TEXAS YOUNG LAWYERS ASSOCIATION

CLIENT RESOURCE

Guide

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BE AN UNCOMMON LEADER.®

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MANAGING CLIENT RELATIONSHIPS

Once you pass the Bar Exam, you will be a licensed attorney. And no matter how young or perhaps nervous you may look or feel, members of the public will look to you for guidance regarding their most important matters. Unfortunately, there are many realities law school cannot prepare you for, and perhaps chief among these is client management. This guide, based on the experiences of TYLA Directors and other practicing attorneys, aims to bridge that gap.

GETTING CLIENTS

The first step in building a successful client relationship is, of course, getting the client. Depending on your practice area (or desired practice area), the following measures have proven effective in starting the relationship.

Building your network

- **Meet People.** Identify your ideal clients and go meet them.
  - Identify the client's role-player you need to know, and circulate in organizations that provide opportunities to meet those individuals. For example, you may need to get to know CEOs, CFOs, or chief security officers, and you should get involved in groups that help you build relationships with those people. If you are a personal injury lawyer, get to know physicians.
  - If your clients are individuals, then meet people (e.g., join your homeowners association or volunteer).
  - If you have a niche practice, it's also important to know other lawyers because a lot of work comes from lawyer referrals. Get involved in bar activities.
- **Make time for lunch.** As young attorneys who are busy trying to meet their billable hours requirements, it is very easy to get into a habit of working through lunch. But lunches are important—they get you interacting with people in the community, they broaden your network, and they allow you to begin developing business contacts.

- **Send "Thank You" Notes.** If you go to a business lunch or dinner—and particularly if a client or networking contact picks up the tab—send a hand-written thank you note. It is polite, professional, and thoughtful. It also lets people know that you took the time to write the note, and consequently, care about that relationship. Thank you notes are valuable anytime someone helps you with something—making a network introduction for you, providing advice or guidance, or helping you achieve a professional goal.
- **Volunteer.** Get involved in your community by joining activities you are genuinely interested in. Serving on non-profit boards is a great way to meet potential clients. The service opportunity is not only great for you and the non-profit, but it also allows you to demonstrate some of your professional skills while building relationships with influencers. And don't be afraid to shake some hands and be "visible." As long as you're a contributor and genuinely interested in the work you're doing, no one will be put off by your socializing.
- **Don't prejudge your contacts.** Let your network filter itself to those contacts who will be rewarding, whether it be personal or professional. You never know where good friends or good clients will come from.

Developing your reputation

- **Write articles.** Especially short articles with "takeaways." Post them on your website or get them published in reputable publications.
- **Leverage the Internet and technology.** If you have a website, make sure it's clean, simple, easy to navigate, and professional. Cover your areas of practice and don't try to be an expert in everything. Know your lane. Don't ignore search engine optimization, and don't underestimate your abilities to do this work yourself (without paying a high-priced firm for its services). Simple tag lines relevant to each page go a long way. And don't forget about the limitations on attorney advertising. Make sure you don't run afoul of your ethical obligations in that regard.
- **Never stop learning.** Being knowledgeable about a particular legal issue before a potential client calls can really help you land that client. The State Bar, the Texas Young Lawyers Association, your local bar affiliate, and other organization offer CLEs and other learning opportunities. Take advantage of those resources so that you're prepared when that new opportunity matter comes in.

KEEPING CLIENTS

Once you establish a successful relationship, do everything you can to keep that relationship healthy and mutually beneficial. There are both professional and personal aspects to keep in mind.

Maintaining the professional relationship

- **Do good work.** It seems obvious, but your main priority is to do good work. If clients can't trust your work, they won't come back to you for additional help. They also won't refer other clients to you.
- **Provide solutions.** Clients aren't looking for forms you've purchased or rote advice. They're looking for business-oriented solutions that help them pursue their core mission. This is particularly important if you function as in-house counsel for a client. Business leaders don't want to hear they can't execute a business plan, so help them find a legal way to achieve their goals.
- **Expand the relationship.** Be on the lookout for other opportunities to provide legal services to existing clients. For example, if you're a litigator, subscribe to Courthouse News Service alerts so you'll know when new lawsuits have been filed against your clients and can offer assistance. Even if the client declines to have you work on additional matters, he or she will appreciate you being invested in the business.
- **Manage your client's expectations.** Although your clients are paying your bills, you have an obligation to uphold ethical standards and not permit the client to have unreasonable expectations. Knowing where to draw the line fosters a professional, working relationship:
  - Call it like you see it. If there are issues with a client's case, don't try to hide them. Highlight the difficult issues up front. Clients will appreciate your candor and will have a realistic expectation for the outcome.
  - Don't sacrifice your ethical obligations by succumbing to unreasonable or unethical client requests. If the client is asking you to do something that your conscience (or a disciplinary rule) tells you that you should not be doing, you should discuss that with your client and consider terminating the attorney/client relationship. The money you will lose is a small price to pay for preserving your integrity and your license.

  - If you decline a representation, you should inform that prospective client of any statutes of limitations or other important issues. Consider introducing them to another attorney who may handle their case. The State Bar's "Find A Lawyer" resource can be useful in this regard. Visit https://www.texasbar.com/AM/Template.cfm?Section=Find_A_Lawyer&Template=/CustomSource/MemberDirectory/Search_Form_Client_Main.cfm.
- **Manage mistakes effectively.** Own up to your mistakes and do everything in your power to correct them at no additional expense. No one is perfect. Clients will appreciate your honesty in recognizing your mistake and will appreciate your efforts to correct your error.

