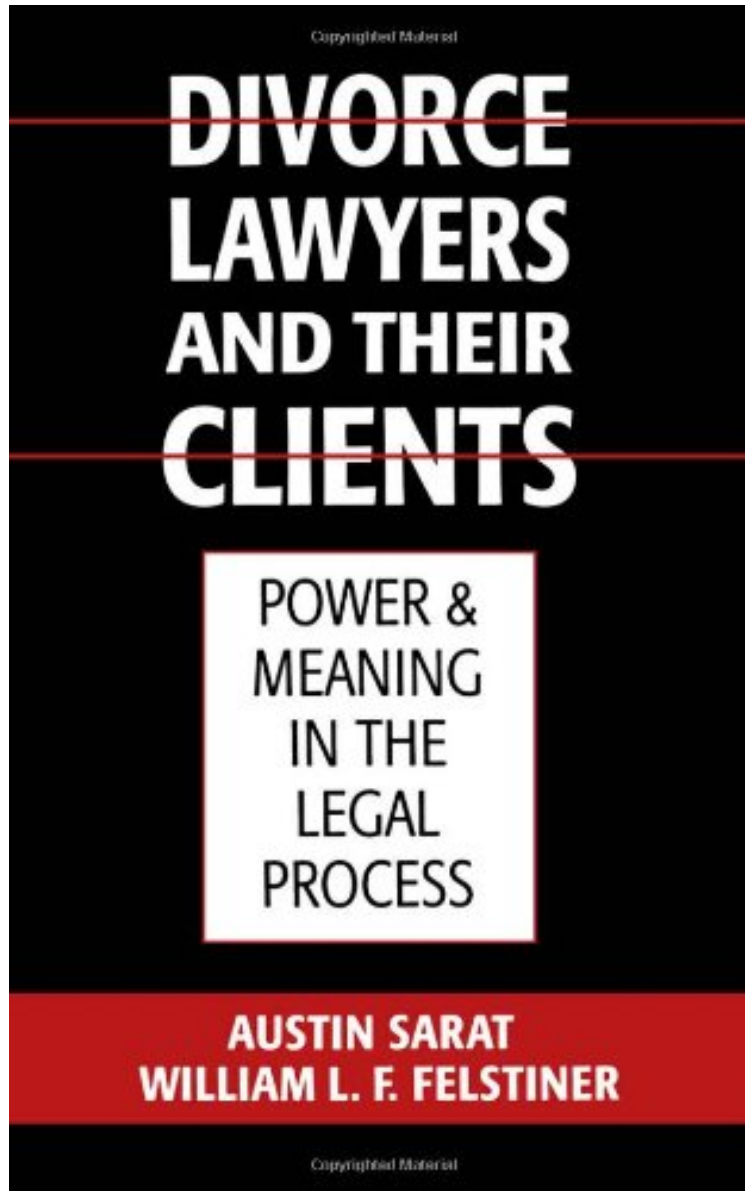


(Read free ebook) Divorce Lawyers and Their Clients: Power and Meaning in the Legal Process

# Divorce Lawyers and Their Clients: Power and Meaning in the Legal Process

*Austin Sarat, William L. F. Felstiner*  
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#4303767 in Books Austin Sarat 1995-08-03Original language:EnglishPDF # 1 9.50 x .75 x 6.50l, .96 #File Name: 0195063872208 pagesDivorce Lawyers and Their Clients Power and Meaning in the Legal Process | File size: 66.Mb

**Austin Sarat, William L. F. Felstiner : Divorce Lawyers and Their Clients: Power and Meaning in the Legal Process** before purchasing it in order to gage whether or not it would be worth my time, and all praised Divorce Lawyers and Their Clients: Power and Meaning in the Legal Process:

2 of 2 people found the following review helpful. Another great piece by SaratBy Foodie from BCThis book provided great insight to me while researching divorce lawyers and their clients. Sarat and his team provided an important glimpse into the behind the scenes experience of the divorce experience for clients. A must read for those interested in this phenomenon.

