

The Client

It probably is a safe bet that everyone at one time or another has been the recipient of poor service: the garage mechanic who doesn't complete the repairs by the agreed upon hour; the waitress who never returns to check on the meal; the department store clerk who disappears just as the customer approaches the counter. What many lawyers fail to realize is that much of the general population is telling similar, sordid tales about them: "He doesn't return my phone calls." "She talks down to me." "The only time I ever hear from them is when I get a bill."

Client or customer service has emerged as the business theme for the 1990s. At some point recently, virtually every marketing or business publication has stressed the same important fact: We are living in a service economy and the ability of a company or firm to provide quality service will be a factor—perhaps the most critical factor—in achieving and sustaining a competitive advantage.

Quality service is not limited to good work, as David Maister points out in his excellent article in *The American Lawyer*, "Quality Work Doesn't Mean Quality Service." The technical component of the legal assignment (the quality of the *work*) is always accompanied by a host of *service* indicators, such as responsiveness, timeliness, accessibility and

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THE KEY

TO YOUR FIRM'S

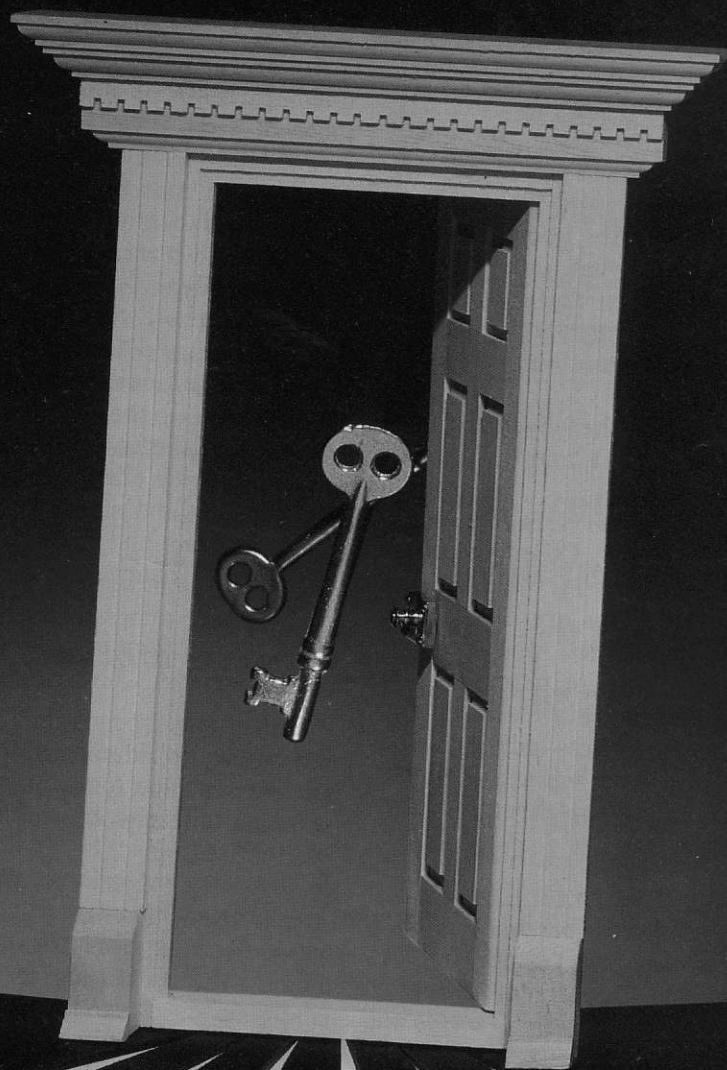
FUTURE

even the prompt return of telephone calls. Clients use a combination of these factors to judge the quality of the legal service rendered—technical work and relationship skills.

A recent study of physicians and their patients by *Marketing News* reported there was a significant gap between how the physician defined quality care and how it was perceived and evaluated by the patient. The authors, who generalized their findings to other professional services, concluded that most professional service providers do not understand the characteristics and qualities which clients/customers/patients use in evaluating the quality of services, and that things such as the attitude of the receptionist or the appearance of the lobby are important.

by Sally J. Schmidt

Service Edge



THE IMPORTANCE OF SERVICE IN THE LEGAL PROFESSION

There are many reasons that excellent service is important in law firms. First, legal services, for the most part, are intangible. Most clients are unable to judge the quality of the work; therefore, they look to other things—the interest demonstrated in them and their business, the accessibility of the lawyer or the turn-around time, for example—to judge “quality.”

Len Berry, Professor of Marketing at Texas A&M University, has concluded that people evaluate five dimensions when judging the quality of a service (in order of importance):

- 1) Reliability (the ability to provide what was promised, dependably and accurately);
- 2) Responsiveness (the willingness to help customers and provide prompt service);
- 3) Assurance (the knowledge and courtesy of employees, and their ability to convey trust and confidence);
- 4) Empathy (the degree of caring and individual attention provided to customers);
- 5) Tangibles (the physical facilities and equipment, and the appearance of personnel).

Second, legal services are “high-contact” services. Clients’ contact with “the firm” is minimal. By and large, relationships are limited to a few individuals: the lawyers with whom they have primary contact, those lawyers’ secretaries and the receptionist. How these individuals behave and respond will shape clients’ perceptions of the firm’s overall quality.

