

Just Return That Call

Why do clients leave? It's more often due to poor communications than to bad legal advice.

Many lawyers are surprised to learn that the No. 1 complaint clients have about their law firms and their lawyers is the lack of responsiveness. Most lawyers also don't realize that the approach used in typical training programs designed to rectify this challenge is flawed.

According to the BTI Consulting Group, recent interviews with more than 180 Fortune 1,000 corporate counsel revealed that satisfaction with their outside legal counsel has dropped 5 percent to an all-time low of 30.6 percent. In terms of training, the Consortium for Research on Emotional Intelligence in Organizations reports that the delivery approach of most training fails to recognize the difference between cognitive and technical

learning and social and emotional learning. Therefore, while some lawyers become more aware of some responsiveness challenges through traditional training methods, they can't always modify their behavior and their work style permanently unless they learn through the more interactive techniques incorporated in social learning methods.

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Marketing

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WHY CLIENTS LEAVE

The perception of lack of responsiveness is the single biggest reason clients leave their law firms, so the need to rectify this is critical.

Interestingly, from 65 to 85 percent of clients who choose to leave their outside counsel are satisfied with the technical legal services their lawyers deliver, but unhappy with the quality of service, according to research reported in the 1996 book, *The Loyalty Effect: Hidden Force Behind Growth, Profits, and Lasting Value*. Clients want to be treated properly. They don't want to be put on hold, and they want someone to inform them

of the status of their issue. Clients never want to be neglected, in other words.

Proper treatment, or what we call relationship management training, is just not taught in law school. At graduation when the degree is handed out, it's as if the parting words are, "*Hasta luego*, and good luck building a practice." No foundation of how to gain and retain clients is established in law school or fostered in a systematic way at most law firms.

During more than 20 years of working with professional service firms in such fields as law, accounting, consulting, and IT, we have seen that the financial success of professionals is based on their ability to work with others, since technical competency is already assumed.

As business development consultants, we recently shared the importance of proper treatment and communications with a corporate lawyer at a large firm in Washington. "This is simply not true," he responded. Minutes later, he excused himself from our conversation in a panic to take a call from his lawyer, who was handling a personal matter for him, stating, "I can't miss this call; it's my lawyer and if I don't take it, I may not be able to reach him for days!" Upon his return, he reluctantly admitted that indeed, his clients might feel the same way.

Why is there this huge disconnect between perception and reality in the relationship between clients and their lawyers? Why are clients frustrated? What can lawyers do to rectify this damaging reality, what sort of training works, and what is proper treatment?

Lawyers tend to assume that their technical competency and the effort expended is enough to keep their clients satisfied and loyal. Yet clients expect technical competency to be a "given." They regard responsiveness, understanding of their business, and knowledge of issues they are facing as critical to their satisfaction—none of which has any relation to the technical aspect of the legal services delivered. We emphasize this during our strategic relationship marketing training with

hands-on individual experiential activities. That's when all attendees have an "ah-hah" moment, since they realize how they want to be treated.

NO MORE NAVAL GAZING

Our training on how to gain and retain clients is all about getting into the prospect or client's mind-set versus law firm-centric marketing, which we refer to as navel gazing. Our programs recognize that the social and emotional learning of relationship management techniques are completely different from cognitive and technical learning.

Issues around client relationship management and communications are included in the "Five Core C's" of our business development training. Despite lawyers' limited time constraints, this framework can be incorporated into daily client servicing. We teach lawyers the skills necessary to develop lasting professional relationships with their current clients to retain them, as well as to attract prospects and gain new clients. Firms can implement effective communication strategies to keep clients content and informed during every stage of the legal process. It's all a degree of perception. The ability of a firm to manage this has the single largest impact on client satisfaction.

Communication may seem self-evident, but the aforementioned surveys prove that communications policies are rarely formally adopted and training on their importance and implementation are not provided. Many law firms focus on billable hours and detailed tasks, but lack basic project management skills, thereby driving clients to look elsewhere for legal services.

A FEW RULES

Ironically, it's inexpensive to implement effective programs, yet thousands of dollars are lost when clients defect. Here are a few selected communication recommendations from our training:

- *The Sunset Rule.* Always return your calls before sunset on the day you receive them. E-mailing is a great option. Simply state, "I was unavailable today, but will return your call (at some specified date). Sorry to have missed you." If you can't accomplish this, instruct your assistant to respond. Clients want to be acknowledged and will understand waiting, as long as they are provided with parameters.

- *Management of expectations.* Follow through on specifics.

A will and trust attorney recently told one of us that finalization of our family will and children's trusts would go "into his queue, to be addressed in two months." Not hearing a word from him for two months will be fine, since we are aware of the time frame and know the reason. Given the same situation, with no management of expectations, we might have been mighty miffed by his silence.

Therefore, if lawyers realistically communicate commitments, clients will be satisfied.

- *Personalization, or limit the I's.* Start all of your e-mails with your client's name and sign your name at the end. People love to hear and see their names and this makes your correspondence more personal. It shows clients that you not only care about the matter but also about them. Make sure the first phrase is always personalized in their terms. A great rule is to start sentences with "you" or "I hope you," so that you know you are addressing the issue in terms that matter to your client.

- *Admit mistakes.* Always be honest when you or members of your staff mess up. Accept blame without excuses and show your client that you are sincerely concerned when you don't deliver. Humans make mistakes; only idiots keep repeating them, and fools try to cover them up. Clients admire integrity. There is nothing worse than lame excuses, particularly when they are insincere.

While there are exceptions—brilliant attorneys who rise to the top with the people skills of a rock—for most lawyers, learning how to position and manage services is critical for building a practice. Relationship management techniques are beneficial to business development.

At a minimum, law firms should adopt tailored "communication rules," as well as crisis and contingency plans and a modus operandi of "buy in your language; sell in theirs" as an approach to all business development. Most of our clients also thank us for the positive effect this training has had on their personal lives, as well as on the motivation and retention of their staff.

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