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Family law attorney Lynn Soodik received a warning in the mail.



'Watch Your Back'

Protecting themselves from potential violence can be all in a day's work for California's family law attorneys. A recent survey found that 60 percent of them were physically threatened by their clients' spouses. **By Stephanie Francis Cahill**

A few years ago, divorce lawyer Lynn Soodik represented a woman who was being physically abused by her husband. One afternoon during the suit, the Los Angeles sole practitioner opened her mailbox to find a tipped death threat that read:

"Watch your back when you go to court, the way you act, you should," the letter read. "See me again, you'll be in the newspapers."

Although it wasn't signed, the letter was postmarked from Long Beach. Soodik only had one client who lived in Long Beach — the woman who was beaten by her husband, who also lived there. Soodik immediately notified the Long Beach Police Department, but received a surprising answer — they refused to do anything, because they didn't think there was enough proof that the woman's husband sent the letter.

"I felt like at least they could have gone and checked his typewriter, like in the movies," she says.

And this has not been Soodik's only brush with danger. At a downtown Los Angeles Superior Court family law hearing, another of Soodik's divorce clients informed her that her estranged husband had brought a gun with him. Soodik told the bailiff, who approached the man and asked if this was true. The man admitted he was carrying a gun, but claimed that he was a reserve officer in the Los Angeles County Sheriff's Department, and therefore had a right to carry it.

The bailiff made him deposit his gun with courthouse security. Soodik believes this man brought his gun to intimidate his wife during their child custody hearing.

As a family law attorney, Soodik's brushes with violence aren't unusual. Last

year, the American Bar Association published a survey about family law attorneys and violence. Of the 253 lawyers who participated in the survey, 60 percent reported that they had been physically threatened by their clients' spouses, 17 percent reported that they had been physically threatened by their own clients.

Soodik, Soodik says she enjoys practicing family law, and hasn't been intimidated by these run-ins.

"I feel fearless — but then my friend says I'm like one of those little dogs who barks really loud, and jumps on the big dogs," she says.

Also, Soodik says having problematic family law clients — or clients with problematic spouses — is the nature of the practice. And the problems aren't limited to violence. Other issues involve clients lying to their attorneys, sometimes about things that have nothing to do with their divorce, and refusing to take responsibility for their own actions.

"You're dealing with raw human emotion, as opposed to a contractual dispute between two businesses," says Ira Friedman, a name partner with Beverly Hills' Friedman & Friedman, when asked why he believed family law was more stressful than other practice areas. "To be good at family law," he added, "you have to have more patience than you do in other practice areas."

Surprisingly, lawyers considered for this article were anxious to talk about problem clients at great lengths. And all of them say there was no way they could practice family law and not have problem clients — unless they hired many associates and had them do all the work. As one family lawyer put it, "If you do this type of work, you see good people at their worst."

Still, some are worse than others. Most problem clients, Soodik says, are ones who "are angry, have unrealistic expectations and have called to a million of their friends and concluded what they are entitled to, even though none

of their friends have experience in family law."

Family law attorneys also encounter clients who omit crucial facts about their marriages.

James Alan Henszenbocker, a Vista family law attorney, remembers a client telling him her husband beat her up, and she had the blackened eyes and swollen face to prove it. Henszenbocker immediately got a court order to remove his client's husband from her home, and a few days later, the husband's lawyer called Henszenbocker.

"He said all the allegations are true, but she didn't tell you one thing," Henszenbocker recalled. "He hit her with an ashtray as he was falling to the floor, with a knife in his back."

The moral of the story, Henszenbocker continued, is that "people will omit the facts they don't like, or tell you things that are only half correct, so you have to keep a very skeptical approach."

Sometimes, Soodik says, clients don't know when they're lying or when they're telling the truth. Or they don't tell their attorney things because they think their attorney won't like them.

