

# the secret of marketing:

# Good Service!

By Steven A. Meyerowitz

Any one of a dozen different marketing tools may help a potential client learn about a law firm, may get a lawyer's foot in the door or may even get a lawyer retained on a particular matter.

But "good service," in the view of Gina Resnick, a vice president of the Washington-based legal consulting firm of Jaffe Associates, "is the integral part of lawyer marketing." Good service is what keeps clients coming back. And good service is what gets clients to give referrals.

As essential as good service is, just what it is is really rather basic.

For instance, the "number-one service complaint" about lawyers is their failure to return phone calls promptly, according to Robert W. Denney, president of the consulting firm of Robert Denney Associates in Wayne. "Promptly" means that day, not a day or two or more after the client first called. Besides being irritating to a client, failure to return phone

calls promptly also can be a direct cause of lost business.

Recently, a partner at a law firm that is one of Denney's clients failed to return three phone calls made by one of the law firm's clients on a Wednesday, Thursday and Friday regarding a new lawsuit. That Saturday, the client met a competing lawyer at a dinner party, complained about his lawyer and, according to Denney, was at the competing lawyer's office Monday morning to retain him for the new litigation.

To solve the phone-call problem, Denney suggests first letting clients meet all of the lawyers who are working on a matter. That way, they'll have more than one lawyer to call. He also advocates telling clients who the back-up lawyers are and giving them the names of the lawyers' secretaries so they will know with whom they are speaking. Replacing antiquated switchboard systems is a good way to make sure that messages are never lost.

The whole area of communications between lawyer and client, only part of which involves answering and returning a client's phone call, is important to whether a client believes a lawyer is providing good service.

"We want communication," said Paul D. Neuwirth, the Philadelphia-based

managing partner of the accounting and management consulting firm of Grant Thornton. "We want to know what's happening as it happens and we want to be informed on all developments."

To keep clients informed K. Lawrence Kemp, a partner in the New Kensington law firm of Kemp and Kemp, said that he tries "to send them copies of everything we do and all correspondence we receive."

In addition, lawyers should send clients collateral materials, such as newsletters, court decisions and article reprints, that might be of interest to them. Harriet Irwin, the marketing director of Northern Central Bank in Williamsport, said that she appreciates lawyers who "share legal information or facts with us that we might not have access to but that are important for our industry."

If lawyers do not send out those materials to their clients, they better beware. "Other lawyers will," Resnick said.

Just as important to clients as having lawyers who communicate with them is having lawyers who meet deadlines.

Important deadlines include not only court-imposed deadlines but also include client deadlines—a client may need a

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lawyer's analysis of a matter for an internal meeting or for business negotiations. Neuwirth said that he does not appreciate things "done at the last minute." He believes that lawyers must keep in mind the "lead time necessary to make informed decisions."

To meet the client's deadline, a lawyer must know about it. Jay M. Jaffe, the president of Jaffe Associates, suggested that lawyers "ask clients for delivery dates; ask them when they need something by. Don't tell them when you're going to get it to them."

Clients also want lawyers to be responsive to their questions and needs.

Neuwirth remembered a time when he called a law firm at 10 a.m. for advice on whether Grant Thornton should resign as accountants of record to a particular client.

The law firm "responded by having four people in our office at 1 that afternoon," including a securities lawyer (because the client was a public company), a bankruptcy lawyer (because the client was facing Chapter 11), a criminal lawyer (because of the potential of criminal proceedings stemming from the client's actions) and a generalist. "After several hours of discussion, we set a course that probably saved us many hundreds of thousands of dollars in potential costs later on," Neuwirth said. He believes that the law firm was responsive to his needs, and quickly.

To be a responsive lawyer also requires that the lawyer understand the client's problem.

One way to do that is "to put yourself in the client's place," Jaffe said. "Ask what is the client feeling and what is there you can do to be properly responsive to the client."

Lawyers should also listen to their clients, ask them for their objectives and find out what their needs are. It's not good service when a lawyer gives a client advice that the lawyer thinks the client wants rather than the advice the client does, indeed, want. And as Kemp said, "I want to be a very good listener. Sometimes clients suggest good theories."

Good service goes even beyond responding to a client's immediate problems. A lawyer with good service in mind can take that original discussion with a client about the client's needs and

objectives and an understanding of the client's business "and walk it forward, figure out what the client is trying to do with its business and say, 'You should be thinking of this.'" This is good service for the client and good marketing for the lawyer.

Another component of responsiveness requires that the lawyer "be up front" with a client, according to Charles J. Herman, the national partner for litigation and insurance consulting services for Laventhol & Horwath, based in Philadelphia.

"We don't want a lawyer to say what a great client we are and that we are always right. We want to know the worst case scenario, the best and where we stand," he said. "And if things change, we want to know about it."

One firm that helped Herman understand the best and worst case scenarios in a particularly complicated insurance litigation did so in a way that at the time went beyond "normal" good service. The lawyers "used charts to explain the issues, scenarios and expenses of the case, like you would submit to a jury," Herman said.

New Kensington's Kemp also uses visual aids as a means of helping respond to clients' questions and concerns.

"In personal injury cases, we give them decisions in comparable cases so they can see what has happened," he said. Kemp does that whether he represents a plaintiff or a defendant and, in fact, he will send other clients court decisions related to their particular matters so they will be able to see how a court might rule in their case.

Another major source of client service problems is billing.

Neuwirth was probably speaking for all clients when he said that he is "interested in cost control." He said that he asks lawyers for cost estimates up front and wants itemized billings "which we carefully review."

A descriptive bill, rather than a bill that reads "For Professional Services Rendered" with a large number at the end of the line also provides lawyers with the opportunity to remind their clients just what they did for them and is a good marketing tool.

Lawyers should also discuss the frequency of their billing with their clients.

To avoid having fees run up, clients generally like to be billed more frequently than lawyers might otherwise believe, Denney said. Kemp said that he prepares bills frequently for clients that he charges on an hourly basis "so they know what they are running into."

No matter how young or old a legal practice is, it is not too late to improve client service.

A lawyer's office should be neat and clean and the staff should be courteous and accommodating. Clients should not be kept waiting long in the waiting room. Kemp even takes that a step further. If a client is elderly, he may visit the client in his or her home to have a will or deed signed.

Lawyers should treat all cases "as important ones irrespective of size," according to Neuwirth. That is important to keep in mind because "many firms today are starting to give good attention to their large clients while their small ones feel left out," Denney stated.

If a client leaves to go to another law firm, a partner should ask the former client why it did so. Then the firm should consider whether to make changes to meet that former client's objections so other clients don't take the same route.

Lawyers may even want to consider a more formal client review where they "sit down with their important clients once a year, without charging them and telling them they are not being charged, and ask for a critique," Denney said.

Using technology is also a good way of providing good service to clients. A car phone can let a lawyer work while traveling, avoiding the problem of billing a client for travel time where nothing was accomplished except that the lawyer got to where the client needed the lawyer to be. And whether a letter or document is sent by electronic mail or fax machine may be the difference between good service and bad service from a client's point of view.

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To understand good service, lawyers should understand that clients are people, too. If they are good lawyers and if they remember that clients are people, if they recognize how they would want to be treated if they were in the client's shoes and act accordingly, then they are likely to be providing their clients with that most important legal product—good service. □