

## Shedding a Dead Weight Client

I'm wondering what language you use to politely decline to work with someone again. I'm talking about an instance when an obnoxious client from the past contacts you again for new engagement. I'm not talking about where you are actively representing someone. Obviously, breaking up is hard to do. This is a person I truly don't want to even leave the possibility of working with again. At the same time, I don't want a bad review online simply due to hurt feelings. I was never good at the psychology of these things.

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Dear Andrew:

I hope all is well. At this time, I am not in a position to take on your new matter. I would recommend you call Tom, Dick or Harry. Tom can be reached at 209-867-5309. Harry can be reached at 209-555-1212. Dick can be reached at 209-976-3425. I wish you the best.

Sincerely,

Juan, the nice guy

Jonathan Stein, California

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You simply let the client know you are not accepting the kind of case he is asking you about at the present.

Robert "Robby" W. Hughes, Jr., Georgia

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Jonathan's answer is good, but in the relatively few instances where I have been in this situation, I have simply told the former client that I don't think our personalities mesh very well and that the client would be better served by a different kind of attorney.

There have been times during initial consultations when I have told the prospective client that I am neither a telephone screamer nor the kind of attorney who acts like a pushy jerk, and that if the client is looking to be represented in that manner, that I would not be a good choice. Some clients have said that they were fine with my personality and other have actually thanked me but said that they were looking for "aggressive" representation and went with someone else. In those cases, I think it worked out better for both of us. My question to Jonathan is when you suggest Tom, Dick, or Harry, are these attorneys you admire or are they the kind of attorneys on whom you wish the worst clients (just kidding, ... sort of).

Bert P. Krages II, Oregon

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"Thanks for thinking of me, but upon reflection I realize I'm not the right lawyer for you. I recommend you call A, B, or C, all of whom handle (type of case). I wish you the best." This eliminates ambiguity and doesn't invite discussion, and it shows you've thought about it.

Marilou Auer, a retired legal clerk/secretary, Virginia

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It really is more fun when you give A, B and C names and phone numbers!

Jonathan Stein

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I would not pass this client on to other lawyers unless I wanted to harm them.

Roger Rosen, California

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Thanks, all. I typically just give the number to the state bar lawyer referral service unless it truly is a good potential client. In that case, I do try to refer out. For clarification, I'm willing to take greater annoyance if bills are paid promptly and without arguments. In this instance, the former client and I got into a fee dispute which I resolved "in a good faith effort to resolve." I was quite shocked when they contacted me again based upon how obnoxious and argumentative they were just months ago.

Ryan Young

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I'd send ridiculous cases to a friend of mine as a joke - all for laughs.

(My best referral was a man who wanted to claim false imprisonment because he got lost in IKEA)

I think it is simply, " I'd love to, but, (1) Current work schedule; but do not despair (2) here is a place I can direct you to [whether Bar Referral or someone willing to put up with them].

Saying "NO" is one of the best business decisions you can make. You don't owe them a "why" on you are telling them "NO"

Drew Winghart, California