



Client Relations

RISK MANAGEMENT HANDOUTS OF
LAWYERS MUTUAL



**LAWYERS
MUTUAL**

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DISCLAIMER: This document is written for general information only. It presents some considerations that might be helpful in your practice. It is not intended as legal advice or opinion. It is not intended to establish a standard of care for the practice of law. There is no guarantee that following these guidelines will eliminate mistakes. Law offices have different needs and requirements. Individual cases demand individual treatment. Due diligence, reasonableness and discretion are always necessary. Sound risk management is encouraged in all aspects of practice.

14 TIMELY TIPS

Good client relations is good business. The most important thing you can do to ensure success as a lawyer is to keep your clients happy. Happy clients pay their bills and refer other business your way. Unhappy clients file Bar grievances and malpractice claims.

Following are 14 tips on client relations.

1. BELLY UP TO THE BAR

No lawyer likes to deal with unpleasant cases and people. The tendency is to focus on challenging matters for clients we like and hope the others disappear. But problems don't just fade away.

Each year, over 1000 of these problems turn into grievances filed with the State Bar. Most are dismissed as frivolous. Some result in disbarment or surrender of license, an average of 20 result in suspension and over 200 lead to some other form of discipline.

All brought aggravation, anxiety and lost billable hours for the responding lawyer. Current or former clients bring most grievances, but fellow attorneys and third parties also file complaints.

Let's say you receive a letter from the State Bar that a grievance has been filed against you. You know the claim is frivolous and you're sure the State Bar will agree when it investigates. Can you therefore ignore the notice?

Never ignore correspondence from the State Bar. Even if you feel a grievance is frivolous, you have an obligation to respond and assist in the investigation. In fact, not responding to the Bar letter is itself an ethical violation.

Practice Tips

- Put the State Bar on your rolodex. North Carolina State Bar, PO Box 25908, 208 Fayetteville Street Mall, Raleigh NC 27611; 919/828-4620.
- Know your State Bar councilor. Or become a councilor yourself.
- Know your State Bar staff. The executive director is Tom Lunsford and the assistant executive director is Alice Neece Mine. If you need

guidance on how to respond to a sticky situation, call the State Bar ethics hotline. Ethics counsel will provide confidential advice that you can rely on. If you follow the advice of the State Bar counsel, you will not be disciplined even if the State Bar later issues a contradictory opinion.

- Attend the quarterly Bar council meetings and ethics committee meetings, especially if an item affecting your practice is on the agenda.
- Keep current on proposed ethics opinions. They are published in the *State Bar Journal*, *Lawyers Weekly* and on the State Bar website at www.ncbar.com.
- Follow the handbook. Every lawyer receives a copy of the North Carolina State Bar Lawyer's Handbook. The handbook includes a directory of Bar services, the Rules of Professional Conduct and Trust Account Guidelines.
- Read the Bar's "Guidelines for Use of Non-Lawyers in Rendering Legal Services."
- Help your paralegals become certified through the State Bar Plan for Certification of Paralegals. More information is available at: www.nccertifiedparalegal.org.
- Understand the rules on lawyer advertising, solicitation and marketing. A keyword search of State Bar ethics opinions using "advertising" results in over 20 opinions on the topic.
- Take advantage of State Bar Lawyers Assistance Programs (LAP): PALS or FRIENDS. These programs exist to benefit you and your clients.
- Know the rules on lawyer specialization. If you wish to become certified in your practice area, call the State Bar for more information.
- Train your staff on ethics. Practice what you preach. A firm in Rocky Mount came up with a great idea. Once a month, the firm holds a staff luncheon in its conference room. Everybody attends, from receptionist to senior partner. Lunch is ordered in from a nearby deli. At each meeting, the firm discusses a specific ethical principle — for example, client confidentiality. The rule itself is read and discussed. Then the rule is applied to actual, ongoing cases that

the firm is handling. A divorce case might be reviewed. The importance of shielding client secrets and confidences might be stressed. The discussion is not limited to what the rule says. It also covers why the rule exists and how it applies to real-life cases. This firm is practicing good risk management. Their monthly lunch sessions merge abstract principles of ethics with actual problems. Potential ethical traps are exposed and avoided. A team approach to ethics is encouraged. The staff comes away with a clearer understanding of ethics and a greater appreciation of why the rules exist.

- Have all staff members sign confidentiality forms when they begin employment. Sample forms are available on page 10.

2. CHOOSE YOUR CLIENTS

Use the smell test to screen new business to determine whether it is appropriate for the practice. Many firms utilize New Business Committees for this purpose. The screening process should include the following steps:

- Check the firm's conflict of interest database.
- Prepare a new client/new matter intake form for review by a screening committee.
- Discuss the form with the screening committee and, once approved, promptly report the new client/new matter information to all lawyers and staff in the firm. Information should include:
 - a. The new client or new matter
 - b. Adversaries and other parties involved in the new business
 - c. The lawyer(s) with primary responsibility
 - d. The nature of the new work
- Use an initial interview form or new client memo for each new client or matter. This form has three purposes: to solicit essential information about the client, to organize the information for use by the law firm, and to ensure that malpractice prevention systems have been set in motion. The form should include:
 - a. Client name (including all surnames previously used) and address
 - b. Adverse/related parties
 - c. Description of the matter

- d. Statute of limitation and important deadlines
- e. Documentation that time control notices have been filed and conflicts of interest have been checked
- f. Fees and special fee arrangements
- g. Retainers
- h. Billing arrangements
- i. Documentation of by whom and when the engagement letter was sent to the client. (Send a copy of the completed form to the client.)

3. JUST SAY NO

Rule 1.16 explains how a lawyer should decline or terminate representation:

- Withdrawal for nonpayment of fee. Lawyers may withdraw from representation of clients who fail to fulfill fee agreements. But 1.16(b)(6) requires the lawyer to give reasonable warning to the client that withdrawal may occur if the fee is not paid. The rule also states that a lawyer's duty to return client papers and property upon withdrawal includes returning unearned fees advanced by the client.
- Mandatory withdrawal. Under certain circumstances, such as a representation that violates the Rules of Professional Conduct (e.g. conflict of interest), or lawyer impairment, the Rules require that a lawyer discontinue representation of the client.

RULE 1.16. DECLINING OR TERMINATING REPRESENTATION.