Ensuring a strong personal relationship

- **Ensure a successful first interview.** When meeting with a new or existing client, create an opportunity for a successful introduction. For example, try to sit on a side of the table adjacent to, rather than opposite the client. This seating arrangement encourages rapport. Listen intently, and take good notes.
- **Communicate.** Communication is key.
  - Provide clients an outline of the work you will do throughout an engagement. Schedule an "overview" meeting at the beginning of an engagement to explain the work that will be required.
  - Throughout the engagement, refer back to your overview meeting so that clients have the big picture in mind throughout the engagement.
  - Take the time to explain concepts, and create an environment where clients feel like they can ask questions, even if those questions may not paint them in the most favorable light.
  - Respond to client emails and phone calls promptly (at an absolute minimum, within twenty-four hours).
  - Keep your clients updated with the status of their case/project. Communicate early, honestly, and often, particularly when the matter you are working on is significant, or the message to be delivered is "bad" news.
- **Never break your word.** To anyone. If you promise to do something, do it. If you're not sure you can uphold a promise, don't make that promise. If you establish a reputation as someone who can be trusted, your business will grow.

- **Get to know your client.** When you start work for a new client organization, subscribe to a Google Alert for that client or develop some method for keeping up with relevant news. When something good happens, you will know about it and can send a congratulatory note. When something bad happens, you can be there to assist. If your new client is an individual, get to know the client and his or her family. A personal relationship will foster loyalty and repeat business.
- **Keep in touch with your client.** Even after an engagement ends, monitor news related to your client and use that news as an excuse to say "hello." And take your former clients to lunch occasionally. Staying in touch will show that you genuinely care about your clients' businesses and their success, and you will be top of mind if they need legal representation in the future.

SPECIAL CONSIDERATIONS REGARDING FEE DISPUTES

At some point in your career, you will have a dispute regarding your fees. When that happens, client management skills are more important than ever.

- **Communicate and don't be shy about your fees.** Keep fee disputes from becoming a dispute in the first place. Cleary explain your fee structure to your clients upfront, and provide regular updates. Invite discussion about the work you're doing. Recognize that lawyers' rates aren't cheap and point out to the client the ways you're trying to be efficient with fees and why the bill is what it is.
- **Listen.** Listen to your client's concerns or frustrations about your fees.
- **Be flexible.** If the client is reasonable in his or her position regarding fees, consider cutting your time. Sometimes that leniency can strengthen a long-term relationship.
- **When appropriate, stand your ground.** If the client's position is unreasonable, don't be afraid to maintain your position. Conceding to an unreasonable client could establish bad precedent and encourage the client to take advantage of your leniency.
- **Retain counsel as needed.** If a client threatens a malpractice suit and refuses to pay, hire counsel to respond and to protect your interests. Independent counsel can help by objectively reviewing your work product and negotiating a settlement without the risk of an unnecessary lawsuit.

- **Manage disputes with other attorneys.** In personal injury matters, you sometimes run into fee disputes with other attorneys. If the former attorney was fired for cause by the client, you should still try to work out an agreeable arrangement with the past attorney. If he or she is being unreasonable, however, stand your ground. Don't be afraid to take discovery and depose the prior counsel. Usually the prospect of discovery will cause him or her to retreat from an unreasonable position.
- **Handling tough situations.** If you're facing a particularly tough situation, the State Bar offers the "Client Attorney Assistance Program" or "CAAP," which is designed to prevent minor concerns or disputes from becoming worse. You can visit the CAAP website at https://www.texasbar.com/Content/NavigationMenu/ForThePublic/ProblemswithanAttorney/CAAP/default.htm. CAAP can help you find a resolution that is agreeable to you and your client.
- **Make sure you provide necessary notices to your client.** Texas Government Code Section 81.079 requires attorneys to notify clients of the attorney grievance process. You may provide the notice via brochures or signs in your office, in your engagement letter, or on your bills for services. For an example of the notice, visit https://www.texasbar.com/AM/Template.cfm?Section=Required_Notice_to_Clients&Template=/CM/HTMLDisplay.cfm&ContentID=30295.

MAINTAINING YOUR SANITY

In the midst of keeping clients, supervisors, and the court happy, your emotional stability will start to take a hit. Don't ignore your own health because losing sight of your health can hinder your ability to do good work for your clients.

- **Learn to let go.** Particularly as a litigator, part of your life is now dictated by court deadlines, travel schedules, and things you just can't control. Most issues will resolve themselves with time and are not worth your stress. Exercise, read, or enjoy some other activity that allows you to let it go.
- **Set boundaries.** There will always be something to do—a new project, a new client, a new professional goal. Don't let those things take over. Setting boundaries and allowing for personal or family time will make you more productive and efficient when you are working.

- **Be flexible.** Accept that not everyone communicates or works like you do. For example, there is a very real generational gap when working with older attorneys and clients. As much as you may want them to change for your convenience (and use email more often), you need to be willing to adapt, too. And, sometimes if you do pick up the phone or have a face-to-face meeting, you get more done, gain a better understanding of the work at hand, and resolve whatever issues were holding your case back.
- **Treat everyone with respect.** Treat everyone you interact with with the utmost dignity and respect. It's the right thing to do. Plus, you will run into most people in the legal community again. You will need assistance and guidance, and your clients will benefit from your relationships. If you establish professional relationships with others, it will make the legal profession a much more comfortable place to work.

NOW YOU'RE READY

Managing client relationships will be a constant challenge. It can be stress inducing, and it can be expensive if not handled with care. However, it is a critical skill if you want to be successful as a lawyer, and it is a skill that can be learned. We hope this guide provides you with a few helpful tips. For more information about this and other helpful guides, please visit us at http://tyla.org.

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