

On Your Terms Podcast Episode 5:
What to Do When a Client is a Pain

Sam Vander Wielen: [00:00:09] So, before we start today's episode, just remember that although I am an attorney, I am not your attorney and I am not offering you legal advice in today's episode. This episode and all of my episodes are informational and educational only. It is not a substitute for seeking out your own advice from your own lawyer. And please keep in mind that I can't offer you legal advice. I don't ever offer any legal services, but I think I offer some pretty good information.

Sam Vander Wielen: [00:00:35] One more thing before we get started, also remember that I am based in the United States, so that's what I'll focus on today. With that, let's actually get into it.

Sam Vander Wielen: [00:00:51] Hey, guys. I'm so excited for you to get to listen to this episode today. But before we get started, I have to ask for some patience and forgiveness and understanding. I am in the middle of a huge move, at least for me. And you'll never believe this, but I left my podcast mic and all of my related stuff on my desk with a little note that said, "Do not pack. Do not take." And the movers took it and they packed it. Stuff happens. So, in the midst of all that, I was without my normal mic.

Sam Vander Wielen: [00:01:20] And so, I apologize in advance when you listen to today's episode, it doesn't sound as good as it normally does. So, I promise you, if you're new to On Your Terms, this is not normally how things sound. But I am also all about just being real and bringing you the episodes that you need that are full of value and helpful content. But not today with the best audio. So, with that, let's get started. Let's get into today's episode. And I so appreciate your understanding. We'll be back to really good audio very soon.

Sam Vander Wielen: [00:01:56] Hey, guys. Welcome to a brand new episode of On Your Terms. Today is a good one. I get into all the PITA issues today. Some PITA stands for pain in the *blip*. And so, we're going to talk all about PITAs today. I wish they were the fluffy kind that I love from my favorite falafel place. But we're not talking

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about those kinds of pittas. We are talking about pain clients, clients who cause you actual headaches, clients who cause you a legal headache now or down the line.

Sam Vander Wielen: [00:02:24] And the reason that this episode is so important is because you can have all the best legal stuff in place, you can have no legal stuff in place, and if you end up with a client like this, these are the clients who end up being legal headaches. So, I want to help you in today's episode avoid this as much as possible. So, I'm going to go through warning signs, things for you to look out for, things that I experience myself. I'm going to talk to you about when it's a good idea to cut bait and run from a problem client. We're going to talk a lot about prevention and how to avoid problem clients because I really just want you to avoid this as much as possible.

Sam Vander Wielen: [00:02:59] At the same time, we're going to talk about how to kind of work through some of these situations when they come up, and not take them personally, or take them as meaning anything about us as a coach. And I talk with you a lot in today's episode about how normal this is, how this is something that everyone experiences, something that people at the top of the industry, at the bottom of the industry experience. And I just, more than anything, want to normalize these kinds of experiences with PITA clients for you today so that you don't feel any sort of way about you having these kinds of interactions with people.

Sam Vander Wielen: [00:03:32] So, with that, before we get into it, hopefully my voice holds out because I have been very sick for the last couple of weeks. I wasn't able to talk or record any podcast episodes for, I would say, at least two-and-a-half weeks. I'm just coughing, coughing, coughing like crazy. So, bear with me, my voice still isn't totally normal.

Sam Vander Wielen: [00:03:53] I'm also in the midst of a move, so I'm moving from Philly to New York, which I can't believe. I'm a Philly born and raised girl, never left, and it's kind of wild to me, but you can follow along on Instagram. That's been pretty fun. So, I'm in the midst of all of that. And we've got a lot of fun stuff coming for you in the next

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couple of weeks at Sam Vander Wielen LLC, so keep your eyes peeled. Obviously, I'll announce it here. I'll announce it on Instagram.

Sam Vander Wielen: [00:04:16] As you go and listen to today's episode, if it's helpful and you think that it would be helpful to your friends or your audience, please screenshot and share this episode on Instagram or your favorite social platform. Tag me @samvanderwielen so that I know and can reshare. And of course, after you've listened, please send me a DM and let me know what your thoughts are. I'm always taking new episode requests as well. With that, let's get into it.

Sam Vander Wielen: [00:04:43] Hey there, and welcome to the On Your Terms podcast. I'm your host, Sam Vander Wielen, an attorney turned entrepreneur who helps coaches and online service providers legally protect and grow your online business using my DIY legal templates and my Ultimate Bundle program.

Sam Vander Wielen: [00:04:59] So, on this show, each week, I bring you fresh tips about how to legally protect your business. But I also share about how to actually grow that business on your terms, because it is so important to me that you are doing things your way. I'm all about that here, and that is all about what you're going to learn today.

Sam Vander Wielen: [00:05:14] So, in this episode today, we're actually going to dive into a sticky topic all about problem clients. And can we just agree to call them PITA clients for the rest of this episode. So, PITA stands for pain in the *blip*. So, I'm just going to call them PITA clients for the rest of the episode. I used to work with a guy at the law firm who called people PITA all the time, and I thought it was really funny. And I love pittas, so it works. All right.

Sam Vander Wielen: [00:05:40] So, in this episode, we are going to talk about how to spot problem clients coming down the pipe. We are also going to talk about what to do when you've got a client who's a problem. And maybe it's the old health coach in me, but I'm all about prevention. So, we're going to spend a lot of time today talking about

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how we can avoid this as best as possible. But I'm also super practical, and I've been through this myself, and I know that you can cross all your T's and dot all of your I's, and you can still land a PITA. So, we are going to talk today about how to navigate these issues, how to legally protect yourself from these clients, how to legally protect yourself by avoiding these clients.

Sam Vander Wielen: [00:06:22] The reason that I really wanted to have this episode with you today was because so many people will come to me for contracts, obviously, and website policies, and they ask me questions about business insurance, and they ask me questions about do I need an LLC or sole proprietorship? And the point is, and something I'm very honest about, is the fact that you can have all of this stuff in place and be "perfectly protected" or protected as you can be - which is the better saying when you live in America or work in America - and you can still have a PITA client. And that PITA client can still sue you or that PITA client can just be a PITA, and they can drive you nuts, and make you question why you ever started this business in the first place.

