likely feel irritated and manipulated by this and resent being treated as his admiring audience. You may get bored listening to tales of his achievements or the famous and successful people she knows. You may be tempted to take him down a notch. Nonetheless, resist cutting him short or withholding the recognition she demands. Although it might feel counterintuitive, this type of client needs your endorsement. If you can provide it, she will probably settle down and stop making demands for it. Keep in mind that this person sorely lacked real recognition from parents when he was most needy and vulnerable and that the inflated sense of self and need for strokes mask a part of him that feels small and weak; this can make it more palatable to go along with what she needs now. It will also lead to a more productive relationship between you.

A client like this is very sensitive to humiliation and wounds to his self-esteem. Taking blame or responsibility for the circumstances leading to the need for legal representation would require him to acknowledge his own defects, something that conflicts with his sense of himself as superior and entitled and stirs up repugnant feelings of shame. He will be extremely reluctant to do this even when his role seems obvious to others and his deflections of culpability strain credulity. If the client's remorse or accountability is part of the representation, for example in a guilty plea, explain the need for the client to acknowledge

responsibility in a way that can allow him to preserve self-esteem as much as possible. Align with the client; convey that you are on his side. If possible, try to see things from his point of view. Then appeal to his pragmatism and self-interest in resolving the matter.

The trap to avoid with this client is demoralization. When working with a person like this, you are apt to feel incompetent, unworthy, and off your game. You may feel that no matter how skillful your efforts, you somehow always fall short. You may feel inconsequential or invisible. These feelings most likely relate to the client and do not actually reflect the quality of your work or your role in the representation. They are natural by-products of being in a relationship with someone with this character. Once you have satisfied yourself that your work is up to par, reassure yourself that your feelings, while normal, are not really about you. They are a reflection of the client's character. Remind yourself of your value and skill and seek support from family and colleagues. If you share your feelings of discomfort with others involved with the client, chances are you will find them feeling the same way. It's not you.

Antisocial Personality Disorder

People with Antisocial Personality Disorder or features of this disorder often come in contact with the legal system. That's because a key marker of this disorder is "failure to conform to social norms with respect to lawful behaviors as indicated by repeatedly performing acts that are grounds for arrest."⁴ That does not mean, however, that every person with this character type engages in criminal behavior. What is most notable about these clients is their overriding motivation to pull something over on others and the pleasure they take in "consciously manipulating" them.⁵ And people like this can be found in boardrooms, office towers, and state houses from L.A. to Wall Street. In addition to being manipulative and deceitful, they display a "reckless disregard for the safety of self or others"; they are consistently irresponsible, lack remorse, and are often highly

Prepare yourself
for inevitable
ups and downs.



impulsive.⁶ They are either indifferent to or are somehow able to rationalize having harmed someone else.

People with this personality type have a strong need to control others and be seen as powerful. You might note that they brag about their exploits or illegal activities in order to impress you. On the other hand, they also disown or significantly minimize their own responsibility for problems. For example, they might characterize a bloody assault they participated in as “a disagreement” or an unlawful transaction as trifling or something everyone does. Although they can be charming, they use their interpersonal skills to get what they want without regard to others. They are often intimidating or frightening to be with. Because they lie with great ease, you may find yourself uncertain about the reliability of whatever they tell you.

Antisocial character traits originate in childhood; in order to receive a diagnosis of Antisocial Personality Disorder someone must have demonstrated a “pervasive pattern of disregard for and violation of the rights of others” since age 15.⁷ People with this character typically have childhoods full of chaos and devoid of stable, loving families.⁸ Often they have been subject to physical, verbal or sexual abuse or exploitation. In one view, the person with this pathology never had the chance in childhood to attach psychologically to a loving, nurturing caregiver and therefore has no internalized experience of being loved and no ability to love or feel genuine guilt, empathy, or remorse.⁹

The most important thing to keep in mind when working with antisocial clients is the need to maintain safety. These are people who can be impulsive, aggressive, and need to feel powerful. You should carefully consider the time and place of meetings, the visibility of other staff, the availability of security personnel, and the client’s particular history when meeting with him. Kindness and generosity are viewed as weakness by antisocial clients. Instead, you should adopt an exceedingly firm, direct approach and err on the side of being rigid rather than flexible with respect to

the standards or expectations you adopt at the outset of the representation concerning fees, calls, meetings, and the like. The antisocial client will respect a cut and dry approach, and forging a respectful relationship with a client like this is the best you can hope for.¹⁰

Because more typical ways of building a relationship with clients won’t be effective with an antisocial client, you need to develop an alliance by being useful to her: “I can help you get what you want, but you’re going to have to work with me.” You should focus on the consequences of particular behaviors or activities rather than their legal or moral correctness. Consequences and self-interest are what get this client’s attention.

