

The Client Matters

By Robert A. Kraft

Be nice. Okay, those of you in the "instant gratification" crowd can stop reading now and move on to the next article. You've already gotten the gist of this one. In case you were speed-reading, I'll repeat it for you: Be nice. I may mention that again at the end of the article, but between here and there I'll elaborate a bit. Really, though, showing your clients that they matter to you all boils down just to being nice to them. The rest flows naturally from that simple starting point.

I have been practicing law since 1971. After all those years, I still don't claim to know a lot about the law. But I do know a lot about clients and potential clients, having talked with many thousands of them. My law firm does personal injury, Social Security disability, and immigration law, almost exclusively for consumers rather than businesses. However, I believe that most of the suggestions in this article will apply to any type of law practice. We each have some sort of clients, and we need to let those clients know that they do matter to us.

Being nice, and thereby showing clients that they matter to you, can occur at four times: (1) before the potential client contacts you, (2) during the initial contact with the potential client, (3) during representation, and (4) after representation.

Before Client Contact

Yes, being nice and showing clients that they matter to you really can begin even before potential clients contact you. It starts with your marketing materials. Your advertising should be educational and helpful to potential clients. Provide free information that will be useful to the people who see it or hear it. That free information will convey the message that your practice is all about the clients, and not all about you. Don't just tell people how great you are—offer them something they can use whether they hire you, hire someone else, or hire no one at all. And if that information is in the form of a pamphlet or a printable Internet article, people may keep it, remember your name, and remember you were willing to share information with them with no strings attached. That will differentiate you from most other lawyers.

For example, my firm offers many educational articles and other information on our various websites and blogs. We have printed pamphlets available to potential clients and even a couple of small books that we send out free of charge. We get many compliments and notes of thanks for these materials. We also get new cases from people who originally just wanted free information from us. Don't underestimate the power of educational marketing tools.

During Initial Contact

A few years ago, I would have said "during the initial phone call with the potential client." But times have changed, and now we get many of our first contacts through e-mail. There are differences, of course, but the "be nice" mantra applies to both methods of initial contact.

First, act promptly. If the potential client calls you, take the call or have someone in your office take the call, visit with the caller, try to put him or her at ease, assure the caller you want to help, and then find out exactly what the caller wants or needs. Do this in a friendly manner. Don't take the "just the facts" approach. This conveys the wrong impression to the caller—that you're interested in the caller only as a potential fee or client file and not interested in the caller as a real person with a real problem.

If the initial contact is by e-mail, reply promptly. There's a good chance the person who sent an e-mail to you also sent an e-mail to other lawyers at the same time. Often the first lawyer to respond gets the case. Plus, a fast response lets the potential client know that you handle things quickly and that you care enough not to make the person sit and wait for a response.

Your e-mail response should always start with the words "thank you." Again, that's the nice thing to do, and the "thank you" sets the tone for the rest of your message. Let the person know that you appreciate being contacted and that you want to help. Maybe you won't have enough information from the original e-mail to know whether you can take the case, but you can still say that you want to help if possible. On the phone, always be friendly, and speak with a smile on your face. The client will hear the smile in your voice. You have to forget about that last phone call, in which opposing counsel or another client

upset you. Begin fresh with each new call and leave behind the baggage from the previous call.

If it turns out that you cannot accept the case, for any reason, don't just say no and goodbye. That's not being nice. Try to give the client alternatives to your representation. If there's another law firm that might be able to help the potential client, pass along that firm's information. Maybe there's a governmental agency that could help. A lawyer referral service might be the best you can do, but always try to give the person some type of alternative. If you can give some free advice without leaving yourself open to a malpractice possibility, do that. Sometimes the potential clients have really simple questions that you can answer and save them from having to hire a lawyer. Go ahead and answer the question—it's the nice thing to do. Finally, don't forget to thank the person again, and say you would be glad to help in the future, if an opportunity arises.

When you do get to the point where you are discussing the legal matter with the potential client, be honest and direct. Tell the client the good and the bad about the case. Don't over-promise or under-inform. In that first conference, and in all others, actively listen to the new client. Repeat words and phrases so the client knows you heard what he or she said. Converse with the new client as you would with a new friend. Find something, even something trivial, on which to compliment the client—a necktie, hairstyle, color of shirt or blouse, pleasant voice—anything that gets you down from your lawyer perch and onto the same level as your client. A sincere compliment will help put your client at ease.

During Representation

There are many ways you can show your clients that they matter to you by being nice during the actual representation. This all assumes, of course, that you are able to provide competent representation. If you and your staff can't adequately handle the legal matter, nothing else you do will make the clients feel as if they matter to you. And speaking of staff, if you'll simply hire friendly employees, you won't have to train them to be nice to your clients—it will come naturally.

Your physical office can help show clients they matter to you. Start with the atmosphere of your office waiting area.

