One on one

Client communication is important for all solicitors, but especially for those working with private clients who may be bereaved, hard of hearing, or addressing end-of-life issues. **Richard Roberts** gives you six top tips for effective communication for your firm

As private client solicitors dealing with such issues as wills, mental capacity and estate planning, many of our clients will be nervous, anxious and frightened of their future. They may be faced with the conflicting interests and demands of various relatives, or even neighbours and friends. For others, the trauma of bereavement may be heightened by having to deal with the administration of the estate, and all its detailed requirements.

All this makes effective and appropriate communication particularly important for private client solicitors. Last autumn, my firm was delighted, and surprised, to win the Judges Special Award for Outstanding Written Communication, at the Society of Trust and Estate Practitioners' 2010 Private Client Awards. I hope, in this article, to remind practitioners of some of the key elements that they should bear in mind when communicating with clients.

1. BE CLEAR

Good communication is not just about how we express things in writing: from the moment the client contacts our office, we need to consider how they will perceive us and react. Although we solicitors may be used to talking clearly, slowly and giving clear explanations to our private clients, the same must also be true of our support staff, especially when a client first telephones the office.

When confirming instructions with clients, it may be helpful to re-emphasise, gently, what you are going to do, and what they should do: be considerate about what you would expect them to do, be clear on any unusual terms, and be especially sensitive over the issue of costs. Many retired people do lose sight of professional fees, and may think that £50 for a new will is excessive, let alone £500 for significant inheritance tax advice and time spent. Be prepared to explain why overheads are high, and engage your client in a meaningful discussion. Do not be ashamed to explain financial matters clearly, but do not patronise.

Of course, one could write a whole article about 'plain English', but there are particular concerns in relation to the elderly client. Consider what adaptations you need to make to your spoken language to make sure you are understood – for older clients, don't use 'text speak', or youthful slang.

In letters, set forward a client's options and, if the letter must be longer than a page or two, consider breaking it down by emboldening headings and summarising the points. You could also, where instructions are needed, include a simple multiple-choice formatted form for them to return, dealing with the relevant issues, preferably with simple yes / no options. And consider the font size: not everyone has excellent vision, nor the ability to increase the print size on screen.

2. BE ACCESSIBLE

Many elderly clients have mobility problems, so you need to think about your access arrangements. Your office will obviously have disabled access (as it's required by law), but consider how your clients actually get from their car into the building – that is, before they get to your disabled access. Clients may not be able to walk even short distances easily, and need to be brought right to the office door by car; when an appointment is made, explain the best place for a car to stop, and consider confirming this in writing. Make sure your external doors open easily – I recently attended a mediation in Surrey where access to the solicitor's offices was via an external buzzer and intercom, placed so high up on the front door that anyone in a wheelchair, or with arthritic hands and arms, would have had difficulty gaining admittance.

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Then think about any potential issues a client might encounter when inside the building. Are your internal doors hard to open – in which case, could you spring-load them? Do the lift doors close too quickly? Does your receptionist keep a watchful eye open for clients, and make them feel welcome?

3. BE SENSITIVE

When communicating with the recently bereaved or those planning for end-of-life issues, a warm smile, a gentle 'bedside manner' and a soothing environment can do much to help. As for the last of these, consider whether such a client would feel comfortable sitting in your reception, waiting for you. Could you ask your receptionist to take them straight into a private interview room? When we recently moved offices, we commissioned a prominent Lake District artist to create a number of large, soothing watercolours depicting the local lakes, to provide a calming environment. I know of one local firm of accountants which specialises in modern art, and the garish orange and turquoise daubs in their office can be somewhat scary, and certainly visually challenging.

Help clients feel at ease by avoiding 'across the table' discussions, and trying a more informal 'coffee table' approach. Sit adjacent or alongside the client, not opposite – take care not to sit on someone's deaf side, though! Ask clients if there is anything you can do to make the interview more comfortable. Offer them tea or coffee, and use quality china, rather than an old mug with a chip in it – as I was recently offered at a local firm of solicitors!