- (a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:
 - (1) the representation will result in violation of law or the Rules of Professional Conduct;
 - (2) the lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client; or
 - (3) the lawyer is discharged.
- (b) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if:

- (1) withdrawal can be accomplished without material adverse effect on the interests of the client or;
 - (2) the client knowingly and freely assents to the termination of the representation; or
 - (3) the client persists in a course of action involving the lawyer's services that the lawyer reasonably believes is criminal or fraudulent;
 - (4) the client insists upon taking an action that the lawyer considers repugnant, imprudent, or contrary to the advice and judgment of the lawyer, or with which the lawyer has a fundamental disagreement; or
 - (5) the client has used the lawyer's services to perpetrate a crime or fraud; or
 - (6) the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled; or
 - (7) the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or
 - (8) the client insists upon presenting a claim or defense that is not warranted under existing law and cannot be supported by good faith argument for an extension, modification, or reversal of existing law; or
 - (9) other good cause for withdrawal exists.
- (c) A lawyer must comply with applicable law requiring notice to or permission of a tribunal when terminating a representation. When ordered to do so by a tribunal, a lawyer shall continue representation notwithstanding good cause for terminating the representation.
- (d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled, and refunding any advance payment of fee or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.

4. MUM'S THE WORD

Rule 1.6 says a lawyer should preserve the confidences of the client. According to Comment 2: "*A fundamental principle in the client-lawyer relationship is that in the absence of the client's informed consent, the lawyer must not reveal information acquired during the representation. . . . The client is thereby encouraged to seek legal assistance and communicate fully and frankly with the lawyer even as to embarrassing or legally damaging subject matter.*"

Discussing specific cases with family and friends is prohibited. Separate your personal and professional lives. Instead of blowing off steam about your clients to your spouse or neighbor, go for a jog or talk about another subject besides the law.

Confidentiality is especially important for lawyers in space-sharing arrangements. Make sure client information does not leak out of your office into common areas or other suites. Keep case files separate. Warn support staff about conversations around the water cooler or in the lobby.

Revised Rule 1.6 includes seven exceptions under which a lawyer *may* disclose confidential information. A lawyer may disclose confidential information to comply with the Rules of Professional Conduct or with a court order; to prevent the commission of a crime by a client; or to prevent reasonably certain death or bodily harm. A lawyer may also reveal confidential information to prevent a crime in which the lawyer's services were used. A lawyer may also reveal confidential information to secure legal advice about compliance with the Rules or to establish a claim or defense in a controversy with the client (such as a malpractice suit or grievance). However, even when disclosure is allowed under the rules, such disclosure should be limited to that which is necessary to accomplish the specific purpose.

RULE 1.6. CONFIDENTIALITY OF INFORMATION.

- (a) A lawyer shall not reveal information acquired during the professional relationship with a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).

- (b) A lawyer may reveal information protected from disclosure by paragraph (a) to the extent the lawyer reasonably believes necessary:
- (1) to comply with the Rules of Professional Conduct, the law or court order;
 - (2) to prevent the commission of a crime by the client;
 - (3) to prevent reasonably certain death or bodily harm;
 - (4) to prevent, mitigate, or rectify the consequences of a client's criminal or fraudulent act in the commission of which the lawyer's services were used;
 - (5) to secure legal advice about the lawyer's compliance with these Rules;
 - (6) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client; to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved; or to respond to allegations in any proceeding concerning the lawyer's representation of the client; or
 - (7) to comply with the rules of a lawyers' or judges' assistance program approved by the North Carolina State Bar or the North Carolina Supreme Court.
- (c) The duty of confidentiality described in this Rule encompasses information received by a lawyer then acting as an agent of a lawyers' or judges' assistance program approved by the North Carolina State Bar or the North Carolina Supreme Court regarding another lawyer or judge seeking assistance or to whom assistance is being offered. For the purposes of this Rule, "client" refers to lawyers seeking assistance from lawyers' or judges' assistance programs approved by the North Carolina State Bar or the North Carolina Supreme Court.

5. UNDERSTAND THE DIFFERENCE BETWEEN UNETHICAL CONDUCT AND MALPRACTICE

Sometimes, unethical conduct is also malpractice, but not always. For example, a lawyer might be convicted of some type of criminal misconduct proscribed by the rules, yet there has been no direct

damage to clients or cases. Likewise, a violation of the rules on lawyer advertising might not give rise to a malpractice claim.

By the same token, malpractice does not always involve an ethical violation. For example, a missed statute of limitation may be the result of simple neglect, not unethical behavior.

RULE 0.2. SCOPE.

[7] Violation of a Rule should not give rise itself to a cause of action against a lawyer, nor should it create any presumption in such a case that a legal duty has been breached . . . The rules are designed to provide guidance to lawyers and to provide a structure for regulating conduct through disciplinary agencies. They are not designed to be a basis for civil liability. Furthermore, the purpose of the rules can be subverted when they are invoked by opposing parties as procedural weapons. The fact that a Rule is a just basis for a lawyer's self-assessment, or for sanctioning a lawyer under the administration of a disciplinary authority, does not imply that an antagonist in a collateral proceeding or transaction has standing to seek enforcement of the Rule.

Nevertheless, since the Rules do establish standards of conduct by lawyers, a lawyer's violation of a Rule may be evidence of breach of the applicable standard of conduct.

Hodges v. Carter, 239 N.C. 517, 519, 80 S.E.2d 144 (1954) is the leading North Carolina Supreme Court case establishing an attorney's standard of care:

"Ordinarily, when an attorney engages in the practice of law and contracts to prosecute an action in behalf of his client, he impliedly represents that (1) he possesses the requisite degree of learning, skill and ability necessary to the practice of his profession and which others similarly suited ordinarily possess; (2) he will exert his best judgment in the prosecution of the litigation entrusted to him; and (3) he will exercise reasonable and ordinary care and diligence in the use of his skill and in the application of his knowledge to his client's cause."

In *Rorrer v. Cooke*, 313 N.C. 338, 329 S.E.2d 355 (1985) the court outlined the burden of proof for attorney negligence:

“(1) That the attorney breached the duties owed to his client, as set forth by *Hodges* ... and that this negligence (2) proximately caused (3) damage to the plaintiff.”

