

# Great expectations – why managing client expectations is good risk management



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**It's easy to understand how your clients might hold expectations about the progress and outcome of their matter- which are wholly unrealistic.**

A combination of natural optimism, media reports of large settlements or judgments and ignorance of potential pitfalls in the legal process, can contribute to this view.

While striving for the best possible outcome for our clients, there may be factors beyond our control which means that the client's objective is unachievable, or the result isn't as expected. When your client's expectations are left unmanaged throughout the life of their matter, they will almost always be disappointed with the outcome. A disappointed client will look to their solicitor for answers and sometimes redress when outcomes aren't positive.

## **The first meeting**

Managing your client's expectations starts at the first meeting. Be certain your clients understand the important elements of their matter, including the outcome you will work towards, other possible (potentially negative) outcomes, likely timeframes and likely cost.

It is critical that you clarify your client's expectations, and manage those expectations throughout the matter. Advise the client if their expectations are unrealistic, and let them know what a good outcome or a bad outcome may look like.

Confirm these elements of the client's matter in writing, and be specific in your retainer about:

- what services you will and will not provide
- how your relationship is going to work including a protocol for ongoing communications
- your estimated fees and payment terms, so there are no surprises.

Establishing a clear communications protocol is important. If your usual practice is to have queries from clients handled by other employees, then make that clear to the client and explain that they will only hear from you on substantive issues. Have your staff copy you on communications with clients and keep thorough records of phone calls, so you can meet your commitment to address substantive queries as they arise. Make sure your staff understand your expectations with respect to communicating with clients - staff may not follow up as you have promised and this can damage the relationship.

Remember that certain forms of communication such as email, often come with an expectation for quick response times. Clarify how communications are to be handled and in what forms (ie. emails, calls) as well as timeframes for responses. This will go a long way in addressing client expectations.

### **Throughout the matter**

It is important to let the client know that assumptions and strategies discussed at the outset of the matter may have to be adjusted to changing circumstances. Map out a plan for dealing with your client's needs and provide information about the legal process and the plan for advancing the matter. If the client has taken on some tasks, explain what you need from them and when. Diarise these items and factor in time for a reminder to be issued to the client when the deadline is near.

### **Don't leave clients in the dark**

Keep the client informed. A client does not seek the services of a solicitor unless the matter is important to them. We all know that it is stressful to be in a situation where the outcome is unknown, particularly when that outcome may have life altering effects. Providing the client with periodic updates, even if there is nothing significant to report, will help with managing the client's expectations, inspiring confidence in your services and setting the client's mind at ease.