Sam Vander Wielen: [00:07:09] I'm not speaking from personal experience. I'm just saying I could imagine a scenario where that would happen. So, I want to address this with you today because I am very honest about the fact that you can do all of the things right. You can get all my checklists off my website and check all those boxes, you can still end up with a client like this, and you can still end up with somebody who scares the heck out of you, and you're afraid they're going to sue you, or they ask for their money back even though you've done all the work, or they sign up to work with you, and then they say to you, "Oh, I was just trying to work with you because I'm going to start my own business that's the same as yours." And, again, none of this is personal experience. It's all just random examples that I picked from my head. But we all end up like this. And we all end up experiencing things like this.

Sam Vander Wielen: [00:07:58] I think another reason I wanted to have this episode with you today is to normalize this, because - I don't know about you - but I felt a lot of

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shame when I had my health coaching business. When I first left the law in 2016, I started my health coaching business. I had a lot of PITA clients for all different kinds of reasons.

Sam Vander Wielen: [00:08:14] I had a guy who bought sessions for his wife. And then, when his wife actually met me, she was like, "No. I'm good. I don't want it anymore." I had people who would just be rude. I had people who would be very demanding, not respectful of boundaries. I didn't know how to set boundaries, either. So, you're going to see a lot of common themes today where we might be frustrated at how someone is treating us, but sometimes it's an invitation for us to look in the mirror as well.

Sam Vander Wielen: [00:08:41] So, we have a lot of these experiences, and I don't want you to feel like there's something wrong with you as a coach, or as a provider, as a service provider thinking like, "I must not be a good coach if somebody's asking for their money back." Or, "I must not be good enough if someone is not respecting my boundaries." These things are so normal. Not only have I experienced it, and I can tell you from personal experience that these things are really normal, but I am telling you that I'm also on the receiving end of I don't even know how many text messages, and DMs, and emails, and voice notes, and everything else from friends and colleagues and other people in the industry.

Sam Vander Wielen: [00:09:18] The same people who are talking to about how much money they're making, how incredible their lifestyle is on Instagram, are the same people who are reaching out to me in the DMs freaking out when somebody asks to have their money back on a \$30,000 mastermind that they run. So, it happens to everyone, and I don't want you to take this as personal feedback.

Sam Vander Wielen: [00:09:40] Really, there are two things you need to take away from PITA client experiences, and then we're going to get into all of my tips for you

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about how you actually navigate these PITA people. And we're going to define what PITA people are.

Sam Vander Wielen: [00:09:52] But, really, there are two things that come from this. One, is that this is an invitation for us to realize that we can't control other people. And sometimes you can do all of the things and check off all the boxes, just like I talked about earlier, and you can have the best intake forms and the best warnings on your website and disclaimers and all this kind of stuff, and you still end up with a PITA client. That's fine and it just happens.

Sam Vander Wielen: [00:10:16] But two, is that whenever you have a PITA client or you've experienced some sort of PITA client situation, it is always an invitation for us to look in the mirror. So, we are going to talk about that today, where have we, maybe, let things slip? Where have we not held our boundaries? Maybe we do not have any at all? Where can we look at our language, our copy, our marketing messaging, whatever it is, our pricing strategy, even how are we and why are we attracting people like this?

Sam Vander Wielen: [00:10:43] So, with that, I want to talk a little bit about how PITA problems, PITA clients, typically present themselves in our businesses. So, either you've got a PITA prospective client and then you're not sure whether or not you should take them on or you've got a PITA current client and you're not sure if you need to kick them to the curb. That's kind of the two main scenarios that I see. You can tell me whether you've experienced something different or you've experienced that as well. But if we all raise our hands right now, I bet everyone listening to this would be raising our hands as to whether any of us have ever experienced a PITA prospective client.

Sam Vander Wielen: [00:11:18] And whether it's because your business is relatively new, or you're maybe going through a rough time, you're trying to build your business, or something like that, you're in need of building this business, you might feel tempted to take somebody on, even though your stomach is giving you all the intuition vibes of this is not a good idea. This is not a good fit. Something's off. I feel like this person is going

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to be a PITA. But I need it right, or I need the experience, or it must be me. A lot of times we turn it on ourselves. Or sometimes we think we're a hero and we think, "This person's a PITA. I can fix them. I can help. I can overcome this situation." You mean well, but a lot of times that is what happens.

Sam Vander Wielen: [00:11:59] But the point is, you don't want to get in legal trouble when it's your client. That's what we're most concerned about. When you've actually exchanged money with someone, you've worked with them, we don't want you to either get sued for something that happens from your work together. And what's way more common than getting sued is we don't want them asking for their money back after you've already performed the work. Or, alternatively, we don't want them asking you to do more work, although they've already paid you.

Sam Vander Wielen: [00:12:29] That's another thing I see with PITA clients a lot, is that they will pay you the X amount of dollars and then they come back for more. They want more. And because people are frustrated and they feel guilty, or they feel shame, or whatever, they will be like, "Oh, I'll just give it to them." So, I see a lot of that in the PITA client world.

Sam Vander Wielen: [00:12:47] When it comes to prospective clients, we are trying to prevent that scenario from ever happening. And one of the things that I feel most frustrated about when I hear so many of these stories and my inbox fills up with these stories, is that, a lot of times when you guys reach out to me, there is so much of like, "I knew this was going to be bad because -" or, "I should have known that this was going to be bad because this is how it started out. And she was a problem from the word go. And I took her on as a client anyway. And then, what do you know? This ended up happening."

Sam Vander Wielen: [00:13:21] So, a lot of times people's spidey senses are tingling, but we're not listening to them for whatever reason, or we're not acting on them for whatever reason. And then, those are the clients that end up becoming legal problems.

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Sam Vander Wielen: [00:13:33] So, the reason that I'm doing this episode and the reason I'm talking about this with you today is because you can have all that legal stuff in order. But if you are not listening to your spidey senses, or you don't have certain things in place to kind of filter out people and make sure that you're working with the right people, and you're standing up for yourself and holding those boundaries, I am telling you, those are the people that end up becoming the problem.

Sam Vander Wielen: [00:14:00] So, I remember when you become an attorney, you're primarily just concerned about billing. And so, you're just billing a million hours a month and it's a wild experience. But I was a little businesswoman from the start, from when I was very young and I used to sell lemonade on the side of the road. But I was a little businesswoman and I wanted to build a book of clients. Like, I wanted to also have clients of my own, even as a young attorney.

Sam Vander Wielen: [00:14:24] And these people would come into my life, whether it was through a personal connection or somebody I met at some sort of networking function, and they were always the most dysfunctional situations. And I would go to my boss and I would say, "Good news. I got this inquiry. This person wants to hire us as their attorney, and this is their problem, and this is what they're doing."