Rorrer also addressed the issue of proximate cause. To prove that the defendant-lawyer had acted negligently in handling a litigation matter, the plaintiff must show:

“(1) The original claim was valid; (2) it would have resulted in a judgment in his favor; and (3) the judgment would have been collectible.”

6. PRACTICE AS A TEAM

Be a team player. Let others in the firm know if you have a substantial project in the works that could impact them. Notify the mailroom about a big mailing, for instance. Clarify expectations and anticipate needs.

Carefully proofread documents for typos, spelling and grammatical errors.

Be fully informed about the firm. Hold all client matters in confidence. Don't leave documents on your desk or talk about firm matters with your friends. Dress and act professionally. Keep your work area clean and neat.

Stay calm and professional when talking with difficult or angry clients. Do not pass the blame and continue to offer to help.

7. COACH YOUR TEAM

The Rules of Professional Conduct require staff supervision. This means you must direct and inspect the work of others. If you are unsure what tasks or projects can be delegated to support staff, review the rules, contact the State Bar or ask another attorney. Ask your assistants to explain the projects they are working on. Make sure you are all working on the same page.

After you have delegated a project, your responsibility does not end. You must continue to communicate, monitor progress, see that deadlines are met, answer any questions and carefully review the work product before signing off on it. An

experienced staff can be a great resource during your first years of practice. Every firm has at least one staff member who knows the inside scoop on almost everything. Tap this information base.

But don't forget that ultimate responsibility rests with you.

RULE 5.1. RESPONSIBILITIES OF PARTNERS, MANAGERS, AND SUPERVISORY LAWYERS.

- (a) A partner in a law firm, and a lawyer who individually or together with other lawyers possesses comparable managerial authority, shall make reasonable efforts to ensure that the firm or the organization has in effect measures giving reasonable assurance that all lawyers in the firm or the organization conform to the Rules of Professional Conduct.
- (b) A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Rules of Professional Conduct.
- (c) A lawyer shall be responsible for another lawyer's violation of the Rules of Professional conduct if:
 - (1) the lawyer orders, or with knowledge of the specific conduct, ratifies the conduct involved; or
 - (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the other lawyer practices, or has direct supervisory authority over the other lawyer and knows of the conduct at a time when its consequences can be avoided, but fails to take reasonable remedial action to avoid the consequences.

Practice Tips

- Delegate appropriate work to associates.
- Provide effective communication to associates concerning assignment - give specific information about deadlines, format of assignment, how the assignment fits into the big picture of resolving the client's problem, estimated length of time associate should bill for project, any limitations on project such as incurring expenses for use of computer research or paralegal time.
- Provide timely and specific feedback to your associates following review of their work product.

Without feedback, associates don't know what they need to correct or improve or what they do well.

- Keep associates informed on the final resolution of cases they were involved in and how their work product was involved in that resolution. Associates will then have a sense of accomplishment that should help keep them motivated.

RULE 5.2. RESPONSIBILITIES OF A SUBORDINATE LAWYER

- (a) A lawyer is bound by the Rules of Professional Conduct notwithstanding that the lawyer acted at the direction of another person.
- (b) A subordinate lawyer does not violate the Rules of Professional Conduct if that lawyer acts in accordance with a supervisory lawyer's reasonable resolution of an arguable question of professional duty.

Practice Tips

- Ask questions.
- Meet all deadlines assigned by partners.
- Always do quality work.
- Be professional, even (or especially) when receiving "constructive criticism" from a firm partner.
- Learn from the more experienced lawyers in your firm - their successes as well as failures.
- Find a mentor if one doesn't find you.
- Be a leader early on. Volunteer for social projects or administrative projects such as selecting new computers in order to gain visibility and get to know the people in your firm.
- Pick up tips and advice from senior support staff.
- When receiving assignments, use memo or form back to partner to confirm the parameters of the assignment.
- Spend the necessary time reviewing relevant portions of the file before embarking on the assignment, even if all of the time cannot be billed to the client.
- Make status reports to partner showing work product so partner can make corrections or suggestions to keep the project on the correct track. The purpose of this review by the partner shouldn't be to micro-manage the associates work, but rather to ensure the work is proceeding on schedule and the final product will be helpful in resolving the client's legal problem.

RULE 5.3. RESPONSIBILITIES REGARDING NONLAWYER ASSISTANTS

With respect to a non-lawyer employed or retained by or associated with a lawyer:

- (a) a partner, and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm or organization shall make reasonable efforts to ensure that the firm or organization has in effect measures giving reasonable assurance that the nonlawyer's conduct is compatible with the professional obligations of the lawyer;
- (b) a lawyer having direct supervisory authority over a nonlawyer shall make reasonable efforts to ensure that the nonlawyer's conduct is compatible with the professional obligations of the lawyer; and
- (c) a lawyer shall be responsible for conduct of such a nonlawyer that would be a violation of the Rules of Professional Conduct if engaged in by a lawyer if:
 - (1) the lawyer orders or, with the knowledge of the specific conduct, ratifies the conduct involved; or
 - (2) the lawyer is a partner or has comparable managerial authority in the law firm or organization in which the person is employed, or has direct supervisory authority over the nonlawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated, but fails to take reasonable remedial action to avoid the consequences.

Practice Tips

- Allocate responsibility for staff supervision to one person in the office.
- Develop written procedures for staff concerning confidentiality; distribution of telephone messages, faxes and mail; answering client questions without giving legal advice or committing the unauthorized practice of law; handling emergency situations when the lawyer is unavailable.
- Train your staff in ethics.
- Communicate with your staff concerning deadlines and schedules.
- Don't ignore problem situations with staff such as bad attitudes or unwillingness to work as a team.

The resulting morale problems will ultimately affect everyone in the office and will impact on the services offered to clients.