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Finally, although it is perhaps an uncomfortable notion for lawyers, much of what attorneys do is indistinguishable from the work of other attorneys. A contract written by one excellent corporate lawyer will closely resemble a contract written by another excellent corporate lawyer. And, in fact, how will the client know if he or she would have been better or worse off with another attorney? The difference, *i.e.*, the *value*, comes in the service aspects—developing a relationship with clients, demonstrating a strong and sincere interest in their problems, and making them feel like the only client.

OBSTACLES TO QUALITY SERVICE

Unfortunately, most law firms are not well equipped to provide good client service. The following are some common obstacles to service quality in law firms:

- 1) Service valued and billed on an hourly basis. The incentive for lawyers, obviously, is to work more hours—the antithesis of efficiency and good client service.

- 2) Attorneys valued and compensated on hours worked or billed. With the number of hours worked as a primary evaluative criterion of lawyer performance, two things often occur: First, important nonbillable activities may be forsaken (such as client entertainment, tours of client facilities or free status reports); and (once

again), there is an incentive to bill more hours.

- 3) Technically oriented people. Most lawyers are technicians—researchers, writers, drafters. Because of the intensive training on the “work product” side (and lack of appreciation for or training on the “service” side), some lawyers even see clients as intrusions; they would prefer simply that work be given to them with little or no client interaction.

- 4) Lack of recognition of the staff’s role. Most law firms give little acknowledgment to the role the support staff plays in providing quality service or creating strong client relationships. For example, a firm’s receptionist plays a significant part in shaping a client’s first impressions of the firm. A paralegal’s or secretary’s willingness and ability to help when a lawyer is unavailable likewise makes a strong impact. And the quality of service and work product provided by other functions of the firm (*e.g.*, messengers, word processing personnel or billing personnel) are easily ascertained by clients in the timely receipt of their documents, lack of errors in their contracts, and ease in addressing and correcting invoicing problems.

- 5) Lack of appreciation for other service indicators. The décor and upkeep of the lobby area, the time period clients have to wait in the reception room, the number of times the telephone rings before it is answered, the quality of the firm’s stationery—these factors all make impressions which clients use to evaluate quality.

COMPONENTS OF A CLIENT SERVICE PROGRAM

In order to create a client- and service-oriented environment, a law firm needs both internal and external programs to facilitate three types of communication:

- 1) From the client to the firm;
- 2) From the firm to the client; and
- 3) Ongoing, two-way communication.

The first line of communication, from the client to the firm, often is neglected in law firms, except for the channeling of work assignments. The goal is to solicit information from cli-

ents not simply about their work but about their industry, their needs and their satisfaction with the firm. Perhaps the most important and easiest communication tool to obtain this information is a client survey. While the methods may vary—from a written survey of all clients to personal interviews with the firm's top 10 clients—the service-oriented firm of the future will implement a systematic program to survey and analyze regularly clients' needs in key areas.

The second line of communication—from firm to client—should be based on the information obtained from clients. The tools for communicating to clients are well accepted by most law firms now: newsletters, seminars, brochures, memos, etc. But most firms do not yet shape the content of these vehicles around the needs and concerns voiced by clients. (In other words, what do clients want to know, not what does the firm want to tell them.) The desired messages can include substantive information (on legal developments, for example) as well as firm information (such as the firm's billing schedule and policy).

The final challenge is to establish systems and channels which promote ongoing communication—in other words, opportunities for conversation and immediate feedback between clients and the law firm. For example, if clients have questions about their invoices, there should be a well communicated and responsive method to resolve their concerns. If the law firm has a question about a client policy (for example, if the firm wants to use more than one lawyer on a client matter, where the client's policy discourages this), the relationship should be conducive to resolving this question quickly. A key tool to ensure the development of open and satisfying client relationships is a program of marketing training for attorneys and staff members. All of a firm's personnel should be counseled in client relations skills (e.g., being a good listener), policies (e.g., all client phone calls to be returned within the same day), and expectations (e.g., all clients to be called quarterly with status reports).

CONCLUSION

What does it take to make a law firm service-oriented? Three major factors:

1) Commitment from the top. The management of the firm, by its words and more importantly by its example, must promote a philosophy that excellent service is expected and rewarded.

2) Integration into all firm systems and policies. Firms which provide excellent service do not simply talk about it; they have integrated service training, policies and systems into every aspect of the firm. For example:


- Recruiting: Are we hiring people who have good client (*i.e.*, interpersonal) skills?

- Training: Have we established a system of training and reinforcement in how to provide excellent service (*e.g.*, telephone skills for secretaries and receptionists)?

- Compensation/Recognition/Promotion: Are we rewarding people based on their commitment and efforts to provide excellent service (*e.g.*, including examples of excellent service, based on client feedback, in the in-house newsletter)?

- Work Management and Allocation: When assigning files, do we orient our lawyers and staff to the client's policies and needs, and how the assignment fits into the big picture (*i.e.*, meeting client objectives)?

3) Finally, recognition of the factors clients use to evaluate service quality. By surveying clients, firms will learn not only what services clients want, but also how other office decisions impact client evaluations and satisfaction (*e.g.*, the telephone system).

Adopting a philosophy of excellent client service may be the most important thing a law firm can do to flourish in the years to come. Creating a truly service-oriented culture will require an enormous commitment on the part of the firm to hire, train and motivate lawyers and staff in ways which promote this behavior, but the rewards will be worth the effort. 

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