

“Clients -The Good, the Bad, and the Ugly”

Experiences of Lawyers that read Paulsen's Perspectives:

The Good:

Integrity - A prospective client called me based upon a referral from a friend. Although the client was losing his job, he understood that my law practice required that I be paid timely. We discussed the facts and the potential legal outcomes and he signed my standard engagement letter. I did not ask for an upfront retainer. I was able to achieve a great result for him and he paid me promptly upon invoicing for my services.

Trust - A company was setting up operations and needed my help. They had made some mistakes in organizing the company and immediately advised me of these mistakes. I met with them and knew that we had a short window of time to get the corporate documents in order. I asked for a small retainer that was paid immediately. I was able to work through the complicated legal structures and provide the client with the help they needed in a timely fashion. In turn, they immediately paid me the balance due on the account.

The Bad:

Legal Misinformation - I think I spend more time educating potential clients on the pitfalls of particular legal issues than anything else. I feel like I'm fighting an uphill battle when it comes to the tremendous amount of misinformation about law. People listen to their brothers, cousins, and friends about how the law works. This only makes it harder for lawyers who actually have gone to law school and have the real world experience to know that law cannot be practiced by filling out forms or by finding the answer in a book. I tell clients like this that they can also buy a car kit and build it themselves.

Time Wasters - I provide an initial brief telephone consultation to prospective clients who appear to be serious about possibly retaining our services. These conversations generally last 10 to 15 minutes and then we set up an office appointment time and I remind them to bring a retainer payment to the office appointment. I can generally tell within a few minutes if the prospect is just price shopping, trying to call a number of lawyers to try and figure out their own answer, or if they are seriously considering retaining our firm.

The Ugly:

Lack of Business Acumen - A corporate client that pays me on an hourly basis hired a department head who called me frequently for legal advice connected with the company. As usual, I billed for the time. I got a call from this person telling me that I shouldn't bill for telephone calls. I asked him if he got paid while talking to me. He said yes. I asked him for a good reason why he should get paid for calls and I shouldn't. I also noted that on some days I spend as much as 4 or 5 hours on the phone. If I applied his billing theory, no fee for phone calls, I would soon go broke. I told this person that from that point on contact between us would not be by telephone. It would be in my office or his office and he would be billed at the hourly rate. I still have the company as a client and the person has long departed for employment elsewhere.

Lack of Business Ethics - I was retained by a company to help them with a serious real estate issue. The company in its rush to establish failed to understand the yearly expense they would incur in operating their commercial business. The company had agreed to pay almost 3 times what they had forecast. I researched the issue, provided winning legal arguments, and then negotiated an immediate 100% savings the first year and a 50% savings for every year thereafter; saving the company hundreds of thousands of dollars. I was able to achieve this result very cost effectively for the client and without litigation. The company was always a slow pay; but now that the company has achieved these results, the company is avoiding my phone calls and correspondence. I am left with no option but to sue to collect for my legal services.