

“How to Deal with Difficult People”

By Gary L. Stuart

There are ten ways to deal with difficult people. Half of them don't work. The other half work only half the time. There is only one way that always works, but you have to die first. So, here are five rules that work half the time.

Rule Number One: “Never Pass Up the Chance to Shut Up”

This one is particularly hard for lawyers, judges, politicians and other motor mouths. We speak incessantly. We are not called mouthpieces for nothing. Our jaws are actually articulated joints incessantly tapped by little verbal rubber hammers. Compliments, insults, good information, bad news, and even chitchat sends little taps from the longitudinal lobe at the base of the cranial cavity to the upper jawbone (which is where the slang term “jawboning” came from). The tap insists that the jawbone flap up and down without any sensory input from the occipital lobe. In many of these situations, an internal mute button would be helpful but you don't get that until you become a judge. Mute buttons exist on TV remote control devices for good reason—wisdom is often camouflaged in silence.

When faced with a difficult person, the first line of defense is to zip your lip. Don't make snide comments, deliver gratuitous cheap shots, or even well deserved retorts. Difficult people feed on snide remarks and cheap shots like a forest fire that devours everything but the fire itself.

Rule Number Two: “Just Stand There Don't Do Anything”

A rule rarely followed is sometimes the wisest one. Ignore the lawyer who famously said, “Don't just stand there, do something.” He never had to deal with difficult people. If you do, just stand there. Don't do anything. It drives difficult people nuts.

Every once in a while, judges become difficult. When that happens, the irritable old toad up on the bench will demand that you “sit down.” Or, maybe it’s your client who is difficult, following you into the men’s room, all the while hollering that you’re “screwing up his life.” At least once during an enduring marriage, your spouse will insist that she does too have a right to know what happened and “damn the attorney-client privilege.” More than once a client will look at you with that I’m-gonna-get-you smile and say, “do whatever you want, you know best.”

On each of these little occasions, you’ll be tempted to follow the famous lawyer’s advice. After all, it seems like you should do *something*. But you will be wrong. You should just stand there.

The judge will sink back into his protective leather chair (in some criminal courts they have Kevlar chairs). Someone else will come into the men’s room and you can slip through the door before it shuts with your paper towel still in your hand. Your spouse knows the rule and doesn’t *really* expect you to break privilege even though it would please her immensely. And when the client puts you in the driver’s seat with that old “you know best routine,” the car better be in neutral, with your antenna up. You are *not* the driver, only the navigator. Try the spread eagle routine: spread your arms out wide, paste that sage look on your face (the inscrutable one) and wait it out. Soon enough the client will remember his role and tell you what he wants. *Then* you can do something.

Rule Number Three: “Ready, Aim, Aim, Aim, . . .”

Difficult people blow like a wind that balks at its own shadow. The conventional wisdom calls for hunting them down and hitting them head on. When you hunt, whether its fame, fortune, or a remedy for dealing with difficult people, ignore the usual drill. You know the drill, don’t you? Ready, aim, fire! Lawyers do it all the time.

But academics, committees, economists, and everyone else who is long on planning but short on execution, follow a different rule. They get ready, then they aim, and then they aim some more. You know the drill.

Lawyers, as opposed to their more intellectual cousins (attorneys), when faced with difficult people should plan, focus, and then try the bastard. You can evaluate him, review her, and speculate about them, on and on. But in the end, sometimes the only remedy is to take the difficult person to trial.

Rule Number Four: “Act Older”

Whether you are on the bench, down in the pit, at the conference table, or delivering the monthly bar association speech, forget your real age. Difficult people, whether young or old, cannot handle anyone who acts older. Youth, with all its glory, is largely wasted in the working world of judges, lawyers, new graduates, and the like. The ABA says 82.9% of all difficult people are younger than you are. Chronologically speaking, all of us were young once, many of us acted like it even when we weren't, and most of us matured reluctantly. The wisdom of maturity comes early only to the chosen few who are young, but act older.

Jurors, courtroom spectators, clients, senior partners, parents, and adoring family members all pray for the “you” who is respected, but not embarrassing. They want to hear and see something that, at least vaguely suggests that the struggle to achieve was won. In other words, they do not want you to act your age. And neither do difficult people—they want you to act just like them (stupid, sloe-eyed, slatternly, nabobs).

Youthful indiscretions are often forgiven but always remembered. Mature acts, wise advice, and professional appearances need not be forgiven, are always appreciated, and are sometimes remembered in ways you can only imagine. Face down that difficult toad by acting older.

Rule Number Five: “Get To It”

Difficult, that is to say, impalpable, obdurate, recondite, unfathomable people delight in watching you lose it. When cornered by a difficult person, and at the outset of this short rule about how to deal with those sorts of discrepant types, and to insure that you appreciate the subtlety of it, I want to make sure that those lawyers, judges, governors, cops, legislators, ladies, gentlemen, children of all ages and others who might someday, for whatever reason, read this, know precisely and without a doubt exactly what I’m trying, however laboriously, to say because if you don’t understand, that is *really* understand, then it’s possible, some would say probable, that you will fail to communicate, talk, act, or respond to difficult people in a way that conveys to them the essence of how rude and unacceptable, not to mention tedious, they are behaving, which always, well almost always, precedes the beginning of the point, rule, advice, or moral that ought to be made early but gets lost because it is couched in the language of the procrastinator, who would rather die than get to it.

Just poke ‘em.