Clients like this will try to control you and the representation, and ultimately limit your effectiveness, by restricting how much information they give you. They will tell you what they think you need to know, rather than what you ask for and really need to know. They prefer to give you the view from 30,000 feet and will avoid the troublesome details. Be on guard for distortions and minimizing; request specific details: “Exactly what happened in the disagreement? Specifically, what did you do?” Where possible, verify what this client tells you and remain skeptical until you have corroboration. However, avoid inducing her rage by explicitly challenging her. Be alert for shifting stories, and for misrepresentation of facts and intentions.

Prepare for this client to prey on your sympathies and steel yourself against it; going along with this ploy will not build your relationship with this client; it will cause him to think you’re a dupe. You should protect yourself and your office mates, unapologetically. In order to represent a client like this effectively, you need to feel safe both physically and financially, and should do what it takes to feel secure. You will not be able to rely on this client to “do the right thing” or “stand behind his commitments” to you or in the matter of the representation. He will actually take pleasure in stifling you and scamming the court or his opponent if he can.

You should expect to feel very uncomfortable with these clients. Their indifference to you, normal human attachments, and the values that most people hold can leave you feeling outrage and contempt for them. Their coldness might also cause you to feel frightened and trapped. These feelings are natural byproducts of working with antisocial clients, but may cause you to avoid working diligently for them, something you will need to be aware of and resist. On the other hand, some antisocial clients are so charming and skillful you might be tempted to think they aren’t capable of what the record reflects they have done; this is part of their cunning. In this situation, ignore your instincts and go with what you know. Chances are, the facts don’t lie.

The trap to avoid with these clients is allowing yourself to be either intimidated or bamboozled. Because of their need for control and desire to manipulate others, people with this character exert powerful influences on other people. This influence can be mitigated by maintaining rigorous boundaries, being skeptical of everything you hear, protecting yourself physically and financially, giving yourself plenty of time between contacts, and acknowledging that your feelings are normal and to be expected when representing antisocial clients.

Borderline Personality Disorder

Borderline Personality Disorder is characterized by notable instability of mood, relationships, and self-image as well as “marked impulsivity.”¹¹ This instability is highly disruptive, affecting work, family relationships, friendships, and long-term planning and goal achievement.¹² There is usually a longstanding pattern of unstable and intense interpersonal relationships, with dramatic shifts in attitudes toward others from admiration and love (idealization) to hate and anger (devaluation). Often there is recurrent suicidal behavior in the form of threats, gestures, or self-mutilation as well as self-destructive behaviors in sexual activity, spending, substance use, dangerous driving, or disordered eating.¹³



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Clients with Borderline Personality Disorder or similar characteristics can be lots of fun to work with, until suddenly they're not. These are clients who can present as interesting, dramatic, and compelling but will inexplicably become much more difficult than you ever imagined. When beginning a representation, you may not have immediate clues that someone you are working with has this personality type. You may think that they are simply dramatic, moody, or unpredictable until you are well along in the representation and their life situation and relationship history become known to you. And as your own relationship with a client with this personality progresses you will probably find yourself at various times in wildly different stances, uncertain about how you got there.

Most notable in the context of a legal representation will be the presence of intense, inappropriate anger and difficulty containing anger. These are people who fly off the handle, abruptly end relationships, and repudiate friends who they feel have slighted or misunderstood them.

In a professional relationship, particularly at the beginning, you can expect a client with this personality to invest tremendous hope in you. You become the client's savior who can do no wrong. This is the idealizing phase. But as surely as night follows day, this will end when some conflict or disruption occurs. In the devaluing phase, you will suddenly and inexplicably find yourself on the receiving end of a storm of anger and recriminations or maybe even a threatened ethics complaint or malpractice suit.