"Like when you're in the middle of a custody battle, and the other side says, 'Did your client tell you about the time he walked in naked on his 13-year-old daughter and her friend?' Soodik says. "This actually happened to her, at a court hearing, and when she later confronted the client about it, he told her that he didn't think his naked episode was relevant."

Besides lying, some family law attorneys mentioned problem clients who are unwilling to deal with personal issues, even though they're in the middle of a divorce. Or they expect their attorney to handle all of their personal problems.

Tammy-Lyn Galleras, a Walnut Creek family lawyer, says some of her clients expect her to change the character of the spouses they're divorcing, which doesn't make much sense, since divorce tends to amplify a person's character flaws.

"The client looks to you to make life around her price charming, and everything they want in the marriage," Galleras says. "It's very difficult sometimes not to say, 'Well, you're the one who married him.'"

Although family law clients who are in denial about their problems may not be particularly aggressive, they can still be problem clients, says Tracy D. Phillips, a partner with Los Angeles' Maack & Phillips.

"You can have a client who won't respond, and just bury their head in their hands," she says. "They're lovely people, but you want to slap them and say 'Hello — pay attention here, this is your life, not mine.'"

Phillips says a good family law attorney must not get wrapped up in a client's problems because it causes the lawyer to lose objectivity. Also, it causes the attorney to lose client control, something of great importance in family law.

"If you become emotionally invested, you become no more than an alter ego of the client," says Henszenbocker, who has been handling family law cases since 1971. "Anyone who does that will last for three or four cases, then they burn out."

After practicing for more than two decades, Henszenbocker believes family law is no more stressful than other practice areas, as long as you follow one rule, he says. "Take steps to see that you don't represent the cardiomyopathy crones."

Through the years, Henszenbocker says he's gotten fairly proficient at screening clients at the initial consultation. And he always follows his instincts.

Sometimes, "there's a tiny little voice that pops up and says this isn't going to work," says Henszenbocker about the initial interview process. He added that if you ignore the voice, "by the time the case is over the voice will have turned into a 600-pound gorilla with bad breath."

Juan Patsy Ostry, a Los Angeles family law attorney who also mediates, says clients have come to her of her who are clearly unbalanced. Yet they are in a marriage where domestic violence is present, and desperately need legal assistance.

"We all feel some obligation to those people, and what I sometimes do, if their finances allow it, is strongly suggest that they be in therapy," says Ostry, adding that she refused to take one case until the client started therapy.

In the initial consultation, one of the first questions most family law attorneys ask is has the client been to other family law attorneys, and, if so, how many? One rule many attorneys adhere to is they don't take someone who is on her second lawyer, "and God forbid if it's their third or fourth," says Phillips, who doesn't necessarily agree with this rule.

In one instance, she came to see Phillips who had been to multiple divorce lawyers, and in his consultation with Phillips the first thing he said was that he was going to give her a test. Then he proceeded to ask Phillips a list of questions.

"I consider that a problem," she says. "But I gave him the right answer," impressed by her tax savvy, this person wanted to hire her, and Phillips agreed to represent him. Although she had some serious thoughts immediately after he left her office, he was happy with the way Phillips handled his divorce, and she developed a friendship with him.

"Sometimes I've evaluated that they've gotten a bum deal" from previous attorneys, she says, "and sometimes you judge too quickly."

And sometimes you've just got to have patience, and a sense of humor, says Friedman, who has practiced family law for 25 years.

One of his clients, Friedman says, "is a world class pain in the ass." At a deposition, this particular client insisted on calling opposing counsel by his first name, which opposing counsel based extremely offensive.

"He told my client that only his friends called him by his first name, and my client wasn't his friend," Friedman recalled. "And so my client did it again, and this went on for half an hour." Eventually, opposing counsel threatened to go to court and get an order forbidding Friedman's client to call him by his first name.

During this exchange, Friedman says, "I just bit my lip and tried not to laugh, because this guy didn't realize my client was packing his chain." ■

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