



Eric V. Traut

TRAUT INJURY LAW

Remembering civility during client interactions

EDUCATE WITH EMPATHY, LISTEN WITHOUT JUDGMENT AND GUIDE WITH GRACE

In the world of personal-injury litigation, our clients are more than just plaintiffs – they are people whose lives have been deeply disrupted by trauma, loss, or injustice. As attorneys, we are their advocates, advisors, and often their emotional anchors. In these high-stakes and emotionally charged situations, one core value must remain at the center of all client relationships: *Civility*.

Understanding the emotional landscape

Many of our clients come to us during the most difficult chapters of their lives. They may be suffering from debilitating injuries, overwhelming grief after the loss of a loved one, or the financial strain that inevitably follows. These are not routine business transactions – these are human stories of pain, struggle, and resilience.

As lawyers, it is easy to fall into a rhythm of deadlines, case management, and strategy. But we must remember that *litigation is foreign and intimidating for most clients*. They are likely navigating depositions, medical appointments, and courtrooms for the first time. Patience, compassion, and a civil tone go a long way in helping them feel supported and heard.

Civility in preparation: The deposition phase

Preparing clients for deposition is one of the most crucial responsibilities we have. It is also one of the moments where civility becomes essential – not just in how we treat the client, but how we prepare them to behave.

Clients must be *instructed to answer clearly and truthfully, without sarcasm, frustration, or aggression* – even when faced with adversarial or repetitive questioning. Remind them that *the deposition is not a battleground*, but rather an opportunity to tell their story with clarity and credibility.

Set expectations early:

- Avoid exaggeration or guesswork.
- Do not argue with the oppos-

ing attorney.

- Remain calm even if the questions seem accusatory or invasive.

Civility in demeanor helps preserve their credibility – and, more importantly, helps jurors and judges see them as reasonable, relatable, and trustworthy.

How clients should interact with doctors and experts

Medical experts and treating physicians are not just fact witnesses – they are a cornerstone of personal-injury claims. Clients should be reminded to treat *all medical professionals and experts with respect* and civility, even when they feel overwhelmed or frustrated by the process.

Rudeness or antagonism toward healthcare providers – whether during treatment, record reviews, or evaluations – can find its way into medical records or testimony. These interactions can ultimately influence the outcome of a case.

Civility in the courtroom

For clients who appear in trial, their conduct must reflect *respect for the judicial process*. Remind them that:

- Judges and courtroom staff should be addressed and treated with utmost deference.
- Jurors are watching their every move, including facial expressions, eye rolls, or whispers.
- Anger or visible frustration can undermine even the most compelling testimony.
- Avoid trying to be an advocate by passing notes or frequently conferring with the lawyer in front of the jury.

Clients should dress appropriately, arrive on time, and avoid any behavior that might be interpreted as disrespectful. When they speak, they must speak honestly, calmly, and with humility.

The lawyer's role: Patience and professionalism

Perhaps the most important piece of the civility puzzle is *how we, as law-*

yers, engage with our clients. It's easy to become impatient when clients forget instructions, ask the same questions, or express fears about the process. But we must remember: *This is not their world – it's ours*.

It is our job to *educate with empathy, to listen without judgment, and to guide with grace*. We are not only helping them seek justice – we are helping them survive the storm that trauma has brought into their lives.

Grief, trauma, and the profound impact of loss

In wrongful-death cases or those with catastrophic-injury claims, the emotional toll is staggering. Clients may be coping with PTSD, depression, or grief that can make even basic communication difficult. Their ability to process information, recall events, or behave “appropriately” may be impaired. Civility means understanding that, and allowing room for imperfection, emotion, and human vulnerability.

We are, in these moments, not just litigators – we are caretakers of their story.

Conclusion

Civility is not weakness. It is not compromise. It is a *hallmark of strength, credibility, and professionalism*. By fostering civil, respectful, and empathetic interactions with our clients, we not only improve our relationships – we improve our advocacy. In a field built on restoring dignity to the injured and grieving, civility is both a strategy and a moral imperative.

Let us remember that how we treat our clients – and how we prepare them to treat others – matters. It shapes their experience, their healing, and the outcome of their case. ♦

Eric V. Traut is a two-time Orange County Trial Lawyer of the Year and was named Cal-ABOTA Trial Lawyer of the Year in 2024. He will serve as Orange County Bar Association President in 2027.