



SAY WHAT?

COMMUNICATION AND THE TEENAGE CLIENT

BY RYAN SULLIVAN, ESQ.

Today's teenage client may arrive at your office wearing defensive armor: an oversized sweatshirt worn with the hood up, earbuds firmly tucked inside ears wailing an indecipherable tune and, finally, the piece de resistance, a prized cell phone gripped firmly in hand, buzzing with a thousand texts. As a lawyer (and parent), my first thought might be to suggest that my client lower their hood, turn off the music and switch the cell phone to silent. But that is exactly the wrong thing to do. Below are some tips it took me just 10 short years to acquire; during this time I've practiced juvenile law exclusively. But don't blame me if these tips don't work – as any teenager will attest: **it's not always what you say, it's how you say it.**

First Rule of Communicating With the Teenage Client: Don't be a Parent.

Parents tell kids to be polite, pay attention, turn off the technology and sit up straight! And in response parents may get grudging compliance, but grudging compliance is not what lawyers seek. We need a relationship that enables us to get the good stuff from our clients, which in turn enables us to be great advocates in court. It's guaranteed you won't get the good stuff acting like Ms. Manners. So, what to do? Ignore the defensive armor. Underneath it all and despite appearances, the teen client is hyper-alert to your every move. Don't speak more loudly than normal and don't try to compete with the wailing iPod or the buzzing cell phone. Speaking at a regular decibel level, choose your words as respectfully as if a sweet grandmother were seated across from you, prepared to intelligently discuss her gazillion-dollar estate. Most times, the teen clients will police themselves and lower their music, ignore their phones and look you in the eye. They really do want to hear what you have to say.

Since we're on the subject of parents, parents and teens do argue, but don't allow any parent-child arguments in your office. In my office, if parents start to bicker with their child or put their child down, I hold up my hand in the internationally recognized "stop" symbol and say, softly and with kindness, "Please," (insert a pause here for effect and to allow silence to momentarily settle). "I don't allow arguing in my office. Now, let's get back to what Levi was saying about the search of his car."

Second Rule of Communicating With the Teenage Client: Don't Bite the Hook.

Even if your teen clients voluntarily shed their defensive armor, it may take a bit longer to shed the attitude. They are not certain who you are yet, but you are definitely a suspicious authority figure, wearing unfashionable clothing. Initial responses to your polite questions may be monosyllables such as: "yeah," "no," or (my personal favorite) "huh?!" Don't get frustrated by short answers or mopey looks; maintain your even-keeled cheer. Consider starting off with a number of super-softball topics, such as confirming the best way to contact them and which school they attend. If a bit of true ugliness raises its head in direct or, more likely, passive-aggressive challenges, a closed-lipped smile followed by the softly spoken phrase, "I hear you. Are you ready to get to work now?" will usually bring them back to business mode. If the teenage clients continue with their bad behavior and really aren't communicating, I might respond with some empathy and say, "You seem a bit worn out right now. Would you like to come back another time, maybe tomorrow afternoon?"

Third Rule of Communicating With the Teenage Client: Be True to You.

Don't offer the alternative appointment suggested above unless you really mean it and can accommodate. Never employ a hint of sarcasm. Woeful hilarity results if you attempt to talk like a teenager or joke around like a buddy. There's also no need to be a super-smiley, let's-bond-over-this type of person either. Teenagers may have a lot to learn about the world, but they are good at sniffing out phony behavior and since phony behavior is a lot of work anyway, it's easier to just be yourself and not worry about adjusting your personality simply because your client hasn't reached the age of majority.

Fourth Rule of Communicating With the Teenage Client: Put on Your Listening Ears and Get Comfortable – it's Going to Take a While.

Teens tell stories in one of two ways: the extra-long version or the nonexistent version. The extra-long version begins with what Kayla said to Jackson and what Jackson texted Aiden and what Mrs. Whiting told Aiden's cousin and what Kayla posted on Facebook two months before Officer Johnson gave Cruz a

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dirty look. Hard to believe, but you really do want to hear the long version because the nonexistent version means you haven't built enough of a relationship for the teen to feel comfortable talking to you, therefore you have even more work to do. So get comfortable and put on your listening ears. Don't hurry the client along, don't ask questions and don't look at your watch: let the teens tell their stories their way. There is one important exception to the no interrupting rule. If you don't understand teenage terms of art (and believe me you don't), ask for a quick translation. The time or two I presumed to comprehend even simple terms such as "hook up" or "party," I have been embarrassingly wrong. Ask for clarification just like an anthropologist would and most likely your teen client will be amused at your ignorance and gleefully provide you with the correct definition.

Once the clients have completed the circular story, the next step is to help them piece the events back together in response to your questions. The second time around, go back and frame the story from the point of view of a lawyer who is looking for specifics. In addition, you can gently include bits of legal education in the conversation, such as: "Aiden's cousin isn't what the court would consider a witness, because he wasn't in the school hallway and didn't see what happened. But I'm

glad you told me about him because I'm interested in how his statements match up with Kayla's Facebook post." Usually, the teen client is confused about what the court will consider evidence and what they will not consider evidence. No need to burst your client's tender legal bubble, and many times what the client contributes is valuable in the case's big picture, so do this in a manner that communicates the importance of each contribution, even if your experience tells you it will never see the inside of a courtroom.

Fifth Rule of Communicating With the Teenage Client: Bring Your Nuts and Bolts.

When it comes time to advise the teen about courtroom procedure, be as concrete as possible and use the exact words that will be spoken in court. Now it is your turn to provide definitions and explanations of legal terms. Don't talk in theory about what will happen – be very specific and describe each nut and bolt. Go over courtroom proceedings and any responses the teen will be expected to give at least two times, once with the client alone and then a second time with the client's parents present. Repetition helps, and the family can discuss and reinforce at home what they learned in your office. Avoid using

abbreviations or any legal lingo. And yes, even the word “plea” is lingo, despite its usage by all the legal eagles on TV. Don’t forget to talk about how it feels to be in court and how nerves can affect the situation, even if (especially if) the teen doesn’t believe nerves will be a problem.

Last Rule of Communicating With the Teenage Client: Wrap it With a Bow.

If you make a lot of deposits in the relationship bank account early on, they will pay off later in your representation. A small, genuine compliment and appropriate empathy will be noticed by your teenage client. When all the business talk is done, at the end of your appointment, wrap it in a bow and engage in a bit of small talk. At this point, the teen will know you better and a bit of chatting will be much more relaxed than if you forced it at the start of the session. Reveal something about yourself and show your personal side. For instance, if your client is wearing a sports jersey, offer up your favorite team or a comment about last night’s game. Too often we as lawyers are afraid to show our human side to our clients and we lose out as a result. There are many ways to open up without providing too much information or making anyone feel uncomfortable, and the gains you make in your relationships with teen clients

are well worth the investment. Even if the client doesn’t appear moved by your attempts to foster communication, remember that as teens process the time they spent with you and have a chance to mull things over later, most likely they will be more receptive the next time you meet.

In conclusion, representing teens is interesting and always surprising. It takes both time and thought to create an open line of communication and establish a good relationship. However, your efforts will pay off in the courtroom and, maybe even more importantly, in the way you positively impact your young client’s experience with the legal system. ■



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