- Offer competitive salaries and benefits.
- Give praise when deserved.
- Encourage communication through regular firm meetings.
- Encourage teamwork.
- Encourage creativity.
- Eliminate blame.
- Treat staff as valued members of the legal team.
- Encourage professionalism by paying membership dues in professional associations, magazine subscriptions, paying for CLE as well as providing the time off to attend CLE programs.
- Education - ABA has an approval process for paralegal schools. Several colleges in North Carolina offer ABA approved paralegal programs, including 2 year associate degree programs, as well as post baccalaureate degree certificate programs.
- Voluntary certification - The National Association of Legal Assistants has a 20 year old voluntary certification program known as the Certified Legal Assistant exam (CLA) with Specialty exams (CLAS) in many areas of practice including civil litigation, intellectual properties and real estate. Information on the State Bar Plan for the Certification of Paralegals is available at: www.nccertifiedparalegal.org.
- Continuing Legal Education - There are many opportunities for paralegals to participate in CLE. Ask the paralegal to identify educational opportunities in the substantive area they have been hired.
- Check references.
- Does the free-lance paralegal have E & O coverage?
- Is the free-lance paralegal service incorporated?
- Does the free-lance paralegal belong to professional associations, which provide opportunities for CLE, workshops, networking, newsletters or publications?
- Sign a Contract or Fee Agreement with a free-lance paralegal outlining the specific duties to be performed.
- Review the paralegal's written procedures for performing the requested tasks.
- Discuss fully the extent of the work you want done and the time period for completing the project.

- After the paralegal performs the work is there a final conference or opportunity to discuss problems or concerns?
- Review the work product provided by the paralegal.

8. RECOGNIZE CLIENTS WITH SPECIAL NEEDS

RULE 1.14. CLIENT WITH DIMINISHED CAPACITY

- (a) When a client's capacity to make adequately considered decisions in connection with a representation is diminished, whether because of minority, mental impairment, or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client.
- (b) When the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian ad litem or guardian.
- (c) Information relating to the representation of a client with diminished capacity is protected by Rule 1.6. When taking protective action pursuant to paragraph (b), the lawyer is impliedly authorized under Rule 1.6(a) to reveal information about the client, but only to the extent reasonably necessary to protect the client's interests.

9. ADVICE ON GIVING ADVICE

Consider these questions when analyzing your advice-giving skills. Do you:

- Recognize that your client does not have to follow your advice?
- Tailor your advice to your client's style and personality?
- Demonstrate a thorough understanding of the issues involved?

- Remember that your client is showing trust in you and your judgment by asking for your advice?
- Separate your advice into components that the client can relate to?
- Offer moral or ethical advice, as well as legal advice?
- Suggest common sense options to resolve your client's problems?
- Rethink your legal conclusion when it's challenged by a client?
- Do you involve the client in the decision-making process?
- Discuss every alternative available, weighing the factors and giving recommendations?
- Try to understand what kind of advice the client is seeking?
- Use plain language when communicating with your client?

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10. WRITE ON

Document client files as follows:

- Use engagement letters to confirm the scope of the representation.
- Affirm the purposes for which the firm was hired and provide information on reporting procedures, billing procedures, and the firm's expectations of the client.
- List a primary contact person within the firm.
- List in writing the areas and items the firm was not hired to accomplish.
- Provide a realistic outline of the steps to be taken and the potential time frame involved, if possible.
- Use non-engagement letters for matters or clients the firm cannot or does not wish to handle. Include the date of the interview and why the firm cannot or will not represent the individual, if possible. Advise the individual that the case may be affected by a statute of limitation. Express no opinion on the matter.
- Advise the individual to seek other representation.
- Maintain a file of non-engagement letters. Put client names in your conflicts system. The firm should refer to these files as changes in the law affect these matters.

- Document all discussions, recommendations, and actions taken.
- Document all advice given to the client and instructions given to the attorney by the client, either by a file memorandum or a confirmation letter to the client.
- Ensure that all legal assistants document all personal and telephone conferences with the client in the manner described above.
- Inform the client of all settlement offers and obtain the client's informed consent before accepting or rejecting any offers. Obtain the client's consent before making any settlement offers to the other side.
- Don't continue hearings or trials without the client's agreement.
- If the client refuses a course of action you believe to be in his or her best interest, document the discussion and action taken (including the fact that the client refused your advice). Send a copy of this written documentation to the client by express mail or return receipt requested, so that you later have proof that the client actually received it.
- Review client files periodically. Such reviews may trigger some additional, necessary communication, which might have been overlooked otherwise.
- Use file-closing letters at the end of the representation to confirm that the representation is ending. If necessary, advise the client to seek additional counsel elsewhere. Confirm the client's receipt of the letter.

11. KEEP CLIENT FILES AT LEAST SIX YEARS

The Revised Rules do not change RPC 209, which states in part:

- The original file belongs to the client.
- The lawyer must store files in a secure location where client confidentiality will be maintained.
- With the consent of the client, a closed file may be destroyed at any time.
- Absent consent, a closed file must be retained for a minimum of six years after the conclusion of the representation. The applicable statute of limitation may necessitate the retention of a closed file for more than six years.

- If six years have not elapsed since a client's file became inactive, the file may only be destroyed with the consent of the client or, if after notice to the client, the client fails to retrieve the file. The client should be contacted and advised that the lawyer intends to destroy the file unless the client picks up the file or, within a reasonable period, directs that it be transferred to another lawyer. If the client fails to retrieve the file after notice, the lawyer should review the file and retain any items that belong to the client or contain information useful in the assertion or defense of the client's position in a matter for which the statute of limitation has not expired. These items should be retained until the client consents to their destruction or retention is no longer required by law or necessary to protect the client's rights.
- After six years, the lawyer may destroy the file without client consent. However, if not previously reviewed and purged of the client's possessions, the lawyer should review the file and retain any items that belong to the client. These should be returned or retained in a secure place until they are retrieved by the client or they are deemed abandoned and escheat to the state under NC Gen Statutes, Chapter 116B. The remaining records in the file may be destroyed.
- No particular method of destroying files is prescribed.
- The method of destruction must preserve client confidentiality.

12. BE A GOOD LISTENER

Often misunderstandings are the result of anticipating what the other person will say, rather than listening. Sometimes a client just wants to be heard. You can provide a valuable service by affording them this courtesy. Let clients tell their story without interrupting or taking notes. When they've finished, you can probe deeper and record important details.

Listen to your attorney when you are given a new assignment. What is the point of the assignment? Exactly what is expected of you? Who will be working with you?

13. RETURN PHONE CALLS

Unreturned phone calls are the number one source of client complaints at the State Bar. Practice telephone etiquette. Don't use voice mail and answering machines to duck client calls. Answer quickly and pleasantly. Offer to help or redirect a call.

Develop a policy that all client calls are returned within 24 hours. Your receptionist should receive calls with respect and good humor. Document all telephone conversations and callback attempts.

