

*David, Goliath and the Clients*¹

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Legal docudramas and attorney centric TV series have been a part of pop culture for decades. For good or bad, these legal TV shows have likely shaped the view of the legal system for many Americans that have not had any direct experience with the judicial process. Not only do these made for TV legal dramas provide a fictionalized perspective of the judicial process (both on the criminal and civil side), but it also provides many people with a false view and expectation of lawyers. I think it is safe to say that most, if not all, lawyers can honestly say that *Boston Legal*, *Law & Order*, *Perry Mason* or any other legal drama is not an accurate depiction of their practice or their profession. So, what does this mean for lawyers?

Specifically, how can lawyers adapt to meet the inflated and unrealistic demands of their TV conditioned clients. This is further compounded by the stigmas created about lawyers and perpetuated by the attorney caricatures playing lead roles on these series.

As a lawyer, we all must deal in some way with unrealistic expectations of clients, juries or other people that have had their entire experience with the judicial process through their television screens. The first thing is to be direct and clear about the timing and scheduling of litigation. No, you cannot go into an attorney's office and have a jury verdict within an hour, despite what you see on TV. Also, creating realistic expectations for every aspect of your representation will serve both client and attorney well in the engagement. Setting expectations also can apply with juries. This is important in combatting the *CSI Effect*, in which jurors have unrealistic expectations of evidence that will be presented and setting out the true nature of what the jurors should expect and what will be proven is more productive than letting it go unsaid.

To combat or take advantage of the expectations it is vital to truly engage your client or jury with a "story" of the case, which is how they have generally been socialized and accustomed to thinking about the legal process. A lawyer can garner greater client communication and satisfaction by allowing a client to assist in compiling the facts and creating the story from the evidence and their experience, which will also have the bonus of making the story feel more genuine during litigation.

The bottom line is that lawyers must take a moment to think about the expectations clients and jurors have in the judicial process and do what they can to best meet those expectations, but also by changing those expectations by educating their audience (i.e., client or juror) in the process.



Ryan's practice focuses on both civil and commercial litigation, which spans a wide range of substantive law from shareholder and contract disputes to antitrust matters. Ryan has been involved in a variety of complex and high stakes matters throughout his career, including bet-the-company litigation and nationally significant cases. Ryan has also served as local counsel for some of the nation's largest and most prestigious law firms. For more information visit www.korolaw.com/ryan-plecha.

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