

What do clients want from their lawyers?

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GSU: AT A GLANCE

- #1 public university in U.S. for undergraduate teaching*
- #5 public university in US for learning communities*
- Most innovative public universities in the U.S. – in top 5 for last 11 years*
- One of the fastest growing research institutions in the country
- One of the most diverse universities in the country

*US News & World Report

“No other university has accomplished what Georgia State has the last decade” ~ Bill Gates

“A hotbed of growth and innovation” ~ Washington Post

What Do Clients Want



One of the largest universities in Georgia with an enrollment of more than 53,000



ATLANTA

- World's Busiest Airport
- Center for Global Health
- National Center for Civil and Human Rights
- \$9.5 Billion Film Industry
- Fortune 500 Companies – 3rd in the U.S.
- 28 “Am Law 100” Firms
- Seven Professional Sports Teams



What Do Clients Want



COLLEGE OF LAW: AT 85 PARK PLACE NE



What Do Clients Want

GSU LAW: AT A GLANCE

Established: 1982

Student Body: 700

Flexibility: Full-Time and Part-Time programs

Rankings among U.S. Law Schools

Health Law #2*

Practical Training #14*

Part-Time #21*
#14*

Clinical Training #36*

*US News & World Report

Quality of Teaching #14*

*Princeton Review

Best Value Law School

*National Jurist

Bar Performance

#1 Pass Rate in Georgia-First-Time Takers (Feb 2026)

93% Bar Passage Rate (Class of 2023)



Cunningham, "A Tale of Two Clients: Thinking About Law as Language," 87 Michigan Law Review 2459 (1989)

We tried to accommodate his vision of the case with our trial strategy by suggesting that ours was simply an alternate theory of liability: even if the court would not accept his sweeping attack on the system, he might still prevail by showing that the defendants had failed to follow due process in his particular case by not notifying him of the hearings and by conducting them in his absence. He would have none of it. He did not want us to assert *our* theory of "the case" precisely because that theory was not *his* case, even though the events described in his *pro se* complaint gave rise to the claim both we and the court had assumed he was making.

My interview ended on a somber note. I asked the prisoner what he wanted us to do at this point. His terse reply: "Don't show up in court."

Cunningham,
"A Tale of Two Clients: Thinking About Law as Language,"
87 Michigan Law Review 2459 (1989)



Cunningham,
*The Lawyer as Translator, Representation as Text: Towards
an Ethnography of Legal Discourse*
77 Cornell Law Review 1298 (1992)

This is a true story. It is the story of how the law punished a man for speaking about his legal rights; of how, after punishing him, it silenced him; of how, when he did speak, he was not heard. This pervasive and awful oppression was subtle and, in a real way, largely unintentional. I know because I was one of his oppressors. I was his lawyer.

Cunningham,
*The Lawyer as Translator, Representation as Text:
Towards an Ethnography of Legal Discourse*
77 Cornell Law Review 1298 (1992)



Clark D. Cunningham & Bonnie S. McElhinny
*Taking It to the Streets:
Putting Discourse Analysis to the Service
of a Public Defender's Office*
2 Clinical Law Review 285 (1995)



Evaluating Effective Lawyer-Client Communication: an International Project Moving From Research to Reform

- Worldwide Advocacy Conference, Inns of Court School of Law, London, England (July 1998) (plenary address)
- The Conference on The Delivery of Legal Services to Low-Income Persons: Professional and Ethical Issues sponsored by the American Bar Association, Open Society Institute, and The Legal Services Corporation (Fordham Law School, New York City December 1998)
- Annual Meeting of the International Client Counseling Competition Board (March 1999)
- Midwest Clinical Teachers Association (October 1999)
- Inaugural Conference of the Global Alliance for Justice Education (December 1999)
- New York University Law School (September 2000).

Cunningham, "What Do Clients Want From Their Lawyers?", 2013 Journal of Dispute Resolution 143



What do clients most care about?

CLIENT PERCEPTIONS OF LITIGATION

WHAT COUNTS: PROCESS OR RESULT?

Tom Tyler, *Trial Magazine* (1988)

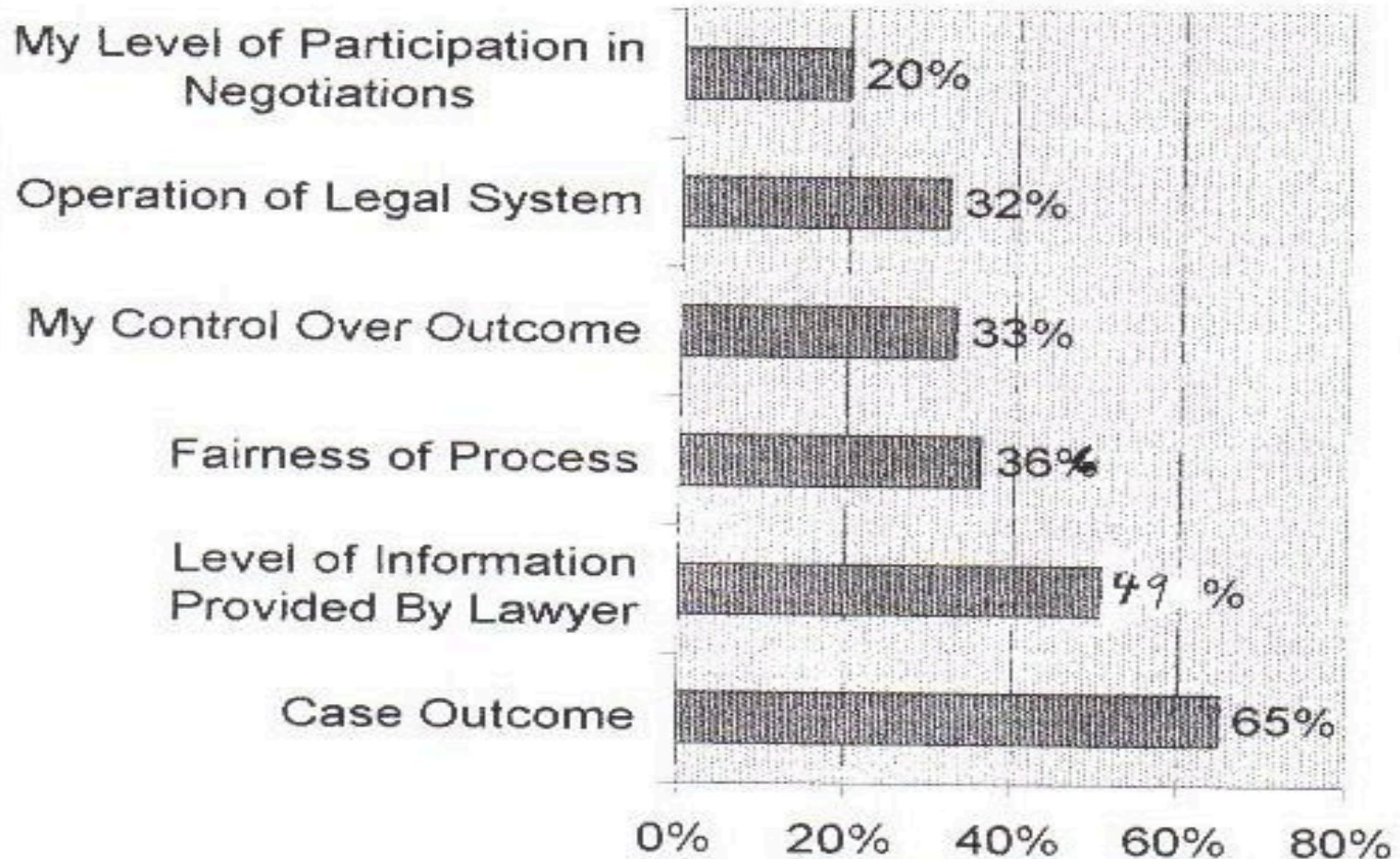
- Clients care **most** about the process
 - having their problems or disputes settled in a way that they view as fair
- second most important is achieving a fair settlement
- **least** important factor is the number of assets they end up winning.

PLAINTIFFS AND THE PROCESS OF LITIGATION:

An Analysis of the Perceptions of Plaintiffs Following their Experience of Litigation

Tania Matruglio (Civil Research Centre Australia 1994)

Satisfied With



LawCover Study

- Australia's largest legal malpractice insurance provider
 - Commissioned a Risk Management Project
 - Sample from over 2000 claims
 - Extensive & confidential interview with each lawyer
 - In most cases also interviewed the lawyer who defended the claim.
- Major Causes of Claims
 - *not* dissatisfaction with outcome
 - But instead the handling of the client relationship
 - Failure to
 - listen to the client
 - ask appropriate questions
 - explain relevant aspects of the matter

Australia: Client Satisfaction with lawyers who were certified specialists

- Widespread client satisfaction with the specialists' legal knowledge and skills
- Consistent evidence of client dissatisfaction with HOW services were provided

Different ideas of good service

- Lawyers: good service is delivering good outcomes using knowledge and skills
- Clients expected lawyers to have knowledge and skills
- But were disappointed by the **PROCESS** of getting to outcomes

Clients complained that

- Lawyers were not accessible
- Lack of communication
- Lack of empathy and understanding
- Lack of respect

Additional Training Recommended

- client focused rather than transaction focused
- client needs are not confined to attaining outcomes
- listen to clients better
- understand their needs
- demonstrate empathy

Value of Experience for Client Communication

- Study at University of London
- 143 actual 1st interviews
 - 24 % beginning lawyers
 - 76% experienced lawyers
 - 70% at least 6 years
 - 23% more than 11 years
- High percentages of ineffective interviews
 - Experienced lawyers generally NO better

Common Problems with Both New and Experienced Lawyers

- 51% failed to get the client's agreement to advice or plan of action
- 76% failed to confirm with client the lawyer's understanding of the facts
- 85% failed to ask before ending whether there was anything else the client wanted to discuss

Where There Was a Difference Between New and Experienced Lawyers

- Experienced lawyers
 - Rated their own interview performance higher than did new lawyers
- But the clients saw **no difference** in performance between new and experienced lawyers

2000 Research Study

Law Society of England & Wales

Study of client satisfaction when government pays lawyers to represent people (“legal aid”)

- Interviewed 44 legal aid clients of 21 different lawyers in the north of England.

2000 Research Study

Law Society of England & Wales

- 50% said that they had previously used a solicitor whom they did not like.
- Those 50% were then asked an open-ended question:
 - “Why were you disappointed?”

I went to [my current lawyer]...

- because of her reputation and expertise
- she is a part-time judge and has a big reputation as a specialist
- but SHE JUST DOESN'T LISTEN.
- She listens for part of what I have to say, and then interrupts, saying something like
- 'OK, I've got the picture, what we'll do is ...'
- and she hasn't really got the picture, she's only got half the facts.

I think it's partly because ...

- she is so busy
- and also because she's simply not used to giving clients a voice.
- What's more she has actually made me frightened of expressing my views.
- I am about to change to another lawyer

The Importance of Listening

- I sent my former lawyer packing because SHE WOULDN'T LISTEN. That is absolutely fundamental; this was my case, only I knew the full circumstances."
- "They must be able to give you time. If lawyers haven't got enough time, they can't get enough out of you. You have to have time to be able to *tell your story.*"

The Importance of Explaining

- “At my first meeting with [my current lawyer] ... I was impressed by his natural ability to talk about technical things with knowledge, but on a level that I could understand.
 - we actually talked and he explained in clear language
 - Other people just had a job to do, but [he] took time to clearly explain technical things.
 - He explained how the system works.”
- “She speaks of legal matters in a way that is knowledgeable and she explains it well.”
- “She communicates clearly. She puts things in layman’s terms.”

How to address this problem?

- How do law schools TEACH client relationship skills?
- How do law schools TEST client relationship skills?
- Are basic client relationship skills REQUIRED to become a lawyer?
- Are law firms training and testing their lawyers on client relationship skills?

Standardized Patients in Medical Education

★ [School of Medicine Home](#) • [Education](#) •

Human Simulation Education Center

Human Simulation Education Center

"We enhance human interaction."



Standardized Patients

- Used at all levels of medical education
- And sometimes as part of the examination to be licensed as a doctor
- Developed over the past 50 years
- Used in many countries, including here at UAG

Standardized Patients

- Simulated clinical examination



- Standardized patient presents as the same person with the same medical problems to each examiner
- Standardized patient ALSO evaluates the examiner as to basic communication skills

Standardized Patients

- In 2004 a team from the United States and Scotland was formed to test
- Whether this method could be adapted to legal education

13 Clinical Law Review 1 (2006)

VALUING WHAT CLIENTS THINK: STANDARDIZED CLIENTS AND THE ASSESSMENT OF COMMUNICATIVE COMPETENCE

KAREN BARTON, CLARK D. CUNNINGHAM,
GREGORY TODD JONES & PAUL MAHARG*

An international and interdisciplinary team from the Glasgow Graduate School of Law (GGSL) and the Dundee Medical School - in Scotland - and the Georgia State University College of Law (GSU) - in the United States - has undertaken an ambitious project to change the way lawyer-client communication skills are taught and assessed.







What Do Clients Want



1st Simulated Client Project
Glasgow Graduate School of Law 2004-2006
Post-university 9-month training program required
to become a lawyer in Scotland



2nd Simulated Client Project

Bar Association in Edinburgh 2006-2010

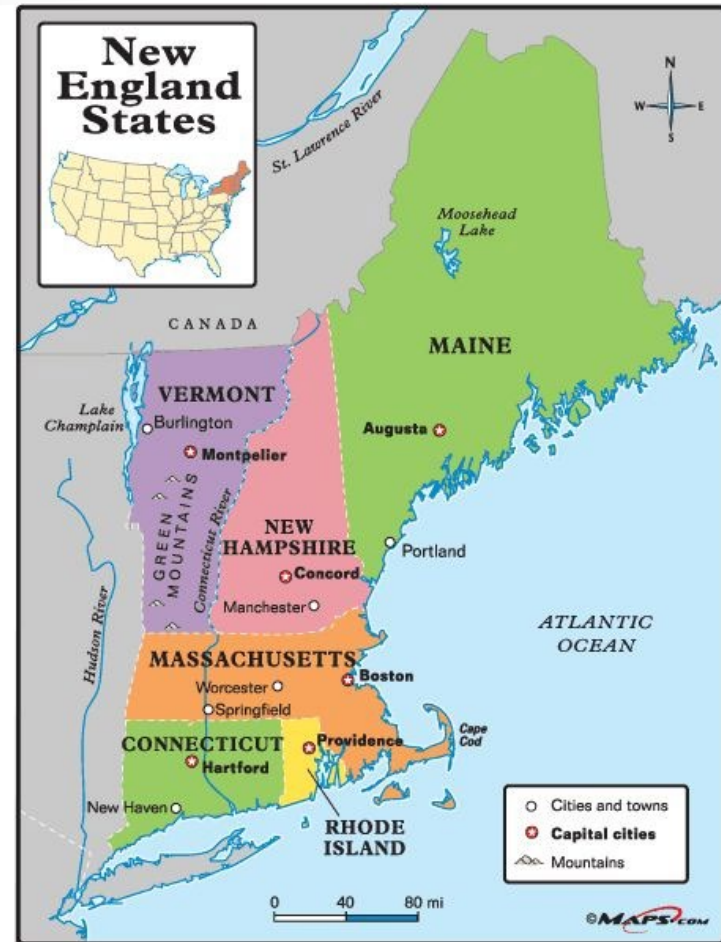
Specialty certification for junior lawyers



3rd Simulated Client Project

State of New Hampshire 2006-2025

Part of testing to be licensed as a lawyer



Other places using simulated clients



Innovations in current project

- Expand to civil law jurisdictions
 - Latin America
 - Continental Europe
- Expand from English to other languages
 - Beginning with Spanish
- Expand to online format

Transitioning Simulated Client Interviews from Face-to-Face to Online

Paul Maharg & Angela Yenssen

13 European Journal of Law and
Technology No. 3 (2022)



- | | |
|--|-----------|
| 1. Greeting and introduction were appropriate
Comments_____ | 1 2 3 4 5 |
| 2. I felt the attorney listened to me
Comments_____ | 1 2 3 4 5 |
| 3. The attorney's approach to asking questions was helpful
Comments_____ | 1 2 3 4 5 |
| 4. The attorney summarized my situation accurately
Comments_____ | 1 2 3 4 5 |
| 5. I understood what the attorney was saying
Comments_____ | 1 2 3 4 5 |
| 6. I felt comfortable with the attorney
Comments_____ | 1 2 3 4 5 |
| 7. I would feel comfortable with the attorney handling my situation
Comments_____ | 1 2 3 4 5 |
| 8. If I had a legal problem, I would go back to this lawyer
Comments_____ | 1 2 3 4 5 |