14. JUST SAY THANKS

"It occurred to me that I never really thanked our clients for giving me their business. I bought note cards and began writing a few paragraphs of appreciation when cases were concluded. My repeat business picked up." *Solo, Durham*. A word of thanks never hurts. Express your appreciation when lawyers give you interesting and challenging assignments. Thank colleagues who help on cases.

Never miss opportunities to thank clients. How about Christmas cards, birthday cards or a congratulation note for receiving a civic award? Small gestures like that tell clients you view them as people, not merely sources of revenue. Don't forget to thank colleagues for sending referrals.

Recognize that some clients are bad news and should be turned away at the door. Red flags should go up if the client has already hired and fired several attorneys or has been rejected by every other lawyer in town. Other warning signs: clients who have unreasonable expectations, clients who wish to proceed on principle alone, clients who bring a tape recorder to the initial interview, clients who want to negotiate your fee or won't pay the retainer, clients who insist on a contingent fee to demonstrate your commitment to the case, clients who are distrustful of you from the outset, and clients who have notified the White House of their grievance. Report any of these symptoms to your supervising attorney.

CONFIDENTIALITY FORMS

CONFIDENTIALITY FORM A

It is the policy of _____ that matters related to the firm and its practice are not to be discussed in the presence of any unauthorized persons. It is understood that some of the matters in the office are sufficiently interesting to tempt personnel to engage in conversation that may breach the rule of confidentiality. Therefore, it is extremely important that everyone exercise extreme care in this area. The information received in the office is the private property of the client and aside from the embarrassment that would result from any unauthorized disclosure, there is the likelihood of creating legal liability and prejudice to the client's case. Additionally, attorneys keep sensitive material that may be of a confidential nature, either as to the firm, its personnel, to themselves, or to their clients. To avoid any violations of that confidentiality in the attorney's absence, under no circumstances should an attorney's office be offered for use to a client, vendor, or other unauthorized person without the consent of the attorney or his or her administrative secretary or, in their absence, the Director of Administration.

In addition to the client matters, some personnel must routinely handle pay and personnel information as a result of their normal duties. This information must be treated with the utmost sensitivity and confidentiality. A breach of confidentiality with respect to any client matter or internal, including pay or personnel, matters will be considered reason for immediate dismissal.

Name of firm: _____

This will confirm that I, the undersigned, have read and agree to abide by the provisions of the foregoing stated policy as it relates to the confidentiality and the law firm.

This the _____ day of _____, 2_____.

Signature

CONFIDENTIALITY FORM B

As an employee of (Law Firm), I acknowledge that I have been instructed regarding the confidentiality of all firm business, activity and records and except as required by law in the course of my duties, or where instructed in writing by management, I am aware that all firm books, records, files and memoranda are to be treated in strict confidence. I pledge that I will not disclose information relating to the firm, its business or its clients during my employment or after the termination thereof whether such termination be voluntary or involuntary. I understand that any breach of confidentiality will be grounds for my immediate dismissal as a firm employee.

This the _____ day of _____, 2_____.

Signature

Witness

30 TRAINING TOPICS

Need something to talk about at your next staff meeting? Here are 30 suggested topics on client relations:

Teamwork is essential for good client relations. To promote proper teamwork, some firms have developed monthly meetings with attorneys and staff to discuss related topics. Each meeting focuses on one specific subject - for example, confidentiality. The rules involving the topic is thoroughly discussed, then it is applied to specific examples from the firm's caseload. This method allows all team members to understand the rules and put them into practice with the work they do.

These sessions promote teamwork and emphasize the importance of client satisfaction. Topics at your next staff session might include:

- Avoiding client conflicts of interest.
- Using the calendar/docket system.
- Review of client intake/interview form. Can it be improved?
- Conducting a client interview.
- Review of client engagement/disengagement/nonengagement letters.
- What sort of clients should be turned away from our firm?
- Client confidentiality. Don't discuss client affairs with other people.
- The difference between client fees and costs. What does the fee cover?
- Timekeeping.
- Telephone etiquette.
- Returning phone calls promptly.
- Law library
- Ethics rules on supervising subordinate lawyers and nonlawyers.
- Upcoming continuing education seminars.
- Representing clients with a disability.
- No sex with clients.
- Avoid business dealings with clients.
- E-mail and voice mail.
- Who is our professional liability carrier? Where is the policy located? What to do if problems arise?
- Dog cases. What can we do about them?
- Sending thank you letters when someone refers you a client.
- Possible new sources of client referrals.
- Sending "no activity" letters when a case is inactive for 90 days or more.
- Reception area: is it client friendly?
- How to convert "social consultations" at weddings, etc., into paying clients.
- Using client satisfaction surveys.
- Developing a newsletter or news bulletins to send to clients.
- Marketing. What are our goals?
- Using press releases.
- Internet issues. Should our firm have a Web site?

SAMPLE TELEPHONE POLICY FOR CLIENTS

As we discussed during our initial conference, excellent communications between us is essential, and much of our contact will be by telephone. We have developed the telephone policy below primarily because we know your time is extremely valuable. Additionally, the policy enables our firm to continue providing the high quality of legal services for which it is well known by providing an efficient timesaving procedure for the making and returning of phone calls.

It is very important to the firm that we maintain prompt and productive communications with you. We also strive to minimize frustrations of “telephone tag” or lost time on your part in the waiting on a return call from our office. We ask, therefore, that you agree to assist us in the successful implementation of this policy. If for any reason you cannot abide by this policy, please notify me immediately so that we can work out a mutually agreeable alternative plan.

