The Role of Lawyers

• How do we view the world?
• How do others view us?
• How do we view our relationship with our clients?
• How do we view conflict?
The Lawyer’s Standard

Philosophical map

• What are its characteristics?
• Does our legal education contribute to our worldview?
• What are the benefits of bargaining through agents (i.e. lawyers)?
• What are the downsides?
  Thinkers v Feelers, developing empathy
How are lawyers viewed in our society?

• Role of the media
• How does it affect our clients?
• How to counter the negative
How do we view our relationships with clients?

- Models of Lawyering
- Determining the scope of representation and the attorney’s role in determining the scope
- Controlling clients
- Addressing issues not controlled by the law
Dealing with Conflict

- Naming, Blaming and Claiming
- Transforming Disputes
- Conflict styles
Avoider: The Turtle

• Lose/Lose
• Conflict? What conflict?
• Strategies: flee, deny, withdraw, delay, wish and hope. Give up on personal goals and relationships
• Feel conflict resolution is hopeless, easier to withdraw from a conflict than face it.
Compromisor: The Fox

• Win some/lose some
• “I’ll back off if you do the same”
• Strategies: bargain, split the difference, cajole, reduce expectations, a little something for everyone
• Moderately concerned about their own goals and relationships
• Seek a compromise
Accommodator: the Teddy Bear

- Lose/Win
- “Whatever you say”
- Strategies: agree, appease, flatter
- Relationship of great concern, own goals not as important
- Wanted to be accepted and believe that conflict should be avoided in favor of harmony
Competitor: The Bull or Shark

- Win/lose
- Do it my way or not at all
- Strategies: compete, control, outwit, coerce, fight
- Goals are highly important, relationship is not
- Assume one wins, one loses
- Want to win, which gives them a sense of pride
- Try to win by overpowering and intimidating others
Problem Solver or Collaborator: The Owl

• Win/Win
• “My preference .. What’s your choice”?
• Strategies: gather info, look for alternatives, dialogue openly
• Highly value their own goals and relationships
• See conflict as improving relationship by easing tensions