FIRING CLIENTS

UT Law CLE
February 9, 2018

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Who?

- Non-payment/slow payment
- Non-cooperative: non-responsive; disappears
- Dishonest: withholds info; lies; uses lawyer to defraud; unethical; untrustworthy
- Toxic: constant complaining and second guessing; refuses to listen to advice; unrealistic expectations; verbally abusive
- The "dog" case
- Malpractice claim or grievance

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Who?

- Lawyer problems
  - Beyond expertise or capacity
  - Conflict of interest arises
  - Illness or personal circumstances

Why?

- But I need <u>more</u> clients!
  - Dropping toxic clients will increase productivity, profitability and mental health
  - Excess time and energy spent on these clients can be devoted to developing and servicing better clients
  - Well-being of your staff and family (and you)
  - Loss prevention (grievance and malpractice claim avoidance)

When?

- Sooner is better – Be decisive
  - If at all possible, before suit filed
  - If suit filed, early enough to get court approval
  - Same principle applies to non-litigation matters
  - Rule 1.15(d) requires "reasonable notice" and allowing time for employment of other counsel

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How? (Legal/Ethical Considerations)

- Rule 1.15(a): <u>Mandatory</u> withdrawal
  1. The "representation will result in violation of … rules of professional conduct or other law"
  2. Lawyer's mental, physical or psychological condition materially impairs lawyer's fitness
  3. Lawyer is discharged

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Title search: Firing Clients

Also available as part of the eCourse
[Client Relationships: Selecting, Keeping, and Firing Clients](#)

First appeared as part of the conference materials for the
2018 Managing Your Success: Practice Management at the Next Level session
"Firing Bad Clients and Recovering When You're Fired"