- 1) **Telephone Conferencing Hours:** Except in an emergency, please call me during the following office hours: 10:00 a.m. to 12:00 p.m. and 4:00 p.m. to 5:30 p.m. Please remember that at times I will not be available during these hours because of a trial or other client-related matters. Please do not be upset if I am not available to immediately take your call. I will be returning phone calls during these hours as well. Rest assured that someone from our firm will make every effort to return your call within forty-eight hours. Should this not occur, however, we would appreciate you calling us back and letting the receptionist know that your original call had not yet been returned.
- 2) **Preparing for Conferences:** Before calling, please prepare a written list of those matters you wish for us to discuss. If I am not available when you call, please share your list with the paralegal assigned to your case so that I will be prepared for our discussion when I return your call thereby saving us both valuable time. Please remember, however, that only attorneys can give legal advice. Employees of our firm who are not attorneys do not give legal advice and should not be asked to do so.
- 3) **Note-taking Supplies:** Please have pen and paper available before calling to make any appropriate notes during our telephone conferences. You will then have a convenient reference source of our conversation and of important dates, advice, or instructions that I may have given you.
- 4) **Emergencies:** If your call is urgent, please explain what the emergency involves to the person answering your call. Either I, or one of our paralegals, or another attorney within our firm, will return your call as soon as possible.
- 5) **Your Telephone Number:** If asked, please give your telephone number(s). We, of course have such information in your case records, but having it on your telephone message assists us in maximizing the use of our time for you and our other clients. It would be appreciated if you would let us know if I may call you (and at what numbers) during evening hours or on the weekend when avoidable circumstances do not allow me to return your call during our telephone conference hours described above or when I may need to contact you on an expedited basis.
- 6) **Ensuring Clear Communications:** During our conversations, please ask for any clarification you may need so that we do not end a conference with your questions unanswered.
- 7) **Improving Our Telephone Conferencing:** Please let me know if you have any suggestions on how we can improve upon our telephone policy or if you have any concerns or complaints regarding our handling of your calls (positive feedback is always welcome, also!)
- 8) **Thank You!** Your cooperation and assistance plays a critical role in the success of our attorney/client relationship and in reaping the timesaving and efficient benefits offered by our firm’s telephone policy. We value your having entrusted us to represent you and intend to provide you with the high and excellent quality of services that you expect and deserve. Thank you again for having given us the opportunity to do so.

SAMPLE ATTORNEYS COVENANTS

The attorneys at The McIntosh Law Firm, in an effort to provide the highest level of services to their clients, to establish confidence and respect in the lawyer/client relationship, and to engender trust and affability among themselves agree to the following Covenants and agree to conduct themselves according to these precepts which are in addition to those standard by law.

1. To observe all laws, rules and regulations governing the practice of Law in the United States in general and North Carolina specifically.
2. To treat and deal with each other honestly with complete and full disclosure of all matters relevant to the Firm, the Firm's practice, the Firm's personnel, and the Firm's clients, except as may be prohibited by the Rules of Professional Conduct.
3. To maintain open lines of communication with each other and to discuss any matter that is not settled until a resolution is reached, or until each attorney must "agree to disagree" and put their differences aside for the general good of the firm.
4. To disagree in the privacy of our own meetings and conversations, but present a united front to the outside world (defined as anyone not an attorney in the Firm) and support the Firm's position unanimously.
5. To willfully and cheerfully assist each other in any matter relating to the Firm's practice or clients.
6. To treat all Firm staff, clients, and guests with respect, courtesy and hospitality.
7. To treat all outside attorneys, adverse parties, courthouse personnel, and others with whom the Firm comes in contact with honesty and courtesy, and to deal honorably with those we face in adversarial process.
8. To keep all clients and adverse parties apprised of any matters relevant to any cases being administered by the Firm.
9. To remember that jealousy and greed are the two greatest enemies any enterprise may have and the enemy within is more dangerous than the enemy without.
10. To understand that, as attorneys and members of this Firm, we have a sacred trust reposed in us by those who place with the Firm themselves and their legal matters, and we must strive to earn and keep that trust each day, the violation of which far outweighs any damage that may flow therefrom.

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CLIENT FEES AND BILLING

The difficult client can be described thus: one who doesn't do what the lawyer wants, i.e. pay the bill; one who owes a large amount of money; one who has owed money for a lengthy period of time; and/or one who ignores your repeated attempts to be paid.

Take steps to minimize your chances of a client's becoming a "difficult client."

CLIENT EDUCATION

- Hire a cheerful, caring receptionist who can help reduce a potential client's stress right from the beginning of your relationship.
- Hire a conscientious secretary who can talk with the client and possibly handle a problem, explain if you're unavailable, and ascertain a convenient time for you to call the client back.
- Read Rule 1.5 of the Rules of Professional Conduct, which says a lawyer shall not enter into an agreement for, charge or collect an illegal or clearly excessive fee. Among the factors to be considered in determining whether a fee is excessive: time and labor required; novelty and difficulty of the questions involved; likelihood acceptance of the case will preclude other employment; fee customarily charged in the locality for similar services; amount involved; results obtained; time limitations; nature and length of the professional relationship with client; experience, reputation and ability of the lawyer; and whether the fee is fixed or contingent.
- The rules requires you to be fair to clients when setting fees. Be fair to yourself as well. Don't undersell your services. When a case becomes a financial loser, your enthusiasm wanes and mistakes occur. Charge an adequate fee. If you're unsure how to price a case, consult a seasoned attorney.
- Do not promise results sooner than you might get them. Study a matter carefully to assess complexity and your workload. Inform the client about your progress.
- Tell the client what to expect each step of the way. A client's perception of a legal problem frequently is different from the reality.
- Return phone calls within 24 hours. Delegate a staff person to do this if you really are unavailable. Encourage the client to put thoughts on paper for you, then respond to them.
- Send the client copies of all case documents sent and received.
- Avoid surprises. Get client authorization for unexpected services. Let the client know immediately if difficulties arise.
- Inform the client when you will be away, and have a system in place to deal with client concerns during that time.
- Acknowledge failures to communicate. Take steps to avoid future problems.
- When something happens, tell the client immediately, so he or she feels like a participant, not an observer.

FEE AGREEMENTS

- Carefully explain fees during your first meeting with a client. Put the fee agreement in writing. Misunderstandings about legal fees lead to malpractice claims. The best time to clarify financial issues is at the outset of representation.
- List expenses the client must repay, such as filing fees, transcripts, photocopies, mileage and postage. State whether your fee in a contingent case is based upon the gross or net recovery. Include a clause for fee arbitration in the event of a dispute. Tell when bills will be sent and payments due. Make sure the client understands if all or part of the retainer is nonrefundable.
- Include language explaining the difference between fees and costs. Define the term "retainer."
- Add a paragraph that tells the client to call you immediately with question, and: "If the firm does not hear from you in ten days, you agree that the statement is accurate and valid."
- Obtain a retainer substantial enough to cover the initial phases of the case.
- Know the rules on fee splitting. A division of fee between lawyers who are not in the same firm may

be made only if the division is in proportion to the services performed by each lawyer or, by written agreement with the client, each lawyer assumes joint responsibility for the representation. Rule 1.5(e). The client must agree to the participation of all lawyers. The total fee must be reasonable. In *Boober v. Frue*, 98 NC App 570, *disc. rev. denied*, 327 NC 426 (1990), attorneys were found to have committed constructive fraud when they entered into a fee splitting arrangement without the client's knowledge or consent.

