by Sally Schmidt

To Keep Clients Happy, Keep In Touch

Clients have a lot to say about legal services—both good and bad. Unfortunately, many lawyers never bother to ask.

Asking clients for their opinions often yields comments like these: "I really don't know who to call at the firm." "They need to get explanations down to a level people can understand." "I recently received an opinion letter from another law firm and was very impressed. It was succinct and easy to read."

Poor communication is at the root of many clients' complaints about their counsel. And if not remedied, poor communication can destroy client relationships.

One client, for example, reported that he was sending additional business—both his own business and referrals—to other law firms in town. When asked why he wasn't sending it to his primary firm, he replied, "Because they're too busy already. The lawyers are always telling me how busy they are, and are slow in responding to my requests."

Sometimes lawyers inadvertently communicate the wrong messages to clients. By saying you are busy, you may think you are buying time; the client's interpretation is that he or she is not as important as the other clients for whom you are working. The same holds true with slow responses to requests for written documents or status reports.

Discussions and interviews with dozens of clients make it clear that the quality of the legal work is not the only criterion they use to evaluate their lawyers' performance. Responsiveness and attentiveness are often at least as important. Satisfied clients often say things like, "My lawyer makes me feel like I'm the only client."

What follows are tips for keeping in touch with clients' needs and wishes. There can be no better marketing strategy.

- Send clients copies of letters and documents. Since most of your work is done outside of clients' presence, these will demonstrate the efforts being taken and the progress being made, and will keep them informed of the status of their matters.
- Don't go more than ten days on an active matter without an update or report to the client. Status reports or updates can be simple and often don't need to be in writing. A telephone call can do wonders.
- Give all major clients periodic (quarterly or semiannual) status reports or reviews. These can help eliminate misunderstandings, reveal upcoming assignments, anticipate potential problems, and even increase the overall volume of work.
- Don't use legal terms or jargon. Clients find it patronizing and may be too intimidated to ask for an explanation or clarification. They will resent not being able to understand you.

Rule number one: Don't go more than ten days on an active matter without an update to the client.

- Remember that lack of communication sends a signal to clients that you are too busy to take on additional work or referrals.
- Clarify your role up front by discussing important parameters with clients, such as their expectations with respect to schedules and costs, or how often they would like to be kept informed. It is easier to meet or exceed client expectations if you know what they are. Realize, too, that client expectations may change over time; you need to continually monitor their evaluation of your performance.
- If you plan to reduce a bill or provide a free service, let clients know what they are getting ("You will not be billed for . . . " or "I will not charge the full fee for . . . ").
- Send a letter of welcome to new clients. Assure them you can handle their problem or concern.
- Ask clients for a progress report. Set up a meeting after a matter is concluded (at no charge to the client) to discuss the costs, the work performed, the quality, etc. Ask: "How am I doing? How are we doing? How can we improve?"
- Clients hate surprises: delays, fees exceeding estimates, missed deadlines, etc. Keep the lines of communication open so the status of key issues can be tracked continually.
- Face-to-face communication is usually better than written. It gives you the opportunity to read nonverbal clues.
- Don't avoid problems; deal with client disputes or concerns quickly and positively. If you have turnover on your staff, address it directly with clients. If you made a mistake, level with the client immediately. If you sense the client has a problem, call and ask to set up a meeting.
- Send articles of interest or other pertinent information to clients. If you think the information will be disseminated at the client's office, write a note on the original to get "credit" for sending it.
- Be honest with clients. Don't make promises you cannot keep. If you don't know an answer, don't guess. If you can't meet a deadline, say so. This will build your credibility and your client's confidence and trust in you and the firm.
- If something needs to be taken care of by a client, follow up with him or her to be certain that it gets done. By following up and tracking results, you show that you have the client's best interests in mind.
- If another professional is involved in a transaction, such as an accountant or another lawyer, try to discuss the situation with him or her before meeting with the client.
- Be discreet. If you learn of office politics, don't abuse this confidence. Never degrade clients; they may be seated at the next table in a restaurant or just around the corner in your office.
- Try to communicate in the style most comfortable for the client. If he or she is a "numbers person," give data. If he or she is a "people person," talk about the effects on people. Some people like formal approaches; others do not.
- Have a positive approach. When a client asks for something, say, "Okay. Let me look into it and get back to you." Even if you can't do what was requested, you are showing a problem-solving attitude. Clients have hired you to solve their problems.
- Tell clients who is in charge of their matters and whom they should call with problems or concerns.
- Take time to introduce clients to even if just by telephone. Clients like to associate the names or initials on their bills with a real person. They also like to know something about the lawyers' tendencies (for example, do they tend to be liberal or conservative in proposing settlements?). Similarly, educate the lawyers about the clients' businesses and methods of operation; let them know how their assignment fits into the big picture.
- If you can do it, drop in on the client every now and then, and be certain people see you. Sometimes just seeing you will prompt a client to make an inquiry or request.
- Use engagement letters to document and clarify the relationship with a client.
- Ask clients a lot of questions about goals, budgets, file handling arrangements, personnel, etc. This will do several important things: elicit important information on the real issues; get the client involved; demonstrate your interest; and clear away any mutual misconceptions.
- If the client company has turnover in personnel, take time to establish a relationship with the new people.
- Ask clients their opinions about new services or offices. For example, "If we brought in a securities lawyer, would you consider using us for that work?"
- If you are going to be out of the office for a period of time, contact clients in advance and let them know who will be handling their matters and whom they should call with questions or concerns.
- Send clients periodic notes advising them of new laws, rulings, or other matters of interest.
- Make sure the key people at the client company are kept well informed about your progress and achievements on their behalf.
- Once a client's matter is resolved, stay in touch. Your enthusiasm after the work is concluded will demonstrate that you are interested in the client as much as the fees.
- Invite clients to in-house meetings. Ask them to address your firm's attorneys. Give them time to explain their business, industry, and method of operation.
- If a client calls to complain, be sympathetic and understanding. Then follow up to make sure any action you have promised is implemented. ☐

Sally Schmidt is the president of Sally Schmidt Consulting, Inc., in Burnsville, Minnesota. This article was adapted from her booklet "What Clients Say: A Lawyer's Guide To Better Client Relations."

ILLUSTRATION BY ROLLIN McGRAIL