Sam Vander Wielen: [00:14:46] And I knew in my gut that this person was a PITA, for lack of a better term. They were wild, and they didn't want to listen, and they were controlling or mean and angry. I mean, everyone was a little bit different. But let's just say, like all of the alarm bells, all the red flags in the world were going off.

Sam Vander Wielen: [00:15:04] And I was so desperate at the time to be like, "No. I can make this work." I just want to show the firm that I can do this. I want to show them that I can build this business. I would take them on. Every single time, they would end up being a major problem. They would end up costing the firm something, ask for their

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money back. They would just fire us. It would just end up being not worth the amount of money they paid us at all. We lost money on the transaction. It was just a giant mess.

Sam Vander Wielen: [00:15:33] And I thought that one of the things that I learned that was so helpful as an attorney was kind of like what you hear people say about dating - which I'm the last person to give dating advice, ever - when somebody shows you who they are, you kind of have to believe them. And so, maybe this is the Philly girl in me talking who has a little bit of a hard time letting my guard down sometimes and all of that good stuff, but bear with me.

Sam Vander Wielen: [00:15:55] I think that in business, if you are somebody like me who has a very quick intuition, has a very quick read on people, you get this gut feeling, sometimes you don't trust yourself, and you go with like, "Oh, well. I should be doing this. I should take on business. I shouldn't turn people away. I have no right to turn people away. I should be helping them. They need my help." If you're someone like that like I am, then this episode is really for you because we've really got to train this muscle.

Sam Vander Wielen: [00:16:23] This really is like a muscle. And as your friend, I will tell you, this is not something I expect for you to get right today. So, this is something just like dating, it is perfectly fine for you to stumble through. You can go in a couple of bad dates. You can have a couple of bad breakups. And there are going to be a lot of marriages in your future. A lot of engagements to other client. And that is amazing. That's what you're shooting for. But in order to get there, you're going to have a lot of bad dates. So, I just don't want you to feel like you've messed something up because you're not getting this right. Or you thought you were doing things right and things are going well for a while and then a PITA client slips through the cracks.

Sam Vander Wielen: [00:17:00] My business has grown so immensely in the last year or so, and we have PITA clients slip through the door because the business is so big now that I don't know who's coming in. So, it's always pushing me to look at things differently, to improve, to tinker. I am a huge fan of being a scientist and experimenting.

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And I take it as feedback. I take it as data. I take it as an opportunity for me to look at the business and see where the holes are. See where my holes are. Or, also, just look up at the universe and be like, "Oof, PITAs. They just slip in sometimes." That just happens. It's okay. It really is okay.

Sam Vander Wielen: [00:17:36] Well, what wouldn't be okay though is a PITA slipping through and trying to sue you, and that's is what I want to prevent, first and foremost. Obviously, I also want to prevent them from ever asking you for their money back or something like that.

Sam Vander Wielen: [00:17:47] So, this has so much less to do with them, with the PITA. I know I spent a lot of time talking about PITAs. This has less to do with them and more to do with you, and knowing who you are, what you do, and what you will tolerate, a.k.a. your boundaries, what you are comfortable with, what you're willing to do to make the sale, to get the client, to do the work, whatever it is.

Sam Vander Wielen: [00:18:09] And I also just want to put kind of a blanket disclaimer on this episode, and whenever I talk about this subject, I always say this, it's not a judgment of the other person. What I'm talking about, I'm not trying to say PITAs are bad people or that they're not - I don't know - a good coach if you work with other coaches or something like this. It's just that you and them are not a good fit, and that's totally fine. There's somebody else they're going to gel with.

Sam Vander Wielen: [00:18:33] Just like there are tons of people for me, they're huge people online that everyone loves, and I'm like, "Oh, man. I had to unfollow, mute, and all the things. It really bothers me." Everybody has got their different cup of tea, and it's totally okay. I think it's such a waste of time to spend your time worrying about or trying to figure out why those people aren't, or why this person didn't like you, or why this person don't want to work with you. And just spend whatever amount of time you would have been doing that on finding the people who do need your help, because there are way more people like that.

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Sam Vander Wielen: [00:19:05] So, as we get into this, I'm going to break this down in a couple of different sections today. In this episode, I'm going to talk about warning signs. I'm going to talk about when to run. So, that's if you're already working with someone or maybe even if someone tries to sign up with you and you're just about to work with them, when to run. How to avoid problem clients, because I'm a big prevention person. And then, how to terminate a client properly, because there actually are a lot of legal - I don't know - landmines here about trying to properly and gently end a client relationship. Because even sometimes terminating the client relationship can get you sued.

Sam Vander Wielen: [00:19:41] So, with that, let's get into it. So, I feel like you can't talk about PITA clients without talking about warning signs. Whether we're talking about dating, or clients coming on board, or hiring a contractor, or whatever, there are a lot of people who give you warning signs.

Sam Vander Wielen: [00:19:59] Sure, I can give you a couple of examples of what some hard and fast warning signs are. However, warning signs are really different for all of you. What might be a warning sign to you might not be a problem for me. I'm super sensitive, so I probably have a lot more warning signs. And as my business has grown, my warning signs list has gotten a lot longer. And I have that privilege and luxury now of being able to be like, "No. No thanks."

Sam Vander Wielen: [00:20:24] But when I was in the beginning, I had a very short list of warning signs. And I didn't really have the luxury of being like, "I don't want to work with this person." So, I understand this list can grow and this list can evolve. And it's not a hard and fast list. So, this might be different for you. But, overall, I want you to think about coming back to this concept that when somebody seems like a PITA or acts like a PITA, believe them.

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Sam Vander Wielen: [00:20:48] I want you to work on not making excuses for them and saying like, "Well, they're going through a hard time, or they're sick, or there's this." That might all be true and it might not fit with your boundaries. It might not fit with what you're looking for, the kind of vibe or the mood or the type of work that's required for you to work with them.

Sam Vander Wielen: [00:21:06] I think one trend that I've always noticed as a warning sign when it comes to PITA clients is that, people will ask you to twist yourself into a pretzel to accommodate them. I think one of the biggest pet peeves, I guess, of mine is that as a coach or as a creative and service provider, you go through all this trouble and all this work to put programs together and packages or create products, digital products like me.

