

When Things Go Wrong With Clients

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Mistakes happen. Studies show that the more quickly you address a problem, the less likely the client will be to spread the bad news.

I reference Delta Air Lines here from time to time because I have been a big Delta fan, having accumulated more than 3.5 million miles with the company. As you may know, Delta recently announced some major changes to its SkyMiles loyalty program, in effect making it much harder for travelers to earn elite status and access clubs. The reaction from SkyMiles' members was swift and angry. Many noted that the changes will affect their future loyalty to the airline. Delta responded in short order by saying it heard the complaints and would make modifications to the proposed changes.

This made me think about how law firms respond to issues with clients. They happen all the time, from misunderstandings about the cost of services to disappointment at a lack of responsiveness to missed deadlines. Mistakes will happen. It's how you deal with them that matters.

Dealing With Misteps

Research shows that people who are dissatisfied with a service tend to tell 10 to 17 other people about their experience — friends, colleagues, others in their industries. But studies also show that the more quickly you address a problem, the less likely the client will be to spread the bad news and the more likely the client will be to continue using the firm.

This is not a discussion about substantive mistakes or malpractice; that is another subject altogether. But if you experience service-related problems, here are some tips for dealing with clients.

7 Ideas for Responding

- **Be proactive.** It's never fun to deal with problems, but, as the saying goes, bad news doesn't get better with time. You will gain enormous credibility by acknowledging mistakes. You usually know if you will have to spend more time on a matter than you expected or if you are going to miss a deadline. If you anticipate there will be an issue, get on the phone and alert the clients. No surprises!
- **Let the client vent.** Someone who is disappointed wants to be heard. If you are face-to-face with the client, make good eye contact, nod, take notes and acknowledge the comments. If you are on the phone, say, "Uh-huh," or give some other prompt to assure the client that you're listening.
- **Don't get defensive.** It's easy to want to respond. Some people will throw someone else under the bus ("I asked her to call you!") or try to explain away why what happened happened. People don't want to hear your excuses (or even legitimate reasons); the client is disappointed and that's what needs to be your priority.
- **Paraphrase.** Get to the issue. Summarize what you heard the client say and what, if any, remedies they have proposed. If they haven't suggested a next step, ask what they would like you to do.
- **Apologize.** Say you're sorry. You don't need to say you did anything wrong; sometimes you didn't! A client just may be frustrated at the delays the other side is causing, for example. But you can be sorry the client is angry. You can say something like, "I'm sorry this process has been so frustrating for you."

- **Don't promise what you can't deliver personally.** You may need to run something up the flagpole at the firm, like a reduction in the fee. You may need another person to act. Explain what you're going to do, for example, "I am going to pull up last month's bill and talk to Jim about next steps."
- **Follow up.** Get back in touch with the client to explain what actions are being taken and where the issue stands. Stay on top of things internally, especially if someone else was to address the issue.

There May Be Times You Cannot "Fix" a Problem

But you can look for a way to avoid the same issue in the future, for example, with a clearer explanation of the process at the beginning of the matter or more regular status reporting.

Issues will arise. How you deal with dissatisfaction will make or break your client relationships. Act swiftly, express genuine interest and follow up to show that their relationships are a top priority.

Sally Schmidt, President of Schmidt Marketing, Inc., helps lawyers and law firms grow their practices. She was a founder and the first President of the Legal Marketing Association, is a Fellow of the College of Law Practice Management and was one of the first inductees to LMA's Hall of Fame. Known for her practical advice, she is the author of two books, "[Marketing the Law Firm: Business Development Techniques](#)" and "[Business Development for Lawyers: Strategies for Getting and Keeping Clients](#)." Follow her @SallySchmidt.