To avoid these outcomes as much as possible, you should keep in mind how this disorder is thought to originate. Many people with this disorder, which affects primarily women, experienced trauma in childhood and, in particular, sexual abuse.¹⁴ Many report loss or separation from early caregivers, leading to neglect. As a result, they have a desperate fear of rejection and abandonment. Their early losses lead them to have an unstable perspective on themselves and others, often relating to people as though they are all good or all bad, rather than a mixture of both. To work most productively with someone with this character

it is important to be clear, consistent, matter-of-fact, and reliable. Right from the start, provide reasonable guidelines about the details of the representation, such as meetings, phone calls, fees, and what you expect from the client, and enforce them calmly and consistently. Be firm and structured in your approach, perhaps scheduling regular calls with a fixed duration to provide updates. Avoid anything that this client would experience as rejection or abandonment; return each phone call and email promptly, even if just to say you've gotten it and will follow up. Anticipate impulsive self-destructive or self-defeating behaviors that undermine the representation.

Prepare yourself for inevitable ups and downs with a client like this. Don't feel too pleased with yourself when the client designates you as the hero or too angry when she vilifies you. Whatever you do, avoid upping the ante with these clients. Resist responding to their angry voice-mails in kind. Take the time you need to give a calm, unemotional response.

Keep in mind that these clients can be highly polarizing. You may find that colleagues and staff have strongly differing reactions to this kind of client and that she likewise takes a strong like or dislike to others in your office. You may observe everyone in contact with these clients getting stirred up and agitated. Chaos seems to follow in their wake. Be alert to these dynamics and avoid getting drawn into distracting side disputes.

The trap to avoid with these clients is throwing in the towel prematurely. Borderline clients create dramas that try the patience of everyone around them. They seem almost to beg to be summarily dismissed and written off. Knowing this at the outset and being prepared for it can keep you from reacting dramatically to their provocations, even though you will be sorely tempted to do so. Stay the course; be calm; provide the steady hand in the storm and try to ride it out.

Because so many people have personality disorders and even those without a diagnosable disorder exhibit characteristics of various disorders when under stress, it is inevitable that lawyers will encounter clients displaying some of the features I have described. It is not your job to change these clients, and you will not be able to; their dysfunctional traits have been years in the making. And you shouldn't step out of your role as legal advisor to become therapist or friend. Your job is to understand these personality characteristics well enough so that you can observe the client's interpersonal dynamics, avoid getting pulled in and losing your effectiveness as legal advisor, and relate to the client in ways that he or she will find most accessible and relevant. This will enable you to do the work you were hired to do as effectively as possible and keep the client's personality dynamics out of the representation. ▲

Notes

- ¹ American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders* (4th ed., text revision 2000) [hereinafter DSM-IV-TR].
- ² M. F. Lenzenweger, M. C. Lane, A. W. Loranger & R. C. Kessler, "DSM-IV Personality Disorders in the National Comorbidity Survey Republication," 62(6) *Biological Psychiatry* 553 (2007).
- ³ DSM-IV-TR, *supra* n. 1, at 717.
- ⁴ *Id.* at 706.
- ⁵ Nancy McWilliams, *Psychoanalytic Diagnosis* 152 (1994).

⁶ DSM-IV-TR, *supra* n. 1, at 706.

⁷ *Id.*

⁸ McWilliams, *supra* n. 5, at 155-6.

⁹ *Id.* at 156.

¹⁰ *Id.* at 165.

¹¹ DSM-IV-TR, *supra* n. 1, at 710.

¹² National Institute of Mental Health, "Borderline Personality Disorder, A Brief Overview That Focuses on the Symptoms, Treatments, and Research Findings," at <http://www.nimh.nih.gov/topics/topic-page-borderline-personality-disorder.shtml>.

¹³ DSM-IV-TR, *supra* n. 1, at 710.

¹⁴ NIMH, *supra*.



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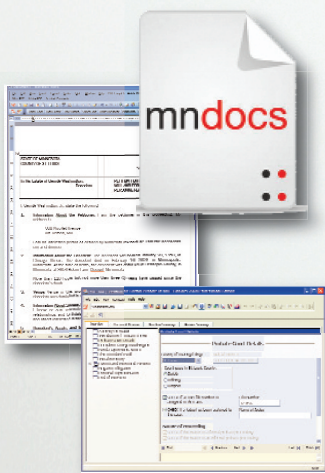
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