

# Client Communication Checklist

- Effective client communication starts before representation.

## Conflict Check And Declining Representation

- Before accepting the matter, determine whether you can deliver conflict free counsel through conflict check.
- If conflicted, send letter declining representation.
- Don't feel compelled to take any case. Consider the merits of a client's matter, the client's goals and whether you can achieve them.
- Create easily accessible client contact info along with opponent and court contact info for each matter.

## Engagement Letter

- Draft a form retention or engagement letter.
- After accepting representation, send engagement letter which includes:
  - Scope of representation
  - Fee arrangement
  - Explanation of how expenses will be handled and who pays them
  - How and with whom you will communicate.
  - Method of communication.
  - Handling of retainer fee or deposits

## Returning Calls And Messages

- Never have full voice mail boxes.
- Set regular time to respond to email and phone calls.
- Return client's inquiries, even if there is nothing to report, no later than a week - the earlier, the better.
- Better yet, call you client before they call you.
- If you can't return a client's call or message, acknowledge their inquiry with an email that you will be in touch as soon as you are able.
- Be wary of creating an expectation of 24/7 availability.
- Think twice about giving your client your cell phone number.
- Think twice about texting your client (never use texting for substantive discussion).
- Advise clients of anything with a date on it.
- Bad News? Get it over with, even if the bad news is that nothing has happened.

## Preserving Communications

- Memorialize oral communications via email to you and your client.
- Follow "Delete, Do, Delegate or Delay" rule for all email.
- Save and sort emails for each matter.
- File hard copy communications, or scan and save electronically.

## File Closing

- Send closing letter to client and return original documents

## Client Disputes

- Charge only reasonable fees.
- Even if the client has not paid you, never hold the file hostage. The file belongs to the client.
- There is no such thing as nonrefundable fees.
- Consider LSBA fee dispute arbitration program to resolve fee disputes.
- Consider the return of a fee in certain cases.