

3 Things Attorneys Do That Tick Off Clients

By **John Kennedy**

Law360, New York (March 4, 2016, 4:40 PM ET) -- Before your clients decide to jump ship, you need to know whether any of your work habits are getting under their skin. Here, attorneys share the top ways counsel can make their clients see red.

Keeping Them in the Dark

Above all, poor communication really raises the ire of clients. Good communication starts at the outset of an attorney-client relationship, says Amy B. Alderfer of Cozen O'Connor.

"The worst thing you can have is a client who doesn't know what's happening with their case," Alderfer said. "Folks are paying for your services, so they need to be kept up to date and informed. No one wants to be in the dark."

If a lawyer isn't speaking with clients in a timely fashion and isn't giving them all the information they want, clients are going to be unhappy, says Jerry Goldman of Anderson Kill PC. After all, it's an attorney's job to communicate on behalf of his or her clients — and to effectively communicate with them as well.

"If a client reaches out to you, get back to the client quickly," Goldman said. "Even if something looks somewhat innocuous to you, let clients know, because it's their case, not yours."

And when clients do reach out and ask about something, they don't want a 35-page memo in response, according to Kent Zimmerman, a legal industry consultant at Zeughauser Group. After all, clients are getting their money's worth if their lawyers are making their lives easier and making them look good to their colleagues.

"Make the client feel like they're your only client, even though they're not," Zimmerman said.

Even if clients aren't proactive about keeping up with their case, they may still want to know about new developments, says Brent Coon of Brent Coon & Associates. He has used dedicated case websites and online question-and-answer sessions to keep clients informed.

"Many times, a client thinks if they don't hear from you, you're not doing anything," Coon said. "You have to be sensitive to the service needs of your clients."

Ignoring the Big Picture

An attorney who merely answers the legal questions about an issue but doesn't try to solve the problem can frustrate clients, says Jeff Bleich of Munger Tolles & Olson LLP, who has been both a client and a lawyer.

"Problems often have legal and nonlegal dimensions. Simply telling your client what the law says is the beginning of solving their problem, not the end," Bleich said. "Nothing is more unhelpful than a lawyer saying, 'No, you can't do that.' What you want them to say is, 'No, you can't do it that way, but here are some suggestions for lawful ways to get to the same place.'"

Lawyers, especially litigators, can often focus too much on resolving the litigation and advocating for their client while neglecting to appreciate the broader context of an issue, says Jeffrey Alberts of Pryor Cashman LLP.

Particularly in white collar cases, sensitivity to internal politics is important, Alberts said, as some employees will be targets of the government investigation while others will be cooperating. In these cases, it's "incredibly important" that a lawyer doesn't just show up and focus on solving the legal dispute, but also acknowledges the spreading ripples caused by the investigation itself.

"Failure to appreciate those nonlitigation dynamics can lead to huge problems with the client," Alberts said.

Wasting Their Time

Although attorneys often handle a heavy workload, it can be easy for them to forget how many issues in-house counsel are juggling, says Leah T. Rudnicki of Hall Estill Hardwick Gable Golden & Nelson PC. She noted that she's developed "a hefty list" of pet peeves from her time as in-house counsel for an oil and gas company that she now tries to avoid in private practice.

Among those annoyances are attorneys who send emails with short, nondescript subject lines such as "discovery" or don't provide enough information on invoices. When clients are billed, they're usually handling a number of invoices at once, she said.

"The last thing I want to do is go through my emails and figure out what we talked about," Rudnicki said. "Respect the time of the client and give them all of the details they need to make a decision."

Rudnicki remembers sending information to her employer's outside counsel in preparation for a conference call or a meeting, only to have the lawyers ask questions that would have been answered had they reviewed the material she'd sent. Clients expect queries that result from reading previously provided documents, and they don't plan to waste their time summarizing what they've already sent.

"They've hired you because they don't have enough time to do all of the things they have on their plate, so they're not sitting there waiting for you to say 'jump,'" Rudnicki said. "The clients are dealing with emergencies, and you don't want to be the one creating an emergency."

--Editing by Jeremy Barker and Kelly Duncan.