BILLING

- Consider flat fee billing. Clients prefer a known amount to a big hole.
- Send a billing statement every month, no later than the third or fourth day of the month, in keeping with the billing cycle the client probably is used to. Even better would be to mail a bill on the 30th of the month to ensure its prompt consideration. Consider shortening the billing cycle to every two weeks.
- Send a bill immediately after something good happens for the client.
- Be sure statements adequately describe your services.
- Age the accounts receivable weekly, and review them quickly to determine who the “problem” clients are. Gather information as to the nature of the problem and immediately develop a strategy for dealing with the client.
- Mail reminder statements for any bills unpaid after two weeks.
- Create a manual or monograph itemizing various collection procedures, form letters, and related documents.
- If a statement remains unpaid after 45 to 60 days, have someone call to determine if the client has a problem with the bill.
- Appoint someone to review each file, contact clients as necessary, and pursue collections. The lawyer should not call, as a client normally will be embarrassed. Then the bill is unpaid and you've lost a client whose financial problem may have been resolved and who might have stayed with you.
- Always show clients how your bill can be tax deducted if possible.
- Investigate billing methods other than hourly billing. A popular resource is *Win-Win Billing Strategies, Alternatives That Satisfy Your Clients and You*, published by the ABA's Law Practice Management Section, telephone 312/988-5522.
- Keep time logs in all cases. Studies show lawyers who keep faithful and accurate records make more money and avoid claims.
- Beware of suing clients for fees. Suing a client to collect an unpaid fee almost guarantees a counterclaim alleging some real or alleged breach of professional duty. Talk with your client face-to-face. Before suing, have another attorney conduct a thorough file review. Did you live up to your end of the bargain? Get that lawyer to bring the collection action. Would you advise doctors to bring their own fee collection suits?
- Review the Fair Debt Collection Practices Act and make sure your conduct and correspondence are in compliance.
- Arbitrate fee disputes. Up to 80 percent of fee suits are settled in arbitration. Investigate your district bar's fee arbitration program. Get a copy of the arbitration procedures. Rule 1.5(f) says: “Any lawyer having a dispute with a client regarding a fee for legal services must (1) make reasonable efforts to advise his or her client of the existence of the North Carolina State Bar's program of nonbinding fee arbitration at least 30 days prior to initiating legal proceedings to collect the disputed fee; and (2) participate in good faith in nonbinding arbitration of the fee dispute if such is subject to the jurisdiction of any duly constituted fee arbitration committee of the North Carolina State Bar or any of its constituent district bars if the client submits a proper request for fee arbitration.”
- Thank the client for hiring you or recommending you to someone else.

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RULE 1.5 - FEES

- (a) A lawyer shall not make an agreement for, charge, or collect an illegal or clearly excessive fee or charge or collect a clearly excessive amount for expenses. The factors to be considered in determining whether a fee is clearly excessive include the following:
 - (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
 - (2) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
 - (3) the fee customarily charged in the locality for similar legal services;
 - (4) the amount involved and the results obtained;
 - (5) the time limitations imposed by the client or by the circumstances;
 - (6) the nature and length of the professional relationship with the client;
 - (7) the experience, reputation, and ability of the lawyer or lawyers performing the services; and
 - (8) whether the fee is fixed or contingent.
- (b) When the lawyer has not regularly represented the client, the scope of the representation and the basis or rate of the fee and expenses for which the client will be responsible shall be communicated to the client, preferably in writing, before or within a reasonable time after commencing the representation.
- (c) A fee may be contingent on the outcome of the matter for which the service is rendered, except in a matter in which a contingent fee is prohibited by paragraph (d) or other law. A contingent fee agreement shall be in a writing signed by the client and shall state the method by which the fee is to be determined, including the percentage or percentages that shall accrue to the lawyer in the event of settlement, trial or appeal; litigation and other expenses to be deducted from the recovery; and whether such expenses are to be deducted before or after the contingent fee is calculated. The agreement must clearly notify the client of any expenses for which the client will be liable whether or not the client is the prevailing party. Upon conclusion of a contingent fee matter, the lawyer shall provide the client with a written statement stating the outcome of the matter and, if there is a recovery, showing the remittance to the client and the method of its determination.
- (d) A lawyer shall not enter into an arrangement for, charge, or collect:
 - (1) a contingent fee for representing a defendant in a criminal case; however, a lawyer may charge and collect a contingent fee for representation in a criminal or civil asset forfeiture proceeding if not otherwise prohibited by law; or
 - (2) a contingent fee in a civil case in which such a fee is prohibited by law.
- (e) A division of a fee between lawyers who are not in the same firm may be made only if:
 - (1) the division is in proportion to the services performed by each lawyer or each lawyer assumes joint responsibility for the representation;
 - (2) the client agrees to the arrangement, including the share each lawyer will receive, and the agreement is confirmed in writing; and
 - (3) the total fee is reasonable.
- (f) Any lawyer having a dispute with a client regarding a fee for legal services must:
 - (1) make reasonable efforts to advise his or her client of the existence of the North Carolina State Bar's program of fee dispute resolution at least 30 days prior to initiating legal proceedings to collect the disputed fee; and
 - (2) participate in good faith in the fee dispute resolution process if the client submits a proper request.

DECLARATION TO CLIENTS

DEVELOP YOUR OWN DECLARATION TO CLIENTS

Developing your own mission statement might help improve client relations in your office. The first step is to let clients know you are committed to them. Share your mission statement with them. Then do what you say you will do. Follow through on the commitments. It might change your practice forever.

Use the suggestions below and add your own to create your individual commitment to clients:

IDENTIFY YOUR MISSION

- Our clients and community keeping ethics and excellence in mind at all times.
- Our goal is to offer quality services to establish community standards and exceed clients' expectations.
- Our goal is to be recognized as a community leader - in providing quality legal services and in being a good corporate neighbor.