Sam Vander Wielen: [00:21:31] And somebody asks you like, "That's great. Thanks for spending all that time. But if you could just make it like this for me?" Basically, everything is supposed to be custom for them. And this is a common trend that I see in our industry way beyond PITA clients, but in general, a lot of people struggle with the idea that they think everything is for and about them. And so, people have a hard time just taking things as they are.

Sam Vander Wielen: [00:21:53] And I call the Starbucks of online business, that people think they can walk into my online shop and be like, "I want extra foam, super hot, light, and this." I don't even know, whatever, like all of the combinations, and you're like, "No. That's not how it works." It's just like, "This is here and everybody else needs to get along with it. So, you're going to have to figure this out."

Sam Vander Wielen: [00:22:13] And, again, coming back to what I said earlier, it's no judgment about that person. Maybe that customer needs something different than what I offer. That's okay, but I don't need to twist myself into a pretzel or my products into a pretzel to accommodate them. Because I'm telling you right now, the amount of time

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that you will spend pretzling all over the place to try to twist yourself into different positions to accommodate people is such a waste of time.

Sam Vander Wielen: [00:22:38] Because what that really means is that that person is not your ideal customer. If they don't need what you have, and if you've done things properly, and you've designed your products and your programs to fit your ideal customer's needs, then that person is not your ideal customer. So, all the time that you spend going around and twisting your services and products around for them is just a diversion. It's just creating a distraction. It's taking you away from what really matters and what you really need to focus on.

Sam Vander Wielen: [00:23:05] So, I think the pretzel twisting was one of the biggest PITA kind of things or potential PITAs. Because what's going to happen is you're going to twist and you're going to give it to them. You're going to create this different program or offer them a different coaching thing. They're going to start working with you and then go, "I'm good. It turns out that you're not really what I was looking for."

Sam Vander Wielen: [00:23:22] And what do you know? They gave you that warning sign. They told you up front when they asked you to twist yourself into a pretzel, they were telling you already that you were not the right fit for them because you didn't have what they wanted.

Sam Vander Wielen: [00:23:34] By the way, this is not such a hard and fast. Everything in life is not so black and white. So, I'm not talking about someone contacts you to create some sort of program, and you speak with them, and it's like, they're really the right fit it's just that they need this different thing.

Sam Vander Wielen: [00:23:49] I'm talking about, you know, people contact me all the time and they will say, "Can you let me have access to the Ultimate Bundle, but then give me all these different contracts and templates and website policies for a t-shirt shop." And it's like, "No. I don't do physical products." So, if I wanted to create an

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alternative to the Ultimate Bundle that was for physical products, then that's fine. I create something then I sell it to the masses.

Sam Vander Wielen: [00:24:14] But if every time I got one of those emails - I mean, I got an email the other day about somebody who makes doll heads - I'm not kidding. I got an email from lady who acts as a mermaid at children's birthday parties. I get from Etsy Shop people. I mean, all over the place that are different than what I do - and if I ran off and created products for every time I got one of those emails, I would be more exhausted than I already am - because I'm in the middle of a move. I'd be super exhausted and I would also be taking away all of my time from my core messaging and my core marketing, which are to coaches and online service providers and service providing creatives.

Sam Vander Wielen: [00:24:50] So, it's a distraction. So, we really need to take this as a warning sign both legally and business wise. I'm always trying to combine those tips for you. And we need to make sure that we stay in our lane.

Sam Vander Wielen: [00:25:02] I would say I have two more warning signs for you. So, the second warning sign that I have for you is when somebody writes you their life story. For some reason, I don't have data on this. But I feel like if I collected data, I would feel really confident about this. When somebody writes you an email or contacts you on social media - I mean, sometimes people will send me DMs that have 20 voice memos in them or they they write me these emails telling me these very personal, long winded legal battles that they've been in from divorces to other things that have nothing to do with what I do, I kind of take that as not super respectful of boundaries. And it's a little worrisome, in that case in particular, because it shows me that the person doesn't understand what I do.

Sam Vander Wielen: [00:25:51] And so, I wanted to bring that up to you because that can act as a really good warning sign in the sense that, if you're maintaining your scope of practice - which if you haven't already, you can go back and listen to Episode 2 of the

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podcast. I talked about scope of practice, which is what you can legally do in your business - you shouldn't really be knowing all that information. You shouldn't be taking all of that in.

Sam Vander Wielen: [00:26:15] And so, sometimes when I get emails like that where someone's telling me, like, the most intense, long legal stories, or sometimes people attach legal documents and they send me these emails, I'm like, "Oh, they don't understand what I do. And so, in some cases, it's just an opportunity to write and say, "Thanks so much." In my case, would be like, "Yes. I'm an attorney, but I don't practice law. I don't represent anyone. I don't offer any legal services. I sell legal digital products." Maybe they just misunderstand, and it's totally fine to give them the benefit of the doubt and let them do with what they want.

Sam Vander Wielen: [00:26:50] But other times - and it's kind of a case by case basis - to me, that's a huge warning sign and it's like, "Hey, I'm not the person for you. What you really need is a -" and maybe we can insert the blank here, like lawyer, doctor, therapist, whatever, physical therapist, or something. So, they probably need something other than you. And that is a really good warning sign to see that this person might not respect your boundaries. They might not understand exactly what you do and your scope of practice. So, I would say that's a really good second warning sign.

Sam Vander Wielen: [00:27:22] Third and final warning sign I want you to pay attention to is when people ask you to prove yourself beyond a reasonable amount. So, whether somebody writes to you and says, "Why should I hire you when I could just talk to my doctor?" Or, "Why should I talk to you when I could get my own therapist?" Or whatever it is, sometimes I've heard people will contact my copywriter friends and say, "I'm thinking about you and this other person. She seems so much better than you, so why should I hire you?" Or something that kind of comes off rude.

Sam Vander Wielen: [00:27:56] And, personally, I feel like people in our industry should just do the shopping themselves. I don't think you should pass that on to

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somebody else, but that's like a separate podcast. I'm just one, I guess. But my husband, Ryan always says that I should have a whole new podcast called And Another Thing Where I just go off on rants of my pet peeves. One of them is when people write to you and ask you to prove yourself beyond a reasonable amount.

Sam Vander Wielen: [00:28:20] Because I feel like as a customer, you should look at the person that you're interested in hiring or buying from or whatever, and you do your research. Just like you don't walk into Target and ask them, "Why are you better than Walmart?" You just look at the products, you look at the prices, you think about which business do you like better, or maybe the location you like better, or whatever, and then as a consumer, you decide. So, I don't know why people treat us differently in this industry, but they do.

