

First impressions

The initial contact with a potential client sets the tone


Cooper

By Miles B. Cooper

The lawyer's phone buzzed – it was a text from the office. "Good potential case call just now – please check email." The lawyer pulled up the email. It contained a short summary of the incident and a police report. The lawyer happened to be near the town where the potential client lived. Surfing serendipity, the lawyer called the potential client, who was available later that day. The lawyer finished up at court and then hopped a train…

Rapid reaction to potential clients

The first hurdle to making sure potential clients are satisfied is to find a rapid reaction method that works for your practice. We've found that having potential case calls screened initially by staff is the most efficient way to address this. That includes monitoring attorney emails for items that need a quick response.

Why the concern? Referral sources and potential clients expect a quick response. That potential client may have made multiple phone calls. The attorney who connects first is much more likely to get the case. That means the rapid reaction plan should include a way to connect what appears to be a good potential case with an attorney right away. Train staff to be able to identify the difference, and if in doubt to err on the side of contact. Phrases like "lots of broken bones," "ICU," "hit by a bus," and "brain injury" should get transferred right away. Cases that are less urgent should get a short description and be emailed to the lawyer with an inquiry about whether to set a call or in-person meeting.

The first conversation

The lawyer's first conversation with a potential client is an opportunity to gather information. The most important thing to do? Listen, and listen closely. This is a relationship that may last for a few years. After a few years of practice, it will usually be apparent within the first 15-30 seconds if the case is a good fit. Trust those instincts – don't try to talk yourself into taking on a potential client you know will be problematic just because there's something sexy about the case.

If the person is reserved, you may need to prompt the discussion with some questions. "Tell me what happened?" "How would you like me to help?" "Do you have any pressing concerns or questions I can answer right away?" "What are you hoping to achieve with a lawyer like me?" These are all good initial questions to open up the conversation and learn more about the potential case.

That last question – what they are looking to achieve – must be asked at some point. The individual who wants a pound of flesh? It may be a great case but that person will never be satisfied – and you could very well be the next person in the gunsights.

The first meeting

Putting some thought into the first meeting's dynamics will help improve the outcome. The location, the people attending, the attire, and what will be covered are all important considerations. We tend to prefer home visits. Since our job is telling our client's story to the decision makers, a home visit allows us to learn far more about the person and how an incident has affected that person. We tend to make the first meeting a deep listening session – listening instead of note-taking. Having a second person present to take notes can be useful. Making sure the injured person has the right people there is also important. Do they have a spouse, a family member or a close friend who may be helping with decisions? Ask and make sure that person is present.

Attire varies. While suits may be necessary in court, they can create an artificial communication barrier with clients. Query – are you more likely to open up to a stern-looking person dressed like an authority figure or someone more casual? If you are going to arrive casually dressed though, let them know in advance that you tend to keep the suits for trial. Also recognize that some cultures expect an attorney to be in a suit. Keep that in mind and adjust accordingly.

Next steps

At the conclusion of the initial meeting, make sure everyone is on the same page about the next steps. That may be reviewing the retainer agreement and returning it. It may be gathering medical provider names so that record-ordering can begin. Or it may be a referral to someone else. No matter what the direction, conclude the meeting with a global understanding of what will happen next.

Outro

Back to our lawyer and the new potential client. The meeting went well, and given how extensive the injury was, taking the time to go to the client's home was the right call. The lawyer left the client with some homework – gathering medical provider names to get a jump on records and bills – and headed back to the train station.

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