



## Get inside your client's skin

The definition of madness is doing the same things and expecting different things to happen. Using this definition, it would seem some law firms are slightly mad.

Here are a few examples drawn from hundreds of stories clients have told me, in a multiple-choice quiz. When choosing your answer, put yourself in the mindset of the client.

**1. A law firm provides a fixed-fee price on a piece of work for a new client.** The fee is based on a mutually agreed scope of work and the scope doesn't change. The law firm exceeds the fixed fee by a small amount, but doesn't inform the client. When it's time to bill the matter, the firm sends the bill at the slightly exceeded fixed-fee price without prior discussion with the client. How does the client feel?

- (a) Relieved the fixed fee has been exceeded only by a small amount.
- (b) Unconcerned, as he has forgotten what the fixed fee was anyway.
- (c) Disappointed at the price overrun and concerned that this lack of consultation has occurred so early in the relationship.

**“MOST CLIENTS DON'T SACK THEIR FIRMS BECAUSE OF LACK OF TECHNICAL EXPERTISE. TYPICALLY, IT'S POOR SERVICE DELIVERY THAT BRINGS THE RELATIONSHIP TO ITS KNEES”**

**2. A law firm promises that partner X will be available to work on a significant matter from start to finish.** In pitching for the business, the firm assures the client the partner is available for the duration of the project, which is likely to take many months. The client is informed that the partner will be away three days before the partner leaves for his long leave. The client has not been consulted about the substitute partner nor has the substitute partner been working on the transaction. There is little lost time, as the new partner is very good and gets up to speed quickly.

The transaction goes well. How does the client feel?

- (a) Relieved the matter went well, yet concerned about a lack of honesty regarding the lead partner's planned absence.
- (b) Unconcerned, as the matter went well and the firm had the depth to bring in another partner, who was terrific.
- (c) Disappointed and concerned that substituting a partner could happen again and have less positive outcomes.

**3. A law firm conducts a performance review with a client and is advised about some service and resourcing issues.** The client isn't adamant about the issues and isn't pressing for change. One of the resourcing issues concerns a senior partner. The client feels the partner is taking actions without adequately consulting her first. Months pass. A major new matter is on the horizon and the firm has been asked to submit a proposal to act on the matter. The offending partner is nominated as lead partner on the matter. How does the client feel?

- (a) Relieved that the firm hasn't pulled the partner she criticised.
- (b) Concerned about the partner's lead role, because she knows it will make the matter more difficult for her to manage.
- (c) Disappointed that the firm didn't pick up her message about this partner's unacceptability.

**4. A substantial public company client has a very clear policy on entertainment and gifts – they aren't allowed.** The law firm continues to invite personnel from the client to extravagant lunches, the Australian Open and a range of the firm's more lavish client events. At Christmas, the client is sent a box of French champagne. How does the client feel?

- (a) Compromised that invitations and gifts are still being sent.
- (b) Perplexed that the firm fails to understand the importance of the company's code of conduct.
- (c) Pleased that the firm is so generous

in showing its appreciation of the business they're given.

### Put yourself in their place

These are classic examples of not paying attention to the signals clients send. Now how did you go? Did you feel any conflict in choosing an answer with your client hat on?

These few examples highlight the importance of putting yourself in the head of your client. In *To Kill a Mockingbird*, Atticus Finch said, "You never really understand a person until you consider things from their point of view – until you climb into their skin and walk around in it". These few examples highlight the importance of putting yourself in the head of your client.

### Understand the client's needs

Admittedly, the quiz has extreme examples. However, these examples highlight how the choices you make about the non-law aspects of your dealings with clients can diminish trust. Most clients changing firms say, and research backs this up, that they don't sack their firms because of lack of technical expertise. Typically, it's because of poor service delivery – the "get inside my skin" – that brings the relationship to its knees.

Marketing 101 tells us that understanding the needs and wants of your clients has to be your No. 1 marketing activity. This doesn't mean you have to do anything unethical or go down the path of the old Hewlett-Packard service promise of "Whatever it takes", but it does mean that you should listen and see situations from the client's perspective by putting yourself inside their skin. As these examples demonstrate, it's not that difficult for law firms to regain their sanity and, in turn, retain their clients. ●

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