Sam Vander Wielen: [00:28:46] And, personally, this is something that really irks me. And if people ask me, "What's the difference between your templates and someone else's?" All I can do is talk about my products. All you can do is talk about your coaching. How can you compare yourself to these other people? I also don't really feel like that's a great headspace for you to be in or a great way for you to be spending your time.

Sam Vander Wielen: [00:29:08] So, personally, I will say, "You can check out my references here," or "Listen to client stories here," or "Learn more about my work here or my background. I have a podcast. I have a blog. I do all this stuff on Instagram. Here's all this stuff."

Sam Vander Wielen: [00:29:25] But beyond that, I'm not going to argue for myself. My lawyer days are over, so I'm not arguing for myself. I don't have to justify and prove my worth in that way. I've done the work that has really proven that. And so, I want you to protect yourself in that way if someone asks for you to prove yourself in a way that you feel is unreasonable, beyond just asking some logistical questions like how does your program differ from this or something like that.

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Sam Vander Wielen: [00:29:52] So, those are a couple of my warning signs. If you have warning signs that you want me to include in the future, I would love for you to DM me on Instagram, let me know what you think. But those are the biggest ones that came up for me when I was thinking about this today and I wanted to share with you.

Sam Vander Wielen: [00:30:13] Have you ever felt lost about where to begin with the legal side of protecting your online business? Some people say you can just wing it at the beginning and get officially set up later. Not a good idea, by the way. Whether you're afraid to even start working with clients because you don't want to do something wrong legally and then get in trouble or your business is growing and you sort of forgot to take care of the legal pieces, I've got you.

Sam Vander Wielen: [00:30:35] I don't want you to live in fear of the internet police coming after you and your business, but you do have to do certain things and get certain things in place in order to legally and safely run your business online. As much as it just feels like an unregulated Wild Wild West online, that is very much not the case.

Sam Vander Wielen: [00:30:52] As an attorney turned entrepreneur and former corporate litigator, I can assure you that there are rules. There are real steps that everybody who runs or starts an online business needs to take. And you're not behind at all. We can get you set up and following the rules right away. In fact, we can even do it today.

Sam Vander Wielen: [00:31:09] I want to teach you the five very simple steps to take to legally protect and grow your online business. You don't need an MBA to be a successful entrepreneur and stay out of legal hot water, but you do need to dot your legal I's and cross your T's in a few key areas that can't be skipped. That's exactly what I'll teach you in my free one hour legal workshop called Five Steps to Legally Protect and Grow your Online Business. Just head to mylegalworkshop.com, drop in your email

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address, pick the time, and I'll send you a link to watch the workshop video whenever you have time.

Sam Vander Wielen: [00:31:38] This is the best place to begin if you're just getting started legally legitimizing your business. So, head on over to mylegalworkshop.com and sign up to watch Five Steps to Legally Protect and Grow your Online Business now.

Sam Vander Wielen: [00:31:56] Otherwise, I think that it's really helpful to talk about when to run. So, we might get our ears perked up when some of these warning signs happen. But when is it right for you to bolt? So, I would say that it is right for you to run from a PITA client when they continually ask you to go outside of your scope of practice and don't respect you trying to stay within it. And you verbalizing like, "Hey, that's not within my scope. That's not something I can help you with."

Sam Vander Wielen: [00:32:27] And, of course, again, go back and listen to Episode 2. But make sure that you didn't kind of falsely advertise that you could help them with something that you can't. You don't want to advertise that and then when they ask you about it, you'd be like, "Oh, I can't help you with that situation." So, we want to make sure that we're consistent and I talk a lot about it in that episode.

Sam Vander Wielen: [00:32:43] And by the way, people might make a mistake. These clients might innocently just ask you a question or ask for you to do something for them, and they don't know that it's outside your scope. And so, that's not the problem. The problem is when you tell them that and then they ask again, and again, and again, and again, and they're not being respectful. And that can apply across many different scenarios beyond just scope of practice. But continually disrespecting your boundaries, your wishes, the things that you ask for is not okay.

Sam Vander Wielen: [00:33:17] So, that is also a huge red flag for me, legally speaking. Because if people are constantly asking you to go outside your scope, I am concerned that you're working with a client who needed something different than you.

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And kind of going back to the beginning of this episode, I tell you, yes, maybe it's just a client who was a pain and didn't listen. And maybe you did all the things, maybe you properly talked about your scope, and your copy was good, and all of that stuff, maybe you did all the things right. But if they still didn't listen, I am concerned about them now working with you anymore, and it would be a good time for you to run.

Sam Vander Wielen: [00:33:51] The other scenario, though, that I talked about in the beginning of this episode is that, that might also be a good time for you to look in the mirror and think, "Okay. Let me go back and think about, was there anything in our discovery call that maybe she could have taken away from that, that made her think that I could help her with this?" Or, "Was there anything in my marketing, is there anything on my website, in my emails that made her think that I could help her with this?" And so, when that happens, it's always a good time to take a step back and just look in the mirror.

Sam Vander Wielen: [00:34:19] And maybe you look and you realize like, "I think I did everything to the best of my ability. I'm not perfect." That's okay, we're not asking for perfection. "But I don't think I was misleading in any way. I think this person just wasn't listening." And they slipped through the cracks. That's okay. But that would be, in my eyes, a good time for you to run.

Sam Vander Wielen: [00:34:38] And like I said at the end, we'll talk about how to properly run, how to properly terminate that client relationship so you don't get in legal trouble.

Sam Vander Wielen: [00:34:45] So, another scenario that I think would be a good time to run is that you find out that through, maybe, the course of your work together, through no fault of your own, that they need help outside of your scope and you're not the best person or the most qualified person to help them given what they need.

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Sam Vander Wielen: [00:35:02] I had a customer contact me the other day about a client expressing some suicidal ideation, and that's wildly outside her scope. And so, it was like, "Okay. This obviously wasn't brought up when this person was coming on, but now I know." And so, now, it's a problem. And then, it's about properly transitioning that person to get the right support and notifying the right people so that that person can get help in the right place. So, that would be a good time for you not to work with the client anymore. If it's something that's wildly outside your scope, something like that really serious comes up, then that would be a good time for you to terminate that relationship.

