

Popular Threads on Solosez

CLIENT KVETCHES ABOUT HIS OTHER ATTORNEY

New client just hired me and paid me for a new matter. Client brings up on his own his unhappiness and dissatisfaction with a lawyer who represents him on an entirely different matter. Client knows that I also practice in the same area in which the different matter is in. After client expressed his unhappiness with other lawyer, I said nothing. Client seems to like me a lot. Would it be unethical if in the future I suggested to client he could replace other lawyer with me? I think it would be tacky, and I'm thinking the best action is to please my client over the coming weeks and let Client make the suggestion. What say you?

Does your client know that you practice in that area? A lot of times we assume that clients know all the stuff we do when they really only view us as doing whatever narrow matter they've retained us for.

Kevin W. Grierson, Virginia

I agree with you - it is a little tacky. However, I think providing your client with a thank you note for their business that includes a flier of your services might be a good way to keep you in front of the client so if s/he decides to go a different route, you'll be first on their list.

The other warning - be careful about a client that complains too much about their prior attorney. It could be you next, not to say that you are not or will not provide excellence service. Some clients are just that way.

Good luck!

Tolis Dimopoulos

I always advise a caller or existing client to try rehabilitating the relationship. The attorney might not know the client is dissatisfied. I've learned that what I consider "reasonable communication" with a client is to others the equivalent of putting them on an ice floe and shoving 'em off. As much as I might discuss my practice versus their expectations, clients usually end up wanting more updates than they originally thought. Now I tell them to send an e-mail if they want an update.

CJ Stevens, Montana

This happens to me and I always tell the client to make sure that they have communicated their concerns thoroughly to their other lawyer. I also advise the client that if their concern becomes so great that they decide to fire their other lawyer, I would then be happy to talk to them about that case.

But in the meantime I advise the client that I cannot comment on their case, or their lawyer's representation in the matter.

Brian C. Hagner, Wisconsin

What Brian and CJ said: tell the client to make sure to discuss with other attorney the reasons for client's dissatisfaction, to communicate first before deciding whether to change counsel.

Michael Boli, California

Don't take a case from a PC complaining about his current attorney until you figure out what happened. Even if the current attorney is dead-wrong, he might have complicated the case so much you might require a larger retainer than usual. Newbie mistake I made recently.

William W. Chuang

Thanks for the advice everyone. This guy does not appear at all to be a problem client. If what he says is true, he has a problem attorney. For example, the attorney never returns his phone calls, etc. What I'm going to do is just give him excellent service and let the chips fall where they may. My new client is very aware that I can handle the matter his other attorney is handling, so I'll wait for my client to bring the matter up again. Again, thanks.

Agree. Problems may be knottier than at first appears.

Very truly yours,

Richard Kuslan, Connecticut

I had a PC call up and basically tell me that every attorney she ever had was incompetent. Like that's going to make me interested in the case. I asked the PC to name names and one of them was my professors.

After further review it became obvious that the reason the client was screwed is that the PC didn't do due diligence in buy the property (PC didn't get a title search) or looking into zoning issues. Nothing I could do for them so I declined the case.

Kept me from being adding to the long line of incompetent attorneys.

John Davidson, Pennsylvania