Identifying and Managing Antisocial Personality Clients

By Paul Fisher

Antisocial personalities are by far the most fascinating, challenging and dangerous clients to deal with. This group is skilled at fooling attorneys, judges, and most mediators. They make up 2 to 4 percent of the general population and half of the prison population. Approximately 70 percent are men.

There is a strong biological component involved. (Kathie S. Nichols, "Breaking Impasses: Strategies for Working with High Conflict Personalities," 20 American Journal of Family Law 226, (Winter 2007)).

More than 75 percent of sociopaths are alcohol dependent, and 50 percent abuse drugs. Sociopaths almost never seek treatment. (Martha Stout Ph.D., "The Sociopath Next Door," Broadway Books, 2005.)

These individuals take advantage of people, and in the extreme instance, they enjoy committing violent crimes to get what they want (Bill Eddy LCSW Esq., "High Conflict People in Legal Disputes," HCI Press, 2005.) Robert Hare, professor of psychology at the University of British Columbia explains: “A good psychopath can play a concerto on anyone’s heartstrings....

Your best defense is to understand the nature of these human predators.” Self-awareness is impossible for the antisocial personality. Just as the sociopath has no genuine relationship with others, he has only a tenuous one with himself.

Antisocial personalities exploit others as a means of overcompensating for their fear of being dominated. Their hallmarks include some or all of the following: aggressiveness, charm and deceit for their own benefit, reckless disregard for safety of others and themselves, desire to dominate others, impulsiveness, playing the victim and a lack of empathy. They desire revenge for what they believe are past injustices. There may be a lack of remorse allowing them to rationalize hurting, mistreating or committing a crime against another. ("Diagnostic and Statistical Manual," 4th Ed, American Psychiatric Association)

Some researchers say antisocial personalities have glib superficial charm that allows the sociopath to seduce others, a kind of glow or charisma, grandiose sense of self worth, pathological lying and conning, and parasitic relationship with friends. According to Dr. Martha Stout, there is always failure to acknowledge responsibility for problems, callousness, no empathy, no interest in bonding emotionally, and no consciousness. Sociopaths, ultimately, are loveless. To these people, others — even ‘friends’ and family — are serviceable game pieces at most. Sociopaths do not care about other people, but they learn to appear emotional.

Psychiatrist Christine Forest describes the sociopath as capable of engaging in antisocial acts just for fun, to see how far they can
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Push others. They then emotionally detach from them to watch them struggle. True antisocials are remorseless; they are the grown-up version of the children who cruelly torture defenseless animals for fun.

These individuals may use the legal system to harm a business partner or family member. Gathering accurate information from this client may be difficult. An antisocial person may omit critical information, and may try to deceive their attorney. Claims must be independently verified. They may also be in financial trouble. Make sure this client is current with your fee or you may never see it, and you will lose control of the relationship.

Their lack of remorse makes it difficult to negotiate with them. They may do whatever helps them, including acting remorseful. The most useful approach with an antisocial person is to remain skeptical. Accept that some people have no conscience. In a contest between your instincts and what is implied by the role an antisocial person has taken on — educator, doctor, leader, parent — go with your instincts.

Flattery may only be counterfeit charm and nearly always involves intent to manipulate. Likewise, do not be taken in by favors.

Petitioner was the mother of decedent and former spouse of respondent. Respondent was decedent’s father and successor trustee of decedent’s trust. The trust called for equal distribution of the estate to the father and mother. However, the father made distributions, which he called loans, from the trust to the parties’ surviving daughter. The mother was elderly and claimed the distributions were gifts that would not be paid back during her lifetime. The father claimed he had spent a large amount of time administering the trust and claimed extremely high extraordinary fees. This became justification for his alleged wrongful acts, a plea for sympathy, which he repeated like a mantra.

During the first day of mediation it was seemingly impossible for him to appreciate the risk of loss and the attorney fees that he would incur at trial. On the second day of mediation, two weeks after the first, I learned from petitioner’s attorney that respondent made an additional distribution to the surviving daughter. The father’s attorney was not aware of this; the father had tried to conceal this from his attorney hoping he would get away with it, and in complete disregard of the impact this might have at mediation and at trial. It wasn’t until the second day of mediation that he began to come to grips with the reality of losing and the cost of going through trial. Though he appeared to be unable to say no to the surviving daughter’s requests, he did not care about the consequences and was remorseless.

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Question your tendency to pity too easily. If you find yourself often pitying someone who consistently hurts you or others, and who actively campaigns for sympathy, chances are you are dealing with a sociopath. Never agree, out of pity or for other reasons, to help a sociopath conceal his or her true character. Ignore the plea, “Please don’t tell.” When they say, “You owe me,” you don’t. When they say, “You are just like me,” you are not. Others deserve to be warned.

A recent case illustrates this:

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