

STRESS

CLIENTS UNDER STRESS

By *Steven A. Meyerowitz*

"Royce," a panicked voice on the phone said, "I'm in deep trouble. I've just been served with these papers. This guy is asking for more money than I have."

That's how Royce H. Schulz, a partner with Broad, Schulz, Larson & Wineberg in San Francisco, described a phone call he received from a business owner he came to represent in a multi-million dollar lawsuit that was recently brought against the owner and his company by one of the company's distributors.

The result in that case, Schulz said, was quite satisfactory to his client—the plaintiff was able to win only a \$90,000 judgment.

But perhaps just as important as the suit's final resolution was the success Schulz had

early in the case in calming his client and easing the emotional drain the case was having on him.

Dealing with the emotional aspects of clients involved in high-stress legal situations is not something that lawyers usually consider, especially if they represent what Schulz called "hired management that has no personal stake in the matter and whose jobs are, ordinarily, not on the line." But the human issue is one of the first things that a lot of lawyers must handle after they are retained on a new matter.

There are many kinds of legal situations in which clients become emotionally involved. A spouse in a divorce action, for example, feels "anger, financial fear, and concern that the cocoon is breaking apart," said Robert W. Denney, a law firm consultant and the president of Robert Denney Associates Inc., based in Wayne. Similar emotions are felt by parties to a business break-up.

A person who owns a company that is on the brink of financial failure "has highs and lows during the day, and gets up pretty early in the morning worrying about the business," said insolvency lawyer Gary A. Plotkin, a partner with the Encino, Calif., law firm of Plotkin & Rapoport. If a business receives notice that creditors have forced the

company into an involuntary bankruptcy, the owners, who more than likely have not gone through a bankruptcy before, will worry that they will be kicked out of their offices and their jobs. They may be embarrassed about entering bankruptcy, and they will be concerned about financial ruin. Facing a financial calamity can be emotionally devastating.

Clients in a trial—think of the word, which is defined as "an experience that puts strength, patience, or faith to the test"—may be the people most particularly caught up in the emotional trauma of the legal world.

The tension builds through a trial for every individual involved, whether plaintiff or defendant. Schulz recalled one lawsuit in which his client and he waited "three very stressful days" for the jury to reach a result. "Before the verdict was about to be read, he turned to me and said, 'Gosh, this is dramatic,'" Schulz said.

There is a difference, of course, between helping a client who is emotionally involved in a high-stress legal matter and handling a client with emotional problems. While it is certainly not a lawyer's job to determine if someone is emotionally disturbed, a lawyer should be able to listen to a client and know when it might be appropriate to sug-

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