Sam Vander Wielen: [00:35:40] I would also say, I guess more on the practical side I hear about constantly, is that, clients who constantly disrespect your time, your space, especially the scope of the work.

Sam Vander Wielen: [00:35:55] I have a lot of friends who are in the copywriting space or social media, even design like graphic design work, and they are constantly telling me about people who will contact them and then be like, "Okay. Well, can you also add this on?" Or, "Can you rewrite these emails again?" Or, "Can you just tack on an extra email, just an email?" And I'm not saying, again, the person ask one time and then you're like, boop, you're done. Terminated. Done. That's not what I'm saying.

Sam Vander Wielen: [00:36:23] But people who continually do that, you've tried talking to them, you already have the language in your contract, you point back to the language in your contract, they still don't listen, they still ask, you still say no, they still ask again, boom, terminated in my eyes. If it happens again and again and again, if it's not getting better, if the person's not willing to have the conversation, then that is a time when I wouldn't work with the client anymore.

Sam Vander Wielen: [00:36:47] Last but not least, I would definitely say that when it comes to payment, there can be some scenarios when you might want to run from a client. So, if a client is not willing to pay you, if you are providing some sort of product or deliverable - I have heard of people in the past who have contacted me and said, "I

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have this client or prospective client, and my way of doing things is that they pay -" let's say, the person's a copywriter "- half upfront. And then, before the work is delivered, then the person pays the balance, and then the work is delivered." And sometimes they'll get a client who says, "I'm not going to pay you anything until I see the work." Well, that's a hard no, that's a run as fast as you can, because that is not okay. We can't do that. We don't want to be giving out deliverables.

Sam Vander Wielen: [00:37:31] I get very emotional. I'm very difficult to read on my end emails and stuff from people who have just gotten royally screwed by people who they produced websites for, and wrote copy for, or produced a program for, like a workout program, and then the person is like, "Now, that you sent it to me, I decided I don't want to pay for it." So, we don't ever want to put ourselves in that position.

Sam Vander Wielen: [00:37:52] So, if someone is not comfortable paying you upfront for what you're worth or whatever, or if they're really yanking you around about the price, even forget about producing the work, but if somebody is really disrespectful about what you're asking to charge, to me, that's a hard no. So, I want you to look for that.

Sam Vander Wielen: [00:38:11] Last but not least about when to run, I want to encourage you to absolutely run sprint, let's say, from a person who is not comfortable signing your contract. So, I have had a lot of people tell me like, "Oh, I sent this contract to this person, they're not okay signing with it. But I'm thinking I should work with them anyway because I really need the experience." No. No. No. No. No. For so many different reasons.

Sam Vander Wielen: [00:38:33] One, because why won't they sign a contract, right? Because if there's nothing wrong, if they don't intend to cut bait or try it before they buy it or any of these other things, then why would they be so fussed? As long as your contract is not asking for their first born, I don't understand what the problem is. It's a very normal form of doing business, and it would be perfectly reasonable for you to

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have them sign a contract. So, anyone who's not comfortable doing that, that is a huge, huge, huge, huge red flag for me.

Sam Vander Wielen: [00:39:02] And on your behalf, you should be very nervous about somebody who does that because you will have no method of enforcement. So, in other words, if they stop paying you or they steal your content or they go to sue you, you have nothing to protect yourself. And it won't matter if you have text messages or emails or any of this other stuff, you need to have a properly formed contract that's properly signed, properly sent, all that kind of stuff. I have blog posts on all of these things that we can link below about how to send and sign contracts. But you need to make sure that you're using a proper contract with your clients and that if they are not comfortable signing one, I would bolt.

Sam Vander Wielen: [00:39:39] So, in order to make sure that you don't have to bolt in the first place, let's talk a little bit about how to avoid problem clients in the first place. Because my ideal scenario for you is that you wouldn't have to worry about any of these things. Like, you wouldn't have to worry about what to do when the client stops paying you or how to properly terminate if you didn't end up in these situations in the first place. And, of course, like we've talked about a few times today, it's inevitable. There are a few of these scenarios you're just not going to be able to prevent. But I think the bulk of them, you actually can.

Sam Vander Wielen: [00:40:10] So, for me, I'm obsessed with marketing, and I think so many things come down to marketing. But, for me, avoiding problem clients comes down to so much about making sure that your messaging is actually attracting the right people. And you want to focus on, I think, three things.

Sam Vander Wielen: [00:40:28] So, you want to focus on the way that you talk about money, maybe, or how you talk about the cost of your program, the investment in your program. But also depending on what you do, maybe the way that you talk about money in general, you might be inadvertently attracting people who have some mindset issues

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or some things around money. And so, if you're ending up with a lot of PITA clients who are complaining about money, or wanting their money back, or wanting to cancel, or bouncing their checks or credit card payments, then I think that would be a good time to look at your marketing messaging around money, and how do you talk about wealth, or how do you talk about investment, or how do you talk about the cost of your program. All of that, I think, would be a really good thing.

Sam Vander Wielen: [00:41:11] The other thing is time. So, how do you talk about time? In your marketing and your messaging, you're talking to people who are super busy, have no time, your crunch, blah, blah, blah, blah, blah, and you're kind of feeding into that mindset of the "I don't have time. I'm super busy. Like, I'm not willing to make time for this." I don't think that you can be super shocked when a bunch of your clients sign off of your program and then all asked to cancel their payments because they're like, "I don't have time for this program."

Sam Vander Wielen: [00:41:41] So, it's just something to take a look at to see am I actually feeding directly into the very thing that I'm trying to avoid. And so, you're actually attracting the people who struggle with that problem. It might be something to think of.

Sam Vander Wielen: [00:41:53] Last but not least, I would say that we want to think about how we're talking about things in our marketing and messaging with scope of practice. And as I talked about in Episode 2, let's take a health coach, for example, you wouldn't be on Instagram doing Instagram Stories showing yourself making a meal plan, or talking about bloodwork and lab work. And then, someone comes to work with you, you can't be shocked when that person then is like, "Here's my most recent blood work. Can you read it and interpret it for me?" That's outside of your scope of practice if you're a health coach. You're not able to do that. That's illegal. But you can actually be surprised if that's what your marketing messaging is.

