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HOW TO LOSE A CLIENT IN 10 DAYS, REALLY?

by Kimberly Alford Rice

Last Fall, I attended the American Bar Association Law Practice Management Section's Law Firm Marketing Strategies Conference at which numerous lawyers, marketing partners and other legal professionals from across the country gathered to learn how to integrate key marketing principals into their practices as the profession increasingly focuses on the essential aspect of marketing in the business of law, for both small and large law firms.

Some of the best minds in the law firm marketing arena presented an array of topics to broaden the thinking of how marketing is perceived and utilized in U.S. law firms and how practitioners can incorporate basic principals to strengthen their practices in the current economic climate.

Among one of the speakers was James King, in-house counsel of The Boeing Company in Ridley Township, Pennsylvania. He introduced six ways lawyers can lose a client and steps to avoid those landmines.

First, advice sans counsel. Mr. King asserted that clients do not merely look to their lawyers for advice but rather their insights and wisdom into a particular problem. It is more helpful to counsel a client on the full scope and implications of a problem and possible solutions than it is to simply tell someone what to do. There is a difference in perceived value from the client's perspective.

Second, a quick way to lose a client is to demonstrate a **lapse in integrity**. Clients look to their lawyers to earn their trust through action, not just by their pedigree and resume. Once a client discovers she has not learned the complete and utter truth about a matter, regardless of how little or much is at stake, it is difficult to put the genie back in the bottle. Better to keep the lid on this one, real tight.

Third, one of the most frequent client complaints is that their lawyers **fail to communicate** with them. Because there are so many means of communications available to us, it is a useful practice to speak directly with your clients regarding their preferred means of communications whether by telephone, email, mail, fax or some combination thereof. Whatever a client's preference, adapt your communication style to respond to their needs. This will send a positive message that you are listening to your clients and that you genuinely care about nurturing the relationship.

Fourth, untimeliness is a common problem between lawyers and their clients, and is another way to prompt a client to look elsewhere for their legal services. Often in a corporate environment, in-house lawyers are required to make legal decisions by committee. A frequent complaint is that their outside counsel does not anticipate this

and accommodate their process. This problem can easily be remedied with direct communication in connection with a client's expectations of how and in what time frame they need to receive ongoing projects.

Fifth, “nickel and diming”. We all can relate to this peeve. How many times have you phoned your IT consultant regarding a seemingly simple computer glitch and subsequently received an invoice for a 15-minute consult. Most clients expect their lawyers to invoice them for outstanding matters and communications, but it reflects poorly on the lawyer and his perception of the client-attorney relationship if he invoices a client for each and every time they have any contact. In an effort to build a long-term relationship with clients, lawyers would be well served to carefully monitor their billable time and resist the urge to bill for every 6 minutes.

In fact, a powerful way to communicate to clients the value you place on your relationship is to include in your monthly invoice one or two instances where you communicated with the client on a matter but did not charge her. Show the time spent and then beside it, cite *no charge*. Clients love feeling that they are receiving a few (valuable) minutes “off the clock” with their lawyer.

Sixth, tying into the communications theme above, **clients appreciate receiving some form of “value-added” service** through the lawyer's usage of various marketing and communications tools such as newsletters, e-newsletters, legal alerts, blogging, or some other form of communications device. Not only as a means by which to stay abreast of relevant areas of law, clients appreciate hearing from their lawyer and law firm to learn how they are involved in the community, how they are positioned in the marketplace which may potentially lead to deeper connections for your client and their clients.

Lastly, while the six items described above can certainly lead a client to sever a relationship with her lawyer, it is safe to say that if lawyers heed the “Golden Rule” by treating others (in this case, your clients) as you would like to be treated (in a corporate sense, in this instance) fewer clients would decide to change teams, which is a loss to both lawyer and client.