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# You and Your Clients: A Guide to a More Successful Law Practice Through Behavior Management / Children Held Hostage: Dealing with Programmed and Brainwashed Children

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## Book Reviews

**You and Your Clients: A Guide to a More Successful Law Practice Through Behavior Management**, by Stanley S. Clawar. Chicago: American Bar Association, 1988. 88 pp.

**Children Held Hostage: Dealing with Programmed and Brainwashed Children**, by Stanley S. Clawar and Brynne V. Rivlin. Chicago: American Bar Association, 1991. 197 pp.

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Stanley Clawar is a certified clinical sociologist, family mediator, and writer for popular and scholarly journals. He has participated as an expert witness and/or consultant in more than 1,000 cases involving domestic relations issues. His co-author in the second work, Brynne Rivlin, is a licensed clinical social worker who also has been quite active in domestic relations cases; she has been a Senior Family Conciliator for the Superior Court of Los Angeles. These two works provide useful insights, helpful to lawyers and nonlawyers alike, in matters of general and specific interest.

*You and Your Clients* is more relevant to the practicing lawyer, though social scientists can read it profitably. Fundamentally, Clawar examines how lawyers often function as social psychologists, whether they realize it or not; it is not unfair to say that many of the best attorneys are well-aware of this function.

When you advise clients of their rights and options, for example, you are an *advisor*. When you explain the risks of a certain tax shelter or custody decision, you serve as *educator*, moving on to *translator* when you explain the legal terminology of a petition or pleading. A fourth function is *negotiator*, used in settlement talks or arbitrated disputes; contrasted by the traditional role of *litigator*, encompassing your court time as well as trial preparation. (p. vii)

What Clawar seeks to do in this book is provide some predictability as to how “clients feel and react in the legal setting,” and in detailing this he provides insights that the social scientist will find illuminating (p. vii).

He discusses the vulnerability and fear, the indecisiveness and mistrust, the avoidance, selective memory, fantasy, and hostility that often beset clients. More importantly, he provides useful tips for the practitioner on how to handle such dilemmas. His advice is so striking that a teacher, a physician, or anyone having to deal with students or patients or clients can glean nuggets of information.

The same holds true for his discussion of how to deal with staff. He gives guidelines concerning what to look for when hiring a secretary, other employees, and associates. Some readers will find the author’s pointers concerning how to collect promised fees from “nopayers” and “slowpayers” the most beneficial section.

Nevertheless, despite the sterling qualities, the reader may close this book hungering for more. For example, even the most nontheoretical, practice-oriented lawyer may still desire some sort of overall perspective on this vast subject that the author’s brief treatment does not provide. Dr. Clawar’s exposition on the question of the forgetful client is of use, as noted, but there is little indication presented about what may motivate this syndrome or any indication that the author is familiar with the numerous lengthy treatises that have been penned on this crucial subject.

*Children Held Hostage* is a disturbing book. Drawing upon their immense experience in domestic relations cases, the authors present disturbing examples of how a parent may seek to “brainwash” or “program” a child against a targeted parent in the context of a divorce, separation, or the like. A purpose of such tactics is to turn a child against the targeted parent for purposes of gaining custody or seeking revenge. With some clarity and passion the authors tell of how such practices not only can backfire against the manipulative parent, but also can exact enormous damage against the children involved. From the point of view of lawyers, this book provides further evidence that domestic relations can be one of the most dangerous and painful areas of practice. Of late a trend has developed of angry parents attacking physically the lawyers in domestic relations cases, and a number of deaths have resulted.

Like *You and Your Clients*, this book is lightly footnoted, but that does not detract from the quite discerning treatment of the issues. Undoubtedly, one of the most controversial chapters in this book is the one entitled “The Female Factor: Why Women Programme More Than Men.” They list a number of factors, including the subordinated economic role of women in this society that often makes

divorce more harmful to them, how society reinforces the idea that women gain identity from parenting and the related idea that the process of pregnancy gives women a closer connection to the child. Their clinical and research findings revealed that “between 4 to 85 percent of females compared with 2 to 25 percent of males were involved in programming/brainwashing of their own children. Furthermore, females were more likely to fit at the extreme end of the continuum in degree and type of programming/brainwashing” (p. 155). Though this is an extremely sensitive topic, the authors discuss it in a manner that most will find effective.

But, again, this chapter and others as well would have benefitted from drawing upon other studies ranging far beyond the authors’ “clinical and research findings.” This is far from being a fatal flaw but it is a flaw nonetheless.

Both of these books are well worth reading and make a signal contribution to clinical sociology. As one who has practiced law—including domestic relations law—I enjoyed both books immensely.

**Teenage Wasteland: Suburbia’s Dead End Kids**, by Donna Gaines. New York: Pantheon, 1991. 262 pp., \$23 cloth.

*Suzanne M. Retzinger*

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*Teenage Wasteland* is about teenage subcultures. The book begins with a suicide pact among four teenagers. Although it takes place in urban New Jersey, it could be Anyplace, USA: It is a social-psychological case study of teenage lives. Gaines shows how “young people are still the only minority without formal representation. . . . [They] suffer more absolute structural regulation than anyone. . . . The larger societal system seems to set up to strip young people of their desire for self determination” (pp. 239-40).

The book is written in an experiential, journalistic mode. A certain group of teenagers called “dropouts,” “troubled losers,” “druggies,” and “burnouts” are labeled and stigmatized by the larger order. Gaines hung out with them, got their confidence, and went into their lives and into their heads to know their experience and what it feels like to carry these labels. She shows the social psychological structure of their lives, and the importance of context in understanding their experiences and feelings. She goes into their experience in a way that leaves the reader identifying with the loneliness and hopelessness of their worlds.