



LEGALLY SPEAKING

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The Grinch That Stole Communication Skills

By Kristi Paulson
Special to Minnesota Lawyer

Every year, as holiday lights begin to glow and courts begin preparing for their winter lulls, a familiar visitor slips quietly into the legal profession. No one sees him climbing courthouse steps or hears him moving across hallway floors, yet he always seems to settle into law offices at the busiest time of year.

It is the Grinch, not the one who stole Christmas, but a quieter and more persistent figure who seems intent on stealing the communication skills of lawyers. He is subtle. Instead of taking stockings, he steals clarity. Instead of making off with roast beast, he helps himself to tone, patience, and punctuation. He works his way into inboxes, text threads, and legal writing until even seasoned attorneys reread their own messages and realize they have not conveyed what they intended.

Where the Grinch hides

The Grinch usually appears in moments that feel small and insignificant. A partner sends an email with a vague subject line that leaves the entire team unsure whether to panic or prepare a motion. An associate drafts a thoughtful message, but as the day grows hectic, removes every greeting and courtesy phrase that would normally soften the tone. Opposing counsel receives a hurried text that says, "We will address this later," and interprets it as dismissive rather than practical. Just as the Grinch in Whoville removed one ornament at a time, communication issues in law typically slip in quietly. Little by little, warmth and clarity fade away until unnecessary tension becomes the norm.

When a single word enlarges a problem

A civil case offers a clear illustration of how quickly assumptions can snowball. Two litigators spent nearly two years misinterpreting each other, and the entire breakdown could be traced back to a single sentence in an email early in the case. One attorney had written, "We do not have that document yet." The attorney meant to reassure the other side that the document would be located. Opposing counsel, however, interpreted the word "yet" as



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a sign that the document was being deliberately withheld. This single misunderstanding cast a shadow over the remainder of the case. Hearings unfolded with increased tension. Every communication was viewed with suspicion. By the time mediation occurred, the original legal issue was nearly unrecognizable beneath the layers of mistrust that had accumulated. One small word created a very large problem, and the Grinch could not have been more pleased.

The view from the bench

Judges are not immune to the Grinch's influence and frequently encounter his handiwork from the bench. One judge described receiving a 30-page motion when no more than eight were necessary. Somewhere around page 16, the argument stopped progressing and repetition took over. The judge's observation was clear. More words do not improve communication. Another judge recalled a hearing where two attorneys spent several minutes arguing about who was supposed to call whom. The substance of the motion sat untouched while frustration grew over a misfired exchange that could have been resolved with a single, simple conversation. In both situations, the Grinch found his way into the proceedings because assumptions took the place of clarity.

How the Digital Age helps the Grinch along

Modern technology provides the Grinch with more entry points than ever before. He appears when emojis are used in place of sentences, when clients send late-night messages expecting early morning responses, when lawyers skim instead of read, and when autocorrect transforms harmless sentences into problematic ones. He thrives on reply-all storms, cryptic abbreviations, and emails that begin with "per my last message," which are rarely interpreted as friendly reminders. As communication becomes faster and expectations of immediate availability increase, the Grinch grows more confident in his ability to create confusion and conflict.

Sending the Grinch packing

Lawyers across many practice areas have found effective ways to reclaim their communication skills before the Grinch takes hold completely. One litigation firm implemented a "five-message rule." If an email thread exceeded five messages, the next communication had to be a phone call. This straightforward rule resolved many disputes by the sixth message, the one spoken aloud. A family lawyer adopted regular Friday check-ins with clients. Even when there were no updates in the case, the brief and predictable touchpoints significantly reduced

client anxiety and prevented misunderstandings. A trial team created a "clarity first" writing rule, requiring that the first draft of any communication be understandable to a nonlawyer before legal terminology was added. Many judges encourage signposting in briefs, using transitions such as "The central issue is" or "In summary" to guide the reader through the analysis. These approaches, while simple, have an outsized impact on clarity.

What the Grinch cannot take back once restored

The charm of Dr. Seuss's story lies not in the Grinch's disappearance but in the transformation that occurs once the Whos hold firm to what matters most. The legal profession benefits from a similar reminder. Thoughtful communication, whether in writing or in conversation, returns what the Grinch attempts to take. Civility strengthens, trust deepens, professionalism becomes more consistent, and efficiency increases. When lawyers communicate with clarity and intention, cases progress more smoothly, clients feel supported, judges feel respected, and colleagues feel understood. In a profession grounded in relationships as much as rules, communication becomes the stabilizing force that keeps matters on track.

A holiday message for the legal community

As the season approaches and calendars grow full, it is worth remembering that genuine communication is the foundation of effective legal practice. It connects advocacy, counseling, persuasion, and professionalism. If the Grinch who steals communication attempts to visit this year, may he find fewer opportunities to create mischief. May clarity return quickly wherever it has slipped. And may the entire legal community experience a season filled with civility, connection, and steady communication that supports the work that lies ahead. Happy Holidays.

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