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Sam Vander Wielen: [00:42:30] So, I think sometimes if we end up with some of these problem clients, it's an invitation for us to step back and look at what our marketing messaging is. So, really, with marketing, all things start if we were thinking about this in terms of attracting a client and we were looking at this and thinking of kind of funnel of sorts. Our marketing is really at the top, what we're saying on social media, what we're writing in our post, what we're writing to our email list. I hope you're emailing your list at least once a week. I have emailed my list one time a week for five years. So, make sure you're doing that.

Sam Vander Wielen: [00:43:03] But if we think about that as kind of the top, the entrance, that's really important because that's who you're going to attract, that's who you're going to take in. And then, we want to think about what are the steps from that top of the funnel, that entry point, the widest part of the upside down triangle to the tip of the triangle, which is to work with you? That's the premium, like mucho bucks, they should be working with you kind of thing.

Sam Vander Wielen: [00:43:26] So, we're attracting them with the right messaging. And then, maybe they're opting in to some sort of freebie that you have. Your freebie should relate to the person that you want to attract to help with the thing that you can help with. The thing that your programs are designed to help with. The thing that your product is designed to solve. So, we're attracting the right person with this freebie, or workshop, or the download, or whatever it is. And then, we're nurturing them through emails and through more social media, maybe even Facebook Ads, all that kind of stuff. Again, always thinking about attracting the right person.

Sam Vander Wielen: [00:44:02] And then, maybe as we're getting to the bottom of that triangle, we're thinking about - depending on what you do - maybe somebody applying to work with you, or applying to contact you, or applying for your program.

Sam Vander Wielen: [00:44:13] If you're a coach and if you run any sort of program or do any sort of coaching, this, to me, is huge. This is a huge part of your triangle

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because this is a great filter for you. So, I think having some sort of application where you have a number of questions that are pre-qualifying - so I call this a pre-qualifying client questionnaire or something like that. And, actually, in the Ultimate Bundle, I teach people about how to properly pre-qualify clients, especially from a legal perspective. So, we talk about that.

Sam Vander Wielen: [00:44:43] But this is a really important part because - going back to the dating scenario - this would be probably the part where the person is going to contact you to go on the date to find out if you want to get married. So, this is a really important part of the process. And so, through this pre-qualification process, I think you can ask people to jump through a little bit of hoops so the application can be thorough.

Sam Vander Wielen: [00:45:07] It kind of depends on who you're trying to attract. Like, do you want people who are really going to be dedicated and have a lot of time? Or you need people maybe who have a lot to invest financially? It kind of depends on what you're doing. So, some people will knock people out with asking a lot of questions, or asking if they're ready to invest, asking if there's anyone else who would need to be present on the call, or who would need to be in contact, who would be required to help make the decision. That's kind of knocking out the whole I have to go talk to my partner or my spouse responses. So, you can ask things like that. You know, you could tell people what the general range is for the investment and if that's something that they're ready for, all of that kind of stuff. So, I think that that's really helpful.

Sam Vander Wielen: [00:45:55] Now, last but not least, I want to give you a hot tip. If you made it this far in the episode, I feel like this is the best tip yet, but this is just what my friends and my clients tell me. But when you book a call - so if you allow people to book free calls with you or something like that - I think that one of the best things I ever did in my business when I was doing free calls until they got wildly out of control, was that, after someone would book a free call, they would get a little drip series of, I think, it was about three emails that will let them know what to expect on the call.

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Sam Vander Wielen: [00:46:25] And so, it was an opportunity to learn a little bit more about me, learn a little bit more about my products. At that time, I think I might have only been selling individual legal templates and then, eventually, the bundle, so telling them what that was. But more than anything, telling them what I can and can't do, and especially we will not be doing on the call.

Sam Vander Wielen: [00:46:44] So, in my scenario, it was like, they would book a free call with me, and then they would get these emails that would say, like, "Thank you so much. I can't wait to talk with you. And here are all the logistics. The number to call and where to be, and yada, yada." But then, I would tell them like, "Just so you know, I will not be giving you any legal advice on this call. So, the way that this call works is that you'll tell me a little bit about your business. I might ask some qualifying questions. And then, I'll share with you about the program or the product that would be the best fit for you based on what you shared with me. I will not be telling you how to register your business, where to register your business, which contract you need, yada, yada," unless they were asking which product to buy.

Sam Vander Wielen: [00:47:23] But the point of this call is for me to take a little bit of information and find out if I can even help. And it's not to give advice, and it's not to give all of this information. Because, first of all, all the information I give is in my product, so you can get that. And if I'm the right fit for you, you can get that. And if it's advice, I can't do that in any way. Do you see how this is kind of all coming together where this is legally protecting me too?

Sam Vander Wielen: [00:47:46] Because I'm filtering out people and I'm not attracting people who are going to want me to go outside my scope of practice. I'm being super upfront. I'm saving my time, and my energy, and my mental health, and all of that by not even getting on the phone in the first place. And then, I would give them the opportunity to cancel. I would say like, "If you booked this call and then now you realize this is not what you thought, go ahead and cancel."

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Sam Vander Wielen: [00:48:07] Do you know what ended up happening? Hardly anyone ever canceled. And if they did, it was perfect because they canceled and they'd be like, "Thanks so much for telling me. I was actually only calling you because I wanted free legal advice." People legit say this to me in emails. I used to send them to friends all the time, I'd be like, "This lady just wrote to me and said she only ever intended to pick my brain or get free advice."

Sam Vander Wielen: [00:48:28] Or sometimes - I hope you're sitting down - people would write to me and tell me they bought legal templates from someone else and that they were just setting up the call with me for some customer service, like some help, because they couldn't even get in touch with the person that they bought from. I couldn't believe it. Those were definitely the minority. I did not get very many of those emails, but I did get some, and I was actually relieved. It was like 20, 30 minutes off my calendar that I had back to do something else that was better in revenue generating in my business. So, it worked out.

Sam Vander Wielen: [00:49:00] But do you know what happened with everyone else? They were solid. Basically, my sale rate, my close rate, on all of these calls just skyrocketed because by the time they got on the phone with me, they were so primed, they were so ready, they understood what we were there for. And so, we would have great conversation. We would connect personally. They would share a bit with me about them. And I would ask a lot of questions about their business and what they plan to do. And half the time we would just start talking about business stuff and everything. And then, we would talk about what the best fit was for them if it was even the best fit. And people really appreciated when I would say, "I'm not the person for you. My products aren't going to help you." So, that was huge.

