

DO YOU LET YOUR CLIENTS REVIEW YOUR BRIEFS?

How many of you give your client an opportunity to review a draft brief or memo in support of motion before you file? Does it matter whether you represent consumer clients, businesses or corporate?

Just curious. FWIW, I always run something by my clients, though it may be on the day of filing with a limited opportunity to review and offer feedback. Others want extensive & multiple review.

I always send briefs and motions to the client for review

Walter D. James III, Texas

Ditto, unless the client has told me they don't want to see it.

Mark DelBianco

Of course they're paying for it. Besides sometimes they catch typos you miss.

John Davidson, Pennsylvania

I try to give every client who wants to a chance to look at drafts -- subject to deadlines. I have a good deal more trouble with the comments from some trial lawyers than from the clients themselves. Other trial lawyers are wonderful and improve the briefs.

In other words, as we lawyers like to say, "it depends."

Wendy

Wendy Cole Lascher, California

It's the bread and butter of our business.

Most of the work we translate is so the client can understand what's going on, whether in litigation or a transaction.

In our case, it's 99-100% businesses/corporate and a lot of times can be limited because often time is short.

Bob Bell

I'm an appellate lawyer and I always offer the customer (the trial lawyer) and the client (the trial client) the opportunity to review and comment on the near final version of the brief.

I explain up front that they will not see early drafts because those drafts are not worthy of the light of day. Somewhere around the fourth major revision, they're good enough for review.

I do so for two chief reasons. First, the customer and the client are extraordinarily helpful in reviewing the statement of the case and the statement of facts. Second, the customer gets to see what he bought and the trial lawyer gets to see how helpful I can be.

Best Wishes,

Jeff

Jeffrey M. Summers, Virginia

I always (unless time does not allow it) provide my clients the opportunity to review documents, letters and pleadings. I do that for my personal, business and corporate clients. Many times the client will say, whatever you say is fine, I don't need to look at it; others want to see several drafts and give a final ok. I have found it really helps down the road if there is a question as to why something was included or excluded and helps with billing questions as the clients see what you're doing.

Maria "Tish" Antill

For me, it really depends on the client. In many employment cases, the client/employee is not at all sophisticated. I will definitely have them review a Complaint before verifying it, to ensure that I got the (often convoluted) facts right.

However, if I'm running a Flesch-Kincaid on my status letters to make sure they're under the 8th grade reading level bar, it is arguably an exercise in futility to have them review a brief on the law, unless it's fact-intensive. In that case, I might highlight the facts that need to be checked for precision.

-Rick

Richard J. Rutledge, Jr., North Carolina

Now that I use Clio, I put all docs that are filed with the court into Clio Connect, which basically shares the doc w/the client (or whomever i designate). In the case of briefs, or other fact-intensive documents, I always send a draft to the client for final review, unless they've told me they don't care to see it. A couple times I've had a PITA client ask me to change this or that, but usually if they have anything to offer it's helpful (e.g. clarification of facts, timing, other subtleties).

Joe Bahgat

It depends on how involved the client wants to be in the case. I always send every client copies of briefs after submitted, but most clients do not care about what I submit enough to review it beforehand.

Conversely, I have a couple of clients to which I even send my e-mails and draft letters, in addition to submissions to court, because we have a closely coordinated strategy for approach to their legal issues, and they very much want to understand the explicit application of law to facts, and how I am characterizing them for third parties.

Sincerely,

Arