



## 5 Tips for Managing Client Expectations (When Legal Outcomes Don't Come with Guarantees)

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One of the surest ways to avoid problems with clients in the legal environment is to manage their expectations. Managing the expectations of the client is like building a playbook. You need to:

- **Set the playing field** by giving an intro of the legal world and educating them on how the legal process can be complicated and unpredictable. Don't forget that to many clients the legal process is new and confusing.
- **Discuss the rules of the game** and your "plays" to illustrate how the process works. When the client can see the direction you're headed and the overall plan, they have a clearer picture of what you need from them.
- **Discuss all potential outcomes** – good and bad. Be upfront about what may or may not happen – it's better to be realistic or prepare them for a less-than-ideal outcome.

When clients understand the terms, rules, risks and variable outcomes of a legal proceeding or matter they are better prepared to deal with the uncertainty of their case and the results. Managing expectations is a proactive, ongoing effort that will lead to better client relationships.

To begin, use this checklist. You might want to make an index card with these five tips and keep it on your desk for reference. Note that this isn't an either/or list – with each client, make sure you cover all five areas. Eventually it will become second nature!

### 1. Ask lots of questions.

Pose questions that not only deal with the pertinent information of the case, but also provide you with insight into how your client's mind works. These questions are a way to take a temperature check on their emotions, which is where the management of expectations always begins – meeting them where they are. By "sticking to the facts," you might think you're being professional but you could be creating anxiety and potential conflict without realizing it. Of course the clients expect you to expertly manage facts; however, they also want to know that you understand their predicament and that you are human enough to "get" what they are going through. You don't need to add fuel to the fire or agree with their emotions — you just need to be aware of their perspective on why they need a lawyer and what they think about their dilemma.

For example, if someone is engaged in a contract dispute concerning their new home and builder defects, of course the client expects you to understand contract law and real estate. But the client also wants you to communicate that you understand their home is a personal thing and they expect it to be safe and reliable – a "nest" where they can create their life. Then they will see your legal representation as helping them achieve this secure space for their family.



## 2. Identify and regularly revisit the client's goals and expectations of the process and outcome.

As the case unfolds, do not rely on initial consultations and first impressions to assess a client's expectations. Over time, stay in touch with the changing views and emotions of the client. This does not make you a therapist. This provides you the offensive and defensive tools you need not only to manage the client, but also to leverage their thoughts and emotions to improve your representation.

## 3. Give the client as much information as possible and say it in a way that makes sense to them.

Personally, I hate surprises, even "good" ones. I don't like when my clients surprise me, so I don't surprise them. Every necessary step that may be cause for alarm or celebration for your client needs to be shared with them as soon as you can. (If they feel there was a delay between when you knew something and when you tell them, this will negatively affect your client relationship.) Also be sure that when you do tell them, you are clear in your explanation and verify that they understand.

## 4. Stay in touch!

"No news is good news" is not always the case in the law. Clients who have not been updated in a timely fashion start to imagine the worst. Enough said!

## 5. Develop the human connection and make it personal.

Legal representation is a professional service. We all know the detailed and sometimes tedious grunt work that goes into developing a successful case. The client does not. Generally, clients don't understand the process of building the case and what goes into representing them.

What clients see is someone they trust to provide the service they need and do their best. They don't want a robot. There is no surer way to let your client know that you are the right person for the job than by making a personal connection with them. This is about bringing your humanity to the conference table. When clients understand that you have feelings and beliefs about justice, you will be viewed as a professional and a partner.

If you use these tips, most client issues or problems can be avoided. Don't get bogged down in legal strategy and forget client strategy. You need both to provide the very best representation — and that is what your client deserves.



*Janie Mershon*

### About the Author

Janie Mershon is an attorney with a B.A. and M.A. in psychology. She is a Certified Child Advocate through the Philadelphia Bar Association and a Certified Mediator. She is an adjunct professor at Drexel University and serves on the board of The Support Center for Child Advocates in Philadelphia, where she is also a volunteer attorney serving the needs of children.



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