Each year more than 2 million Americans divorced, and most of them use a lawyer. In closed-door conversations between lawyers and their clients strategy is planned, tactics are devised, and the emotional climate of the divorce is established. Do lawyers contribute to the pain and emotional difficulty of divorce by escalating demands and encouraging unreasonable behavior? Do they take advantage of clients at a time of emotional difficulty? Can and should clients trust their lawyers to look out for their welfare and advance their long-term interests? Austin Sarat and William L.F. Felstiner's new book, based on a pioneering and intensive study of actual conferences between divorce lawyers and their clients, provides an unprecedented behind-the-scenes description of the lawyer-client relationship, and calls into question much of the conventional wisdom about what divorce lawyers actually do. *Divorce Lawyers and Their Clients* suggests that most divorces are marked less by a pattern of aggressive advocacy than by one of inaction and drift. It uncovers reasons why lawyers find divorce practice frustrating and difficult and why clients frequently feel dissatisfied with their lawyers. This new work provides a unique perspective on the dynamics of professionalism. It charts the complex and shifting ways lawyers and clients "negotiate" their relationship as they work out the strategy and tactics of divorce. Sarat and Felstiner show how both lawyers and clients are able to draw on resources of power to set the agenda of their interaction, while neither one is fully in charge. Rather, power shifts between the two parties; where it is achieved, power is found in the ability to have one's understandings of the social and legal worlds of divorce accepted. Power then works through the creation of shared meanings. *Divorce Lawyers and Their Clients* examines the effort to create such shared meanings about the nature of marriage and why marriages fail, the operation of the legal process, and the best way to bring divorces to closure. It will be fascinating reading for anyone who is going through, or has gone through a divorce, as well as for lawyers, judges, and scholars of law and society.

"This astonishing book provides a more concrete, intimate picture of the lawyer-client relation than I would have thought possible. In doing so, it challenges most of the conventional assumptions about lawyering. This is critical social theory with the vividness and excitement of modernist fiction."--William H. Simon, Stanford Law School

"This lively and compelling book takes the reader into the offices of divorce lawyers for fascinating glimpses into the difficult and tense moments when lawyers and clients negotiate divorce cases and discuss how the law works and what it can do for them. Theoretically, it is a brilliant interpretive study of the way meanings are made and contested in discussions between legal professionals and their clients. Ironically, it reveals the elusiveness of meaning and the fragility of the power of law in these situations. This is essential reading for anyone interested in the process of divorce or in the newest work in interpretive sociolegal scholarship."--Sally Engle Merry, Wellesley College and Past President of the Law Society Association

"*Divorce Lawyers and Their Clients* is interpretive scholarship at its best. It will stimulate scholars and instruct practitioners. While it presents to socio-legal scholars a critique and reorientation of orthodox ways for analyzing power in lawyer-client relationships, it also offers rich insights on practice to reflective practitioners of matrimonial law and to law teachers who seek effectively to prepare their students for a client-centered practice on law."--Robert MacCrate, former President of the American Bar Association, and Partner, Sullivan Cromwell

"This book illustrates what social study of law at its best can offer: vivid portrayals of how lawyers and law itself appear to clients and observers in settings usually inaccessible to outsiders. The authors brilliantly explore how lawyers and clients negotiate their own relationships, the meanings of their experiences, the relation between law and emotion, and ultimately, the place of choice and fate. Anyone interested in divorce, law-in-action, professionalism, or the struggle for meaning in the face of human crises should read and reread this book."--Martha Minow, Harvard Law School

"Everybody complains about lawyers, but no one does anything about them. One reason is that we have almost no reliable knowledge of what they do. For years social scientists said lawyer-client interactions could not be studied. But Austin Sarat and Bill Felstiner proved them wrong. This is the most comprehensive empirical investigation of how lawyers shape client understandings and objectives. The analysis is nuanced and sophisticated. It will be essential reading for both divorce lawyers and their clients as well as anyone seeking to reform the legal profession and legal education."--Richard Abel, University of California at Los Angeles Law School

From the Back Cover Austin Sarat and William L.F. Felstiner's new book, based on a pioneering and intensive study of actual conferences between divorce lawyers and their clients, provides an unprecedented behind-the-scenes description of the lawyer-client relationship, and calls into question much of the conventional wisdom about what divorce lawyers actually do. *Divorce Lawyers and Their Clients* suggests that most divorces are marked less by a pattern of aggressive advocacy than by one of inaction and drift. It uncovers reasons why lawyers find divorce practice frustrating and difficult and why clients frequently feel dissatisfied with their lawyers. This new work provides a unique perspective on the dynamics of professionalism. It charts the complex and shifting ways lawyers and clients "negotiate" their relationship as they work

out the strategy and tactics of divorce. About the Author Austin Sarat is the William Nelson Cromwell Professor of Jurisprudence Political Science, and Chair of the Department of Law, Jurisprudence and Social Thought at Amherst College. He has co-authored many previous works on law, most recently *The Rhetoric of Law*, *Law's Violence*, and *Sitting in Judgment: The Sentencing of White Collar Criminals*. William L. F. Felstiner is Professor in the Law and Society Program at the University of California, Santa Barbara and Distinguished Research Professor of Law at the University of Wales College of Cardiff.