Ask yourself if you have a private waiting area where clients can make phone calls or read without being disturbed by listening to your receptionist take calls, or by your staff engaging in conversation. Do you have a variety of current reading materials available? Do you have electrical outlets for those who need to use a laptop while they wait? More importantly, do you make your clients wait unnecessarily? We have a sign in our waiting room that tells clients they should speak with the receptionist if they have been waiting for 15 minutes or longer. We try never to keep our clients waiting at all, but sometimes there are breakdowns in communications within the office, and clients get "misplaced." Our receptionists are taught to peek into the windows of the waiting room and conference rooms every few minutes to be sure no one has been waiting too long.

Is your office appropriately arranged for handicapped clients? Do you have space for wheelchairs? Do you have any barriers that might prevent handicapped clients from getting into your office or maneuvering around inside your office? The Americans with Disabilities Act, Title III, applies to your law practice, even if you're a solo practicing out of your house.

When you do meet with your client, go to the waiting room yourself. Get the client and take him or her to the meeting room. Offer the client a drink of some sort during the visit. Cookies, or at least hard candies, always make a client feel that you've gone an extra step. When you finish your appointment, walk the client to the elevator or even all the way to the car.

Begin your representation by gathering personal information from the clients. Some of this information may be necessary for representation, depending on the types of cases. But go beyond the necessities. For instance, find out how your clients prefer to be contacted. Ask whether they can take personal calls at work. Will calling them at home create problems? Would they rather you call their cell phones? Do they prefer e-mails to phone calls? Get information about their families, so you can later ask how their kids are doing. If you have business clientele, find out the details of their businesses. Go to their offices or factories and get a feel for what they do. If appropriate, set up a client extranet so your clients can log in and check the status of their cases at any time.

Always give the impression that you're doing more than just the minimum for your client. You may be able to make a phone call to a client before or after working hours and say you were working on the case and just wanted to ask a quick question. That always makes a good impression on the client. Or you can call a client at random just to say hello. If you bill by the hour, make certain the client knows you will not be billing for this phone call. You may be able to take clients out to lunch, off the clock, just to get to know them better. For lawyers who do bill by the hour, an occasional discount or waiver of a portion of your fee can be very effective in letting a client know you appreciate him or her. This must be done before the client requests a discount, or you'll lose the effect. The same fee discount technique can also apply to lawyers who handle cases on a contingency basis.

Keep your clients informed of the progress of their cases, even if there are long periods in which nothing substantive is happening. Send copies of documents to your clients, and during the periods of inactivity, send notes just saying that all is well, and there's no need for concern. Always remember that although this may be just another case to you, to your client it may be the most important thing in the world. Make sure your client knows you understand the importance of his or her case. Try to see things from your client's perspective.

Make it easy for your clients to complain to you. That may sound counterintuitive, but most unhappy clients will never complain to you. They just will never use you again, and certainly won't refer anyone else to you. Send questionnaires with specific opportunities for the clients to state any complaints or concerns. Keep "Client Comment" cards in your waiting room so your clients can let you know how they feel about your services, your attitude, or whatever else is on their minds. Many times clients will write down a complaint that they don't feel comfortable telling you in person. Don't let them suffer in silence. If you know their complaints, you can resolve the issues. If they don't tell you they're unhappy, you can't as easily show them that they do matter to you.

I could continue for pages with more suggestions about ways to show clients they matter to you during your representation, but by now you should have the general idea—go out of your way to be nice, even if it's only a

tiny step. Your clients will notice, and they will realize that you do appreciate them.

After Representation

Yes, just as before the initial contact, you can still show your clients that they matter even after your representation is completed. In your final contact with the client, which is preferably an in-person visit, come right out and tell the client how much you appreciated the opportunity to help him or her with this legal situation. It's surprising how many lawyers never bother to say thank you to their clients. Again, just be nice.

If you can give the client some physical object, that will make a good impression. Whether it's a pen, a notepad, a pocket calendar, or perhaps something nicer, the client will appreciate the gesture. Be sure the object isn't some blatant type of advertising, like a refrigerator magnet. There's nothing wrong with giving something like that to your clients, but not as a thank you gift. The point is to give them something they don't expect, and to make it something that seems like an actual gift, not just another piece of advertising.

After the final client visit, be sure to send holiday cards, legal updates, newsletters, or other things to keep reminding the client about you. Again, these items have to be more than just advertising materials. Make them useful to the client, and the client will realize that you're doing something nice that you don't really have to do. Obviously, from your perspective, this has a marketing benefit. But from the clients' perspective, you're just keeping them informed or letting them know you're thinking about them.

Even after representation has ended, continue to send birthday cards to your former clients. Send flowers if you learn one of them is in the hospital. Send newspaper or magazine articles that mention your former clients or apply directly to their particular circumstances.

Conclusion

Be nice. There it is again. If you just do that, everything else will come easily. Your clients will appreciate you and will tell their friends and colleagues about you. The easiest way to show your clients that they matter is just to be nice.