

Six Traits of Successful Client Services

Related Professionals

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As each ACMA fellow is aware, excellent client service skills are critical to success. The six key elements of client service offered below incorporate the perspectives of both private practitioner and in-house counsel.

Be Empathetic

Generally, clients hire people, not law firms. The practice of law is a business rooted in empathy, and the lawyer's role is almost always, if not always, a piece of a client's larger plan. For example, an engagement to handle a litigation matter is likely an effort to avoid the loss of an asset that is important to a client's success. Similarly, an engagement to handle a transaction is likely an effort to capture some business advantage. In many instances, the client's reason for hiring you and the client's goal will be readily apparent. In other cases, the goal may be less clear. If you cannot confidently articulate the client's goals and the contribution expected of you to reach those goals, ask. Ask questions like: "What is your goal?"; "What results are expected of me?"; "Who will use my output and how will they use my output?"; "When do you need my output, and in what form?"; "How will my output help create the desired outcome?" As you receive answers to these questions, determine whether there is any significant contribution you can make that the client has not identified. Offer to make that contribution. Be open to the likelihood that you may need to serve more than one interest. Work diligently and creatively to get to yes. In most organizations, the organization will have a goal, and the employee to whom you report will have a goal. While those goals should be aligned (misalignment is a problem beyond the scope of this article), they may not be identical. For example, an entity client may have a goal of evaluating whether to pursue a new line of business. However, that entity's general counsel's goals may be to present a cogent description of the legal risks

that can be readily understood by members of the entity's board, appearing knowledgeable, polished, and professional in the process, while having fully understood those risks. You should understand and serve both the interest of the entity and of the general counsel.

Be Accessible

An inaccessible lawyer does a client no good. Of course, everyone recognizes that immediate access at all times is an unreasonable standard, but every client has a standard, explicit or assumed. Discuss that standard with your client. Understand the client's standards and the business reasons that support the standards. If the client has not thought about the standards, offer your own. Consider standards such as the following: return phone calls and respond to emails typically within four business hours, but always by the close of the following business day; voicemail greetings and email out-of-office replies set to provide a warning when the typical standards cannot be met; access to an assistant, paralegal, or associate during prolonged absences, etc. In short, assure the client that the assistance the client hired you to provide will be available when the client needs it. Communicate clearly and frequently about accessibility and expectations. Keep in mind that most engagements are time sensitive and many are time critical; be nimble to adjust accordingly. In keeping with the above trait, the most valued lawyers go above and beyond to not only meet hard business deadlines but to also provide the person behind the client with sufficient time to digest and incorporate the advice.

Be Conscientious

Clients hire lawyers with specific expertise. Cultivate that expertise. Stay current with regulatory, legislative, and appellate changes to the law. Maintain a clear understanding of industry norms and trends. Proactively educate your clients through client alerts and industry updates. Skills required of a lawyer include technology literacy and business acumen. Rather than finding a Luddite lawyer to be "cute," most clients find them to be annoying. Technological currency now includes cybersecurity. Not all clients ask about cybersecurity, but all expect that you have reasonable measures to protect their information and reasonable measures to move money to and from your trust account securely. Be prepared for each engagement with the technical skills to handle the engagement. If you lack the technical skills for an engagement, be open about your limitation. Ask the client for permission to involve another lawyer in your firm or another firm to handle an issue for which you lack necessary expertise. Once engaged, understand the client's goals and the facts and circumstances of the transaction or dispute. Work product should reflect the facts, the client's goals, and the current state of the law and industry. All written work products should be grammatically correct and should utilize appropriate technology and format (for example, a chart may be a more useful visual than a memo for a comparative analysis of two competing contracts).

Be Clear, Often Forget

Forget the adage, "No news is good news." A client who wonders about the status of a matter will often jump to two conclusions: (a) things are bad, very bad; and, (b) my lawyer is not paying enough attention to this matter. Communicate often, even if the communication is nothing more than a one-line email reminder that the matter is inactive awaiting something beyond your control. Never leave a client to wonder. When there are developments, communicate with them promptly and clearly, and always include detail on next steps to appropriately set expectations. Use phone, meetings, and email intentionally. Some quick communications are best suited to a one-line

email; other communications are better suited to a phone call or a meeting. Clients will have preferences about which platform you utilize and how frequently you communicate with them. Understand those preferences and honor them. Invoices should be viewed as communication tools. In fact, an invoice is the communication through which you catalogue the work you have done and demonstrate the value you have delivered and time entries that do not, on their face, denote value (internal conferences, for example) should be critically reviewed.

Be Proactive

Own the engagement. Act, but communicate, seek instruction, and proactively offer to create value. A passive lawyer that responds only to specific instructions to complete specific tasks is less valuable to a client than the lawyer who becomes a member of the team and who is actively pursuing the client's goals. Organization and logistics are often the province of the lawyer. Prepare a checklist, chart, or other process document. Offer proactive solutions that go beyond the assignment (for example, if tasked with analyzing three competing contracts for a new client initiative, offer to prepare a chart comparing key elements of those contracts that the client can use as a job aid). Assign tasks to others involved in the matter, set deadlines, and monitor and report progress. Be sure to meet deadlines for your work product, or request extensions early when you cannot meet deadlines. Be creative in proactively offering services (for example, offering to review a client's consumer agreement after a critical state law change regarding binding arbitration).

Be Valuable

Being a part of the client's team does not mean you are always on the field and on the clock. Being a valuable member of the team means you have a deep understanding of, and are thinking about, the client's business in a context that is broader than the transaction or litigation you have been engaged to handle. Think about how you can add value to your client beyond any specific engagement. Communicate relevant developments in the law and industry trends, respond to the occasional "What do you think about..." question off the clock, appropriately socialize with your clients to deepen those relationships, help with recruitment of new employees, invite clients to events, and make business introductions. Offer to provide training (including CLE credits, if practical) on hot topics based on your work with the client. For clients in service businesses, be open to trying their services as a way to deepen your understanding of the client. Understand that your success is tied to your client's success. Work to make your clients successful. Maintain a service orientation in good times and in bad; a great lawyer is top of mind when the client is in crisis.

View the article in PDF from the American College of Mortgage Attorneys.

Keith Burns practices real estate law with the belief that the difference between good and great outcomes lies at the intersection of details and business goals. His legal strategies reflect that philosophy of meticulousness combined with pursuit of practical solutions. He strives on mitigating risks and capturing return.