Sam Vander Wielen: [00:49:37] And if that helps you in any way, I hope that you institute this little baby funnel where people come through your marketing funnel. And then, if they have to fill out an application, have a call with you, automate a few emails to them that they can get to know you, understand what the call is and is not for, and

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give them an easy way to cancel, or say, "I'm so excited to talk with you about what I can help you with." So, that one was huge for me when I was doing free calls. I hope that it would be for you.

Sam Vander Wielen: [00:50:06] Last but not least in terms of avoiding problem clients, I would just say that you have to get more comfortable with saying no. I think pretty much everyone I know in general is trying to work on this in life. But you have to be okay with saying no, even when you don't have a lot of clients and aren't making a lot of money. Maybe things get tight. Maybe things slow down. That is not an invitation to start saying yes to things that are uncomfortable or yes to things that are not safe for you. It's always a no. And so, we have to be okay with saying no.

Sam Vander Wielen: [00:50:36] And I realized three or four years ago, if I was listening to someone like me say this, I would be like, "Easy for you to say, because now you can do this." And I felt like that at the time. So, I feel that and I hear you. But I also know that the more that you can work on that, and the more that you can trust in this process, and believe in your future, believe in the future of your business, and know that it's not worth any of the short term gain for whatever you would get that you really have to take a long, long term approach to building your business.

Sam Vander Wielen: [00:51:11] I'm a huge proponent of this. And if you're in this for the long haul, the quick hits are not worth it. They will stress you out. You will end up losing money. You will end up spending a lot of time. You will have a lot of sleepless nights worrying and wondering if whatever amount of money you took from this person was even worth it. It's not worth it, I can tell you right now.

Sam Vander Wielen: [00:51:31] So, with that, I want you to just practice saying no. I would suggest sitting with the discomfort that comes with that of, "Am I being an idiot? I'm turning business away when I don't think things are going well." I had a lot of days like that, I can tell you. And, now, on the other side of that experience, I'm just so glad that I stuck with it, and I kept my head down, and I kept speaking to the right person,

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and kept saying no to the wrong one for me. And the more you can do that, I think the faster you're going to get to that solid business foundation that you're looking for. I know that I was.

Sam Vander Wielen: [00:52:12] So, last but not least when it comes to terminating a client, we want to make sure that we properly terminate our relationship with the client. Because we don't want to just walk away and say, "See you later." So, even good things come to an end, and we want to end even good clients in a good way.

Sam Vander Wielen: [00:52:29] But if it's a bad client relationship, we want to make sure that we end things properly. And a lot of times that's a termination letter, some sort of termination of contract letter. You might see this sometimes with physicians. My mom's a doctor and when she has to kick people out of the practice, you have to send a formal letter, you have to give a referral, and let the person know. And there are state laws about how much time you have to give them for medications and refills and things. But if you're not a doctor, you don't have to worry about that.

Sam Vander Wielen: [00:52:57] But there are kind of similar forms of a termination letter for people who do what we do. And so, I would let them know very plainly that you are terminating the contract. Obviously, you want to let them know as of what date you're not providing services or access or whatever. But you also want them to know that they won't be charged. Let's say, they were supposed to get charged for future months and you haven't performed those services, then the person shouldn't be getting charged for that. So, you would want to let them know.

Sam Vander Wielen: [00:53:27] You could always spell out the reasons that you're terminating the contract, but you kind of want to keep it brief and to the point, because you don't want to get into it. We kind of want to keep it to the facts. We don't want to make it super emotional, like, "You were mean to me. You don't respect my boundaries." If it was that case, I would more say like, "For continual violation of Section

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3 of our contract." We want to think and talk like lawyers here. Not like, "You hurt my feelings," which is super valid, just not in this way. So, we want to do that.

Sam Vander Wielen: [00:53:58] We want to explain how things will wrap up, kind of want to give them next steps, if there's anything that you still owe them, or access that you're giving them, or something like that. If you have a referral, that would be awesome if there's somebody who could help them better. This is especially true when it's somebody who needs help outside of your scope of practice, it would be great to put to them in touch with someone who could help them. And I would just thank them and be kind of gracious and positive and end on a positive note.

Sam Vander Wielen: [00:54:24] But I'm actually going to link to a blog post that I wrote on this topic at the bottom of this podcast episode called How to Terminate a Contract with the Client, because I go into detail in this blog post all about how to properly terminate a client contract.

Sam Vander Wielen: [00:54:38] So, with that, I hope that this episode was helpful to you today. I would absolutely love it if you took a screenshot of this episode, tag me on Instagram @samvanderwielen. Send me a DM, let me know what you thought about this episode. Was it helpful? Was there anything? What was your biggest takeaway from this episode? I would love to know, especially if there is going to be something that you're going to do differently, or maybe something that you realize that you are doing with clients.

Sam Vander Wielen: [00:55:01] I know a lot of people when I've talked about this on social media before will just say, like, "Thanks for telling me that this is normal because I was thinking it was just me." And so, I hope more than anything today that you did take away that this is a normal part of building your business. You are not expected to nail this. All of your clients are not going to be perfect and that's okay.

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What to Do When a Client is a Pain

Sam Vander Wielen: [00:55:21] And just like anything in life, you're going to be climbing this mountain and getting better and better at this, and then you're going to slip up or you're going to have a little blip on the radar where something's going to happen and you're going to be like, "Oh, what did I do wrong?" And maybe you didn't do anything wrong. Maybe this person was just a little nutty, and that's okay. Maybe they were just having a moment, that's okay.

Sam Vander Wielen: [00:55:41] And so, we don't want to take this so personally. At the same time, we can also take this as feedback and data for what we can do differently or better, if anything at all.

Sam Vander Wielen: [00:55:53] So, I hope this episode was helpful. Send me a DM, let me know what you think. Otherwise, check out the show notes for all the links to the blog post that I talked about today. Otherwise, I can't wait to chat with you next week. Thanks for listening to On Your Terms. Make sure, please, please, please, keep building your business on your terms.

Sam Vander Wielen: [00:56:11] Thanks so much for listening to the On Your Terms podcast. Make sure to follow on Apple Podcasts, Spotify, or wherever you like to listen to podcasts. You can also check out all of our podcast episodes, show notes, links, and more at samvanderwielen.com/podcast. You can learn more about legally protecting your business and take my free legal workshop, Five Steps to Legally Protect and Grow your Online Business at samvanderwielen.com. And to stay connected and follow along, follow me on Instagram @samvanderwielen, and send me a DM to say hi.

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