

Systems for client communication

A COUPLE OF ARTICLES IN LAST MONTH'S *LSJ* gave rise to some thoughts about the topic of better client communication: Bruce MacDermott's Risk Management column which focused on getting matters off to a good start, and second, the report on Craddock Murray and Neumann's journey to LAW 9000 certification.

A fundamental tenet of the ISO quality system on which LAW 9000 is based is that an organisation must clearly understand what its clients want, and have systems in place to ensure these expectations are met. LAW 9000 Clause 7.2.3 Customer Communication requires a legal practice to have effective arrangements for timely communicating with customers about:

- "(a) product information;
- "(b) enquiries, contracts or order handling, including amendments;
- "(c) customer feedback, including customer complaints; and
- "(d) the costs and disbursements relating to a matter, and when they have to be paid.

"The staff member responsible for handling a matter shall report to the client at intervals agreed in the terms of engagement (Clause 7.2.5). Records of the reports shall be kept."

Information up-front

Paragraph (a) relates directly to the engagement policy. Bruce MacDermott's article reinforces LawCover's view, informed by statistics, that nearly half the claims against solicitors relate to inadequate management of client expectations. LAW 9000 requires a practice to have procedures in place to obviate this problem. It can be helpful to have generic information about legal services available for clients. Many practices already do. For example, brief written descriptions can be provided explaining the processes involved in the areas in which the practice accepts instructions. These could be in a form letter, brochure or pamphlet or on a website. Of course, the information then needs to be tailored to suit the client's circumstances, but a standardised procedure not only makes it easier to help clients understand key milestones, and likely time scales, it can also reduce costs by keeping unnecessary client enquiries to a minimum.

Paragraph (b) is fairly straightforward. Clients should be told whom to contact for different types of enquiries, and kept informed of changes or developments in their matter. In any event, the new costs disclosure rules require that clients be informed about substantial changes.

Managing complaints

The issue of client complaints is more important than the few words in para (c) imply. Every practice needs to handle client complaints in a systematic way, with policies and procedures in place to ensure complaints are actively addressed. The key points are:

- Listen to the complainant.
- Record the complaint in some form of register.
- Investigate the complaint impartially – the complainant is not always right but they should get a 'fair hearing'.
- Decide on action to be taken.
- Notify the complainant.
- Act promptly and let the complainant know if there is likely to be a delay, and why.

- Review complaints periodically to see if there is a pattern which suggests there is a problem within the practice that needs addressing.
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Costs disclosure

Paragraphs (a) – (c) are standard ISO. LAW 9000 adds para (d) and the rider. In essence, these state that the practice will comply with the relevant costs disclosure regime. But there is also a requirement for reporting at agreed intervals, on the assumption that this is a provision of the retainer agreement.

The information about milestones and time scales which is likely to form part of the para (a) details lends itself to regular reports. While specific details for each client will be part of the individual engagement contract (Clause 7.2.5) and working plan, the practice should have a set of policies that cover the whole process of keeping clients fully informed of the progress of their matters.

Obviously, progress reporting depends on the nature of the matter. Drawing up a simple document may only require two notifications (for example, ready to check, and ready to sign), whereas complex matters may require many formal reporting points. Remember that for long or complex matters it may not be practicable to define reporting points, since at the beginning it will not be possible to predict the twists and turns the matter may eventually take. However, procedures should be in place to notify clients of events likely to require a change in instruction or any cost variation.

More office

LAST MONTH I MENTIONED THAT YOU CAN almost replace an expensive 'office' suite of applications by using Google products. In the same vein, Zoho has produced some very interesting applications, especially Zoho Creator (www.zohocreator.com). Have you ever wanted to survey your clients? You can write a survey or many other applications without programming. If you want to get your hands dirty you can also type some script code, but it's not necessary. Applications written by users include a project organiser, issue tracker, donation manager, inventory manager and mini customer-relationship manager. You can copy other people's applications then use them privately or publish your application to the public or selected people. Other Zoho applications (www.zoho.com) include a PowerPoint-style presentation writer, word processor, spreadsheet and virtual office. You can even write on-line examinations. A similar suite of tools can be found at Thinkfree (www.thinkfree.com) which also gives you 1 GB of storage space.

PDFs

One thing missing is a way to create PDFs. If you regularly send documents to clients you may prefer to send them as PDFs to provide weak protection against reuse or accidental editing. It also helps avoid sending hidden data along with the document which Word can often do. The full version of Adobe Acrobat is expensive, but PDFCreator (tinyurl.com/3jqbq) is free and can do most of what you need.

You might have noticed a reference to "TinyURL.com" above. Have you ever sent someone a long URL in an email, only to see it break across lines and become unusable? At TinyURL you can enter that long URL and receive a tiny URL similar to the one above. Clicking that tiny URL will take you to the original site (it's also useful for saving space in a 600-word magazine column!).

Saving on software

MacOS X is a great alternative to Windows XP, but Linux might be finally coming of age. I've tried Linux many times in the past and have dismissed it as simply being way too hard.

Too much has gone wrong in the installation, or once I've installed it I've wondered what to do next, since there was no software installed and no easy way to install software. That has changed, and if you can buy your PCs without an operating system pre-installed you can have a business-grade

operating system and Office suite (*OpenOffice*) using one of the flavours of Ubuntu 6.06 (*ubuntu.com*). The main versions are Ubuntu and Kubuntu. The principal difference is the look and feel of the desktop and the size of the download. I like them both, and they installed flawlessly on three desktops, a laptop and in virtual machines (*umware.com*).

In fact, if you install VMware Player on your PC you can download a preconfigured Ubuntu installation to try it out. Alternatively, you can boot off a Ubuntu CD and trial it while running solely off the CD, or if you have a spare hard disk you can dual boot between Windows and Ubuntu until you feel comfortable. OpenOffice can read and write Microsoft documents (with some limitations), and Ubuntu can see Windows file servers and operate on a Windows or Mac network.

To be fair, to counter the money you save on, say, six copies of Windows and MS Office (perhaps \$3,800), you will need to locate a competent Linux support person. You also may be constrained if you are used to using lots of macros or other MS Office automation. Quickies AustLII, our venerable free legal resource, is running training courses on legal research (www.austlii.edu.au/training/). The courses are run in Sydney, although they can be put on elsewhere if there is sufficient demand.

As mentioned last month, if you're interested in networking with other law and IT enthusiasts, fill in the survey at andrewcalvin.com.