IDENTIFY GOALS FOR MEETING CLIENT NEEDS

- We resolve to listen to your needs
- We resolve to be well prepared to handle your legal needs
- We resolve to be honest with you about your case
- We resolve to use technology and innovation in a cost effective manner
- We resolve to communicate with you concerning the status of your case and return your telephone calls
- We resolve to introduce you to the legal team that will be meeting your needs

XYZ LAW FIRM VALUES

- Commitment to clients
- Excellence
- Trust
- Integrity
- Creativity
- Performance and results

RULE 1.1 COMPETENCE

A lawyer shall not handle a legal matter that the lawyer knows or should know he or she is not competent to handle without associating with a lawyer who is competent to handle the matter. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

RULE 1.3 DILIGENCE

A lawyer shall act with reasonable diligence and promptness in representing a client.

RULE 1.4 COMMUNICATION

(a) A lawyer shall:

- (1) promptly inform the client of any decision or circumstance with respect to which the client's informed consent, as defined in Rule 1.0(f), is required by these Rules;
- (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished;
- (3) keep the client reasonably informed about the status of the matter;
- (4) promptly comply with reasonable requests for information; and
- (5) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows that the client expects assistance not permitted by the Rules of Professional Conduct or other law.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

MY DECLARATION OF COMMITMENT TO CLIENTS

- To treat you with respect and courtesy.
- To handle your legal matters competently and diligently, in accordance with the highest standards of the profession.
- To exercise independent professional judgment on your behalf.
- To charge a reasonable fee and to explain in advance how that fee will be computed and billed.
- To return phone calls promptly.
- To keep you informed and provide you with copies of important papers.
- To respect your decisions on the objectives to be pursued in your case, as permitted by law and the rules of professional conduct, including whether or not to settle a case.
- To work with other participants in the legal system to make our legal system more accessible and responsive.
- To preserve the client confidences learned during our lawyer-client relationship.
- To exhibit the highest degree of ethical conduct in accordance with the Code of Professional Responsibility/Model Rules of Professional Conduct.

Provided by American Bar Association

Subject to the professional rules of conduct in effect in each state.

POST-REPRESENTATION SURVEY

How did you find out about our firm?

- Referred by family/friend
- Knew attorney personally
- Advertisement in _____
- Other: _____

Was our firm conveniently located for you? Yes No

Did our staff greet you courteously when you came to the office? Yes No

Were your phone calls answered pleasantly by staff? Yes No

Were your phone calls returned promptly by attorneys? Yes No

Did the attorney handling your case explain what the firm would do? Yes No

Did you feel the legal fees charged were fair for the services provided? Yes No

Did you receive regular bills on your case? Yes No

Were you given regular status reports on your case? Yes No

Did the attorney handling your case explain the progress of your case? Yes No

Did you feel you met with your attorney when you needed to? Yes No

Overall, were you satisfied with the legal services you received? Yes No

If you need legal representation in the future, would you call our firm? Yes No

If a friend needed an attorney, would you refer him/her to our firm? Yes No

Please write down any comments or suggestions you may have to help us better serve our clients in the future.

Thank you again. It was our privilege to serve you.

CLIENT SURVEY

Thank you for taking a few minutes to complete this survey. The information you provide will help us provide better service to our clients. Please circle the number which most closely fits with your opinion, "1" being "very unsatisfied" and "5" "completely satisfied." Your comments are also appreciated; please feel free to attach additional pages.

1. How satisfied were you with the turnaround time on the work we performed for you?

1 2 3 4 5

Comments: _____

2. How satisfied were you with the amount and timeliness of information given you regarding the status of your matter?

1 2 3 4 5

Comments: _____

3. How satisfied were you with the amount of attention your matter was given?

1 2 3 4 5

Comments: _____

4. How satisfied were you with the timeliness in response to your telephone calls/letters?

1 2 3 4 5

Comments: _____

5. How satisfied were you that the attorney was accessible on short notice?

1 2 3 4 5

Comments: _____

6. How satisfied were you with how we listened to your concerns?

1 2 3 4 5

Comments: _____

7. How satisfied were you that we understood your business and/or personal goals?

1 2 3 4 5

Comments: _____

8. How satisfied were you that your matter was appropriately staffed with respect to the work performed by the lawyer and work performed by a paralegal or legal assistant?

1 2 3 4 5

Comments: _____

9. How satisfied were you that our written communications were clear and concise?

1 2 3 4 5

Comments: _____

10. How satisfied were you with the amount of information provided on our billing statement?

1 2 3 4 5

Comments: _____

11. How satisfied were you with our responsiveness to any billing comments that you made?

1 2 3 4 5

Comments: _____

12. How satisfied were you that we were cost-conscious in handling your work?

1 2 3 4 5

Comments: _____

13. How satisfied were you with the amount of your legal fees and costs, given the quality of the services we provide?

1 2 3 4 5

Comments: _____

14. How satisfied were you with the ability of this office to meet your legal needs?

1 2 3 4 5

Comments: _____

15. How satisfied are you that we keep you informed of legal changes that might impact your business?

1 2 3 4 5

Comments: _____

16. Please tell us what we should keep doing for you.

17. Please tell us what we should stop doing for you.

18. Please tell us any suggestions you may have to improve our ability to serve you.

19. Please tell us about any instance of anyone from our office not relating well to you and your staff.

20. Please mark with an "X" those legal services provided by this firm that you have used:

- General Civil Litigation
- Personal injury
- Family Law
- Real Estate
- Estate Planning
- Business Law
- Bankruptcy
- Criminal
- Banking/Credit Union Law
- Employment/Labor
- Tax
- Intellectual Property
- Environmental Law

21. Please with an "X" those legal services you anticipate needing in the future

- General Civil Litigation
- Personal injury
- Family Law
- Real Estate
- Estate Planning
- Business Law
- Bankruptcy
- Criminal
- Banking/Credit Union Law
- Employment/Labor
- Tax
- Intellectual Property
- Environmental Law

22. Would you recommend us to others?

Yes No

If not, why? _____

OPTIONAL:

23. If we may use you as a reference, please write in your name and telephone number. We will always call you first before giving out your name.

Name: _____

Telephone: _____

Thank you for taking the time to complete this survey. Please return it to us in the enclosed self-addressed stamped envelope at your earliest convenience.