

Adopting a Successful Communication Plan

By Alan E. Brown

What can you do to foster better communication with your clients? Are you risking bar discipline by failing to adopt effective client communication methods? Follow these steps, and put a successful communication plan in place for your practice.

First, review the applicable ethics rule that governs communication in your jurisdiction, which usually tracks ABA Model Rule of Professional Conduct 1.4.

ABA Model Rule of Professional Conduct 1.4 – COMMUNICATION

(a) A lawyer shall . . .

(3) keep the client reasonably informed about the status of the matter;

(4) promptly comply with reasonable requests for information . . .

This rule sets the benchmark for all communication methods: do they keep clients *reasonably informed* and facilitate lawyers' *prompt compliance* with *reasonable requests* for information?

Second, take a proactive approach to managing client communications. To avoid client headaches, educate your clients about how communications function in the attorney-client relationship and consistently follow a communication plan.

Third, consider the following five tips for improving client communications:

1. **Return all phone calls within 24 hours.** Nothing comforts clients more than to hear their lawyers' voices on the phone. If you cannot return a call the same day, leave detailed information with your secretary or revise your voicemail greeting to indicate when you will be back in the office and available to take and return calls.
2. **Send frequent written updates.** Many clients benefit from written assurances that their lawyers have not forgotten about them. Written communications with clients also provide them with a source besides lawyers to consult when questions arise. As an added benefit, recent written communications from lawyers to clients can help convince a disciplinary authority that lawyers have *reasonably responded* to information requests.
3. **Put office systems in place that foster communication.** By taking control of client communication, you regain control of your practice and your time. Having systems in place, even if it is just a tickler that reminds you to reach out to your clients at regular intervals, can help reduce client inquiries and allows you to communicate with clients on your own schedule. Make use of technology to facilitate this process. Many lawyers who answer disciplinary complaints stemming from communication problems lack a client communication system in their offices.
4. **Bill regularly.** Regular billing shows your clients the work you have invested on their behalf and the bill itself is a great communication tool. Log the date and time of every call to clients, even if you just leave a voicemail message. If no substantive conversation takes place, bill these calls as "no charge." Not only will you create a record of your attempts to reach your clients, clients also love to see "no charge" entries on their invoices.
5. **Provide a roadmap to the case.** At the beginning of representation, provide clients with a roadmap that outlines major events in a typical case and provides guidelines of how often clients should expect to hear from you. At this stage, try to find out what your client's expectations are and determine whether they are realistic. If you cannot come to a mutual agreement, consider declining the matter to avoid entering into an attorney-client relationship that could be marred with communication issues.

The time it takes to create and implement an effective communication plan will be well worth it when you find yourself with more satisfied clients and without disciplinary complaints. Use the tips presented in this article to help create your own communication plan.

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