Think about sound-proofing interview rooms well: we recently invested in substantial pairs of luxury (but second-hand) curtains, not for the windows, but to hang against blank walls to deaden the sound.

This is important not only for the bereaved, but also to avoid breaches of confidentiality, particularly if you are interviewing a client with hearing difficulties, and have to speak loudly. Clients may not always tell you that they have hearing issues, so learn to spot the hearing aid! Also remember that shouting is not necessarily the answer; there are other solutions to make sure you are heard and understood, such as giving the client, at the interview, a list of the points you will be making.

You need to be especially sensitive when visiting a client in their home. When I first started in practice in 1982, the senior partner of my firm, John Gedye, gave me two very helpful pieces of advice: try, if possible, to make the first visit to a recently bereaved widow or widower a home visit, especially if this is within a very short space of time after the death; and always carry a clean white handkerchief! Over the years, I have learned to carry not just clean white handkerchiefs, but the occasional dog biscuit as well – making friends with the client's pet can really help you to form a bond!

4. BE WELCOMING

Many of the aspects described above, such as appropriate artwork and refreshments in your interview room, help to make a client feel welcome. But if you can't see your client in an interview room, you still need to provide a welcoming environment – if you see clients in your own office, where there may be files and papers scattered about, try at least to look as though you are ordered and methodical.

Another part of providing a welcoming environment for your clients may lie in the attire of your firm's people. Some elderly clients have very conservative views about basic matters such as dress sense, but even if you don't want your firm to reflect this, think about the fact that the garish tie depicting a cartoon character in a variety of poses might be appropriate for your six-year-old son's party, but not when you are about to interview a client who has recently lost her husband, or even worse, her son or daughter. Have you thought about getting advice from a stylist on how your receptionist and key fee-earners should dress? However, if you do decide to implement a dress code on the basis of such an assessment, be sensitive to the feelings and needs of your people, too.

5. BE PATIENT

From the initial point of contact, clients need to feel reassured that they have the undivided attention of the adviser, and that they will be treated with respect and dignity, but most of all, with patience. You may be told the same information over and over again, as a client tries to come to terms with a significant life-changing decision, but you must always show patience and calmness.

For a client who is retired, time may matter little, and so it may be difficult to draw the interview to a conclusion; if this happens, show respect and politeness (even if you know there are 56 emails on your phone to deal with) and don't try to claw back the time in other ways – for instance, take the time, as you should with any other client, to escort the client to the front door and out of the building.

6. BE WEB-SAVVY

Not all private clients are elderly, frail or computer-illiterate: many want to have communication by email and to gather information from the internet. If your firm's website does give factual information about the law, current cases or news topics, make sure that it is reviewed regularly.

The use of social media sites to communicate with fellow professionals or, indeed, clients can be extremely useful. LinkedIn has over 120 million members in over 200 countries. According to LinkedStrategies.com, the average age of a LinkedIn member is 41, and 64% are male, 53.5% have a household of over $100,000. Over three-quarters (80%) are graduates and 49% describe themselves as business decision-makers. While almost half of LinkedIn members are in the US, its presence in the UK is rapidly increasing, and if you are intending to communicate via it, or indeed Twitter or Facebook, ensure you engage meaningfully. It is crucial to maintain accuracy and authenticity, and the most successful approach will often be honest and straightforward. The growth in the 'silver surfer' phenomenon means many clients will be comparing and contrasting private client firms' websites and, as such, we need to monitor them constantly.

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CONCLUSION

We may all know the law and the solutions, but that may mean very little if we cannot communicate them in a holistic, empathic manner. Ultimately, we gain and retain our private clients by virtue of our own personalities, and the way in which we communicate our practices, from the moment we open the front door, to the moment the client leaves, and on through our written advice. We like to think that anyone visiting our practice is treated to as much time as they wish, not how much time we want to give them. Courtesy, service, warmth, and gentleness of spirit are essential.

And remember, of course, that one day, we shall all be old. ■

Richard Roberts is a senior director of Gedye & Sons Solicitors, a member of the Private Client Section executive committee and the new chair of Law Society's wills and equity committee.