THE NEW ELLIS GROUP

Monday Monday

Connecting the Dots with Karen Kaplowitz

Helping you create and reinforce the habits of successful career building, gleaned from my work as a business development strategist, trainer and coach

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Can This Client Be Saved? Even the most adept lawyers encounter crises in client relationships. For example, crises arise when matters don't go well or the costs greatly exceed budgets or one of the lawyers makes a mistake. Crises also occur when clients replace the general counsel with whom you had a great relationship or your clients have been successfully wooed by a competitor. When faced with a crisis or potential crisis in a client relationship, consider these options:

- Don't minimize the risks or costs your clients face.
- Do not get defensive before analyzing the situation.
- Do not automatically swoop in to rescue or displace colleagues to whom you have delegated responsibility. The client will wonder why you trusted them in the first place and your colleagues will resent you.
- Acknowledge mistakes without obfuscation or delay. In law and politics, the cover up may be worse than the "crime".
- If there was an error, take responsibility and offer to make the client whole to the extent possible.
- Focus on rebuilding trust not on defending decisions that went awry.
- Support your clients gracefully if they decide to make a change. Offer to be part of a new team or to stand aside altogether. In either case, make the transition as smooth as possible.

Since one of your core competencies as a lawyer is solving problems, the problem of a major client crisis is just one more problem to anticipate and to manage effectively.

Example: When the client relationship partner assigned the matter to another partner, she was explicit that she wanted to be kept informed so she would be knowledgeable when questioned by the client. The responsible partner did copy the relationship partner with key documents but did not copy her on all the emails. The relationship partner was blindsided when she spoke to the client and heard for the first time that a deposition of a major witness had gone badly. The client reported that the witness, a senior executive, questioned whether he had been adequately prepared. The relationship partner was concerned that if she did not take charge of the case that the firm might be replaced. But she responded to the client that she would confer with the partner assigned to the matter and report back.

The responsible partner apologized for not having alerted her to the problem but clarified that the difficulties in the witness's testimony had been anticipated and were not as serious as reported. The relationship partner then reported back to the client and emphasized that she continued to have full confidence in the responsible partner. She apologized that she had not been fully up to date on the case but she did not offer to jump back into the case. The rough patch in the case blew over. The responsible partner was very relieved to have the support of the relationship partner and reported on developments—and challenges-- on a more consistent basis. Both lawyers also made a point of informing the client that they were regularly consulting with one another.

When you encounter inevitable crises in client relationships, do you have these types of strategies in your tool box to keep a clear focus on preserving client relationships for the long-term?

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