

**WORKSHEET**  
**“I SHOULD HAVE KNOWN WHEN” – TIPS FOR CLIENT SCREENING**  
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To have a successful practice, you need to have clients who you can work with and who are willing to work with you. The following are all warning signs that a prospective client will be difficult to work with, that a positive attorney-client relationship will be difficult to maintain, or that your relationship is eroding. Many of these were identified by lawyers at past trainings. The more factors present, the more risk. The greater the risk, the more you should consider saying “No!” to the representation at the outset (or withdrawing later). If you do decide to work with a difficult client, you should plan your communications with that client very carefully, and document well. Beware when the client:

- cries excessively and has trouble giving you a coherent overview of the matter.
- blames themselves completely and isn't sure any defense is appropriate.
- voices threats against the other party or others involved.
- is overly dramatic in his or her presentation.
- makes lots of excuses as to why things did or did not occur.
- does not appear willing to take responsibility for any decisions.
- has an addiction or a mental illness.
- continually interrupts you.
- won't answer a 'yes-or-no' interview question with one (or a few) words.
- says “God sent me to you.”
- has no phone, and address is a PO Box.
- shows up for the first appointment with multiple file boxes.
- asks 'How late can I call you at home?'
- calls you by your first name before you have gotten to know one another.
- wants to meet you at other places other than your office, especially a social gathering place, like a bar.
- does not look at documents or forms you provide, even if willing to sign.
- calls your cell phone repeatedly but does not leave a message.
- researched your home number (which you do not give out) and call you at home.
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- promises to pay but doesn't have money just now – it will come!
- is “just shopping” and wants you to know others have offered a lower rate.
- regularly challenges your bills, comparing them to what they know “others” have paid for legal services.
- tells you they know your friends or relatives and so shouldn't be charged or should get a discount.
- tells you they expect you to do your best while warning you not to “break the bank”.
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- asks “is it okay if my buddy/girlfriend/parents sit in”?
- comes with, and lets their new boyfriend/girlfriend/spouse speak for them.
- asks you “which version of the facts would be best for my case?”
- says “my girlfriend thinks my support payments are too high”.
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- explains that they are looking outside their home venue because they “can’t trust the local lawyers.”
- asks, “how much for you and how much for the judge”.
- assures you that “my former attorney just didn’t understand the case.”
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- takes cell phone calls during your appointment.
- wants your win/loss ratio.
- can’t keep appointments on time, especially the first one.
- demands a guaranteed result.
- shows up without an appointment and demands immediate attention because its an “emergency.”
- shows up without an appointment and insists they “just need a second of your valuable time”.
- requires short time deadlines on their project without a valid reason.
- asks if you are a “good lawyer”.
- complains that the other side can afford the best and all they can afford is you.
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- launches into an aggressive “sales pitch” as to all the reasons why you should take this case or pursue a course of action you do not recommend.
- is unable to answer your questions or is very evasive.
- argues with your summary of how the case might unfold.
- Presents their “internet research” as definitive
- is rude and demanding.
- demonstrates a complete lack of understanding of how he or she contributed to the problem at hand or refuses to discuss that.
- claims you said things you don’t remember saying.
- wants you to be the “rescuer”, or claims to be otherwise friendless and without support.
- is a “pseudo lawyer” who has the case all figured out (and can even point to statutes and cases you can cite).
- quotes “shadow advisors” – spouses, significant others, friends, relatives etc. who have provided advice on arguments to be made or on the expected outcome of the case.
- is a “crusader” for ill-defined “rights”.
- wants you to know how many potential clients they know and will refer to your office.
- frequently refers to “important” people they know.
- says over and over, “its just a simple case”.
- tells you they have heard how wonderful you are.
- wants ‘boundary’ information about you, e.g. your spiritual denomination, political leanings, mobile or home telephone number even before they formally retained you.
- tells you how much your contingent fees will be (“at least \$1 million”) before you discuss the case, or after you express reservations.
- is leaving their prior lawyer (and especially beware if he or she does not want you to talk to the prior lawyer or announces that a complaint has or is going to be filed against that lawyer).
- are geographically distant without an adequate explanation of why they haven’t retained another lawyer closer to their location.

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