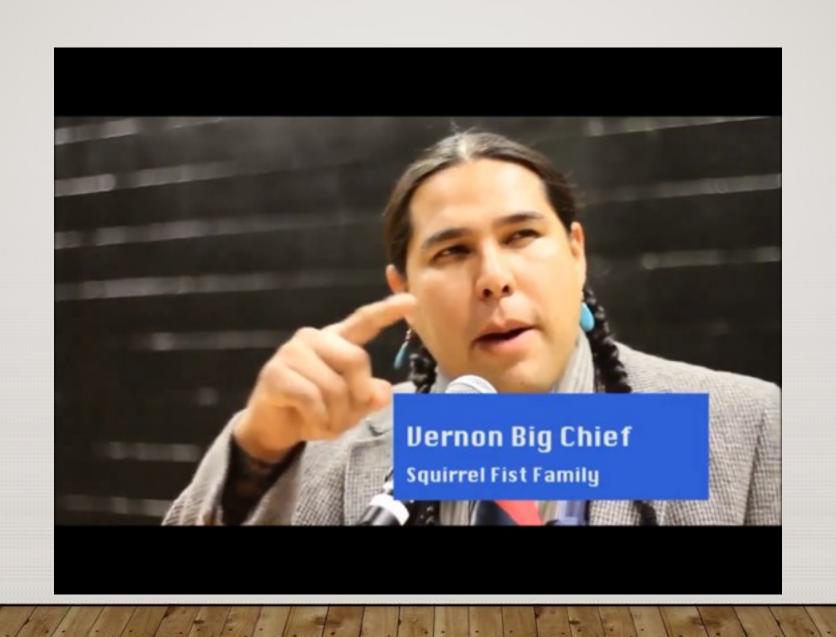
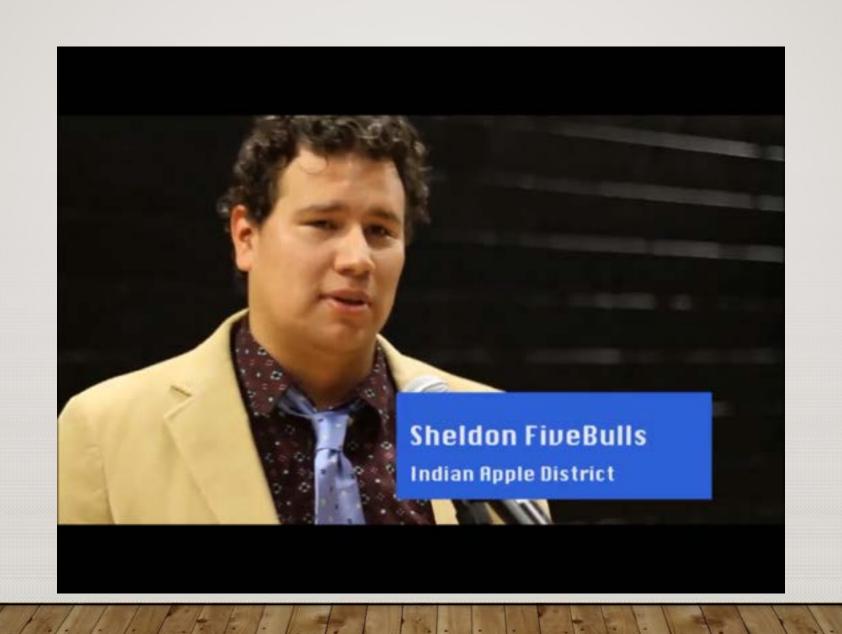
DEALINGWITH DIFFICULT CLIENTS: A TRIBAL PERSPECTIVE

MATTHEW L.M. FLETCHER





RULE I:KEEP STATE BAR ETHICS HOTLINE IN YOUR MIND

ARIZONA STATE BAR ETHICS HOTLINE: 602.340.7284

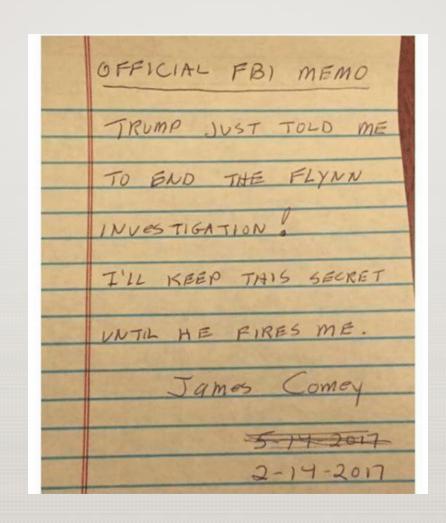
602.340.7284

RULE 2: ESTABLISH YOUR ROLE WITH THE CLIENT

MODEL RULES PREAMBLE

• [2] As a representative of clients, a lawyer performs various functions. As advisor, a lawyer provides a client with an informed understanding of the client's legal rights and obligations and explains their practical implications. As advocate, a lawyer zealously asserts the client's position under the rules of the adversary system. As negotiator, a lawyer seeks a result advantageous to the client but consistent with requirements of honest dealings with others. As an evaluator, a lawyer acts by examining a client's legal affairs and reporting about them to the client or to others.

RULE 3:MEMORIALIZE EVERY EXCHANGE



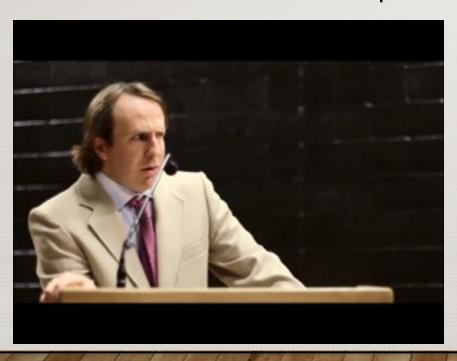
RULE 4: BE CALM AND CLEAR



RULE 5: MANAGE EXPECTATIONS



Client council member Vernon Big Chief asks you to go door to door at Elder's Housing to distribute leaflets and casino comps to support his re-election campaign.





Sheldon Five Bulls instructs you to retain outside counsel he met at the bar in Washington, D.C. at a recent NCAI event.



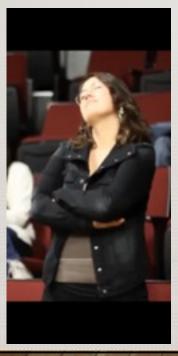


Councilor Big Chief insists the legal department open up an investigation on an employee without cause.



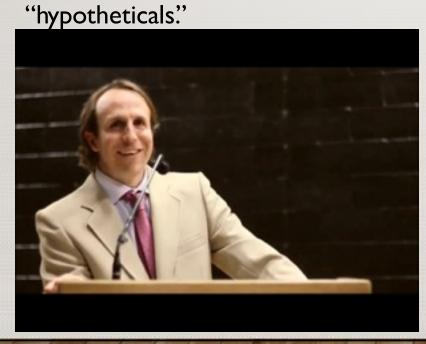


Council member Five Bulls objects to the new law enforcement cross-deputization agreement needed to complete the gaming compact negotiations because of "sovereignty."





Council member Big Chief is in a child custody battle with his ex-wife. He doesn't want to spend money on his own lawyer, so he drops by the legal department to pose



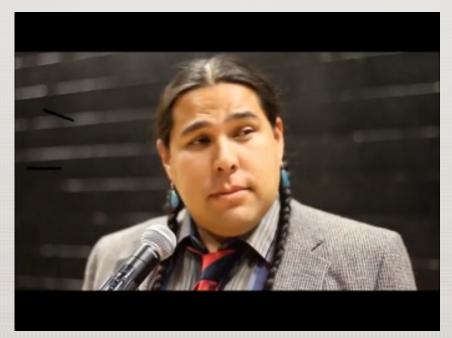


Council member Two Bulls frequently abuses tribal credit cards while on travel status, arguing that he's entitled to spend as he sees fit given that he's an elected official.





Councilor Big Chief threatens to release a confidential, attorney-client privileged document to the tribal newspaper.



Council member Five Bulls takes you aside and promises you a promotion to tribal attorney general and a salary boost if you show "loyalty" to him.



ADDITIONAL REFERENCES

 Justice Carole Curtis, HOW TO HANDLE DIFFICULT CLIENTS – Pointers That Will Help You Stay Sane and Safe, 36:4 Law Practice: The Business of Practicing Law, July/August 2010, at 40 [available online]

ACKNOWLEDGMENTS

• Chi-Miigwetch to the 1491s for permission to use screenshots from their video "Master Debaters."