

Selling Your Lawyers On Client Surveys

Lawyers often balk at the idea of client surveys. The following article gives suggestions for convincing the naysayers and advice on whether to move forward without lawyer approval.

By Sally J. Schmidt

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One positive outcome of the increased competitive nature of the legal profession has been a growing appreciation for a firm's existing clientele. As research has shown, a firm's current clients can be responsible for up to 80 percent of its business through on-going work or referrals. Beyond the research is common sense; it simply stands to reason that a firm should satisfy its existing clients before striking out to develop new ones.

This attention to clients has taken many forms in law firms, the most important of which is to implement procedures to monitor client satisfaction. To this end, many law firms are beginning to explore the concept of client surveys or audits.

Unfortunately, for many proponents of the client survey or audit process, the firm's lawyers can provide a formidable obstacle. The following reactions are not atypical:

"I don't want anyone talking to my clients."

"I know what my clients think."

"Clients will start to focus on negatives."

"Clients will think it's tacky."

"Clients will think we're in trouble."

"Clients are too busy."

Or the worst possible response:

"I don't want clients to think we'll do anything differently just because they're unhappy."

Sound familiar?

CONVINCING THE NAYSAYERS

How can you convince the lawyers that the firm should conduct client surveys? The first step, of course, is trying to sell the concept. I have outlined below some arguments or positions supporting client satisfaction surveys:

1. It's good business.

The November 5, 1990, issue of *Fortune* magazine, in an article on managing during a recession, said, "During recessions the last thing you want to do is skimp on customer service, even though this may mean forgoing some cost savings." Successful businesses—more than likely including those of the firm's clients—have systems to monitor and respond to customer/client satisfaction.

2. Clients are unlikely to tell you what they think, unless asked.

Surveys show that only 4 or 5 percent of people will complain if they are unhappy. They will tell between eleven and seventeen others, however. Simply put, clients will think what they are thinking whether you ask them or not.

3. Enormous goodwill is generated by asking clients for their opinions.

In many personal interviews which I have conducted, clients have made a comment to the effect that it was "about time" the law firm asked them what they thought.

4. New business can be generated.

In several cases, through the process of discussing legal arrangements and needs, clients have identified specific opportunities for the law firm to do additional work.

5. It is impossible to know what clients want unless you ask.

In one case, a law firm incorrectly assumed that its new client wanted the efficient, streamlined litigation file handling which its other clients dearly appreciated. In fact, the client was dismayed at a perceived lack of attention to detail, desiring instead an approach which left no stone unturned, researched to the "nth degree," etc.

6. Perception is more important than reality.

The loan officers at one law firm's major bank client complained about the slow turnaround time on documents; the bewildered lawyers said they could not process them any faster. Without knowing clients' perceptions, there is no way the firm can address or try to adjust them.

MOVING FORWARD WITHOUT CONSENSUS

Presuming mere reasoning is not effective in convincing the lawyers to conduct satisfaction surveys, is there anything else you can do? Consider: The process doesn't have to be perfect. Some firms, unable to convince the partnership as a whole, have begun the audit process by sampling a few lawyers' clients or the clients of a particular office or practice group. In some cases, armed with the results, they are able to persuade others to participate. In other firms, this attention to one group produces some healthy internal competition, and other lawyers demand the same assistance or services.

The firm's management can make it a firm imperative. In some firms, the management or executive committee has decided, and rightly so, that the satisfaction of existing clients is so important that it doesn't matter if the individual partners support the program or not. In other words, all significant clients will be included despite any lawyer objections.

If the lawyers are not prepared to respond to client concerns or ideas, the firm should not conduct the surveys. Asking clients what they think and not acting upon that information will do more damage than good.

The surveys or audits must be done well. One firm's 16-page written survey produced a terrible response because of its poor layout and overwhelming length. Other important clients were offended by a questionnaire approach instead of a personal interview.

Some things are worth fighting (and waiting) for. Proponents of client audits should continue to educate the attorneys about their importance and the process, and reintroduce the concept over time. At some point, the lawyers may be ready.

I sincerely believe that the most important marketing efforts are those which strive to monitor and ensure the satisfaction of a firm's clientele. Law firms which implement systematic programs to solicit the thoughts and opinions of their clients will be at a distinct competitive advantage in the future.