



One Tough Customer: Discerning Between Challenging and Difficult Clients

In any profession, human relations is one of the most stressful components of a job. For lawyers, though, this component is often amplified by the high stakes and accompanying high emotions that typically come with legal issues.

According to the [2019 Attorney Compensation report distributed by Martindale-Avvo™](#), attorneys report that dealing with difficult clients is the most challenging aspect of their jobs. This pain point supersedes the need to find new clients and even the expectation to work long hours.

But should all hard-to-please clients really be classified as difficult? The short answer is: not necessarily. If one is going to survive and thrive in the practice of law, it's important to draw a distinction between truly *difficult* clients and clients that are simply *demanding* or *challenging*.

ASK YOURSELF: IS THIS CLIENT TRULY DIFFICULT, OR JUST CHALLENGING?

When presented with this question, you may think “what’s the difference?” While indeed, both types of clients are high-needs and demanding, the difference between the two is that while challenging clients have high standards and can require a lot of work and time, they can typically be satisfied once their expectations are met.

Unearthing those expectations, the motivations behind them and the best method of delivery can be frustrating for the lawyer—but those things do not necessarily make the client a “bad” client, nor are they reason enough to cut ties.

ALWAYS LEAD WITH EMPATHY

The key to approaching a touchy situation with *any* client (challenging, difficult or otherwise) is to lead with empathy – have you considered how the client might be feeling? Are they scared, stressed or frustrated? If so, is it possible that you are somehow contributing to their distress? Taking a step back and putting yourself in your client’s shoes can give you the perspective check you need to get the relationship back on track.

Try to lead with compassion: look past the frustration the client may be displaying and really hear and internalize their needs. Ask yourself if there is anything you could be doing to make this experience smoother for them. Though challenging clients can be hard to read and communicate with, at their core, they are typically reasonable people. They may demand a lot of attention and time (and generally consume a lot of mental energy), but when given the proper care, they can create valuable relationships that are well worth the effort.

TRULY DIFFICULT CLIENTS: IDENTIFYING THEM AND EVALUATING THE BUSINESS RISK

Difficult clients differ from challenging clients in several ways: the first is a lack of respect for others. If the client is hostile, constantly loses their temper, name-calls or displays a general lack of respect for the attorney or others at the firm, this may be a difficult client and it may be time to cut ties.

Similarly, truly difficult clients tend to have an insatiable sense of entitlement, which can cause them to question every line item on every bill, or demand free services or work that falls outside of the agreed-upon scope—obviously, this type of behavior can negatively impact a firm's bottom line, and could be grounds for cutting ties.

Finally, unlike the challenging client, truly difficult clients are often impossible to satisfy, finding fault with everything their lawyer does, even if it's legally airtight, achieves business objectives and is done exactly as requested. Though every client is entitled to complaints or to express displeasure, the baseline status of difficult clients is dissatisfaction, no matter the circumstance.

If you have a truly difficult client, it's important to evaluate the risks of retaining them. Some questions you may want to ask yourself are: how many attorneys has this client had before you? If they are inherently hostile and can't be satisfied, are you risking a possible malpractice accusation by retaining them? Will your firm lose money if the client constantly insists on lowering the bill?

Not every difficult client relationship needs to be severed but asking yourself these questions can be key to the health and longevity of your firm.

PUTTING IT ALL TOGETHER

Every firm and every lawyer has a different threshold for client conflict. Before writing a client off, it's wise to take a step back and evaluate the situation with empathy and try to imagine what it would be like to be in the client's shoes.

Take note of how the client interacts with you and others, how they approach disagreements and how they evaluate success: based on these observations, is your hard-to-please client truly difficult, or just challenging? Once you've identified what type of client you're dealing with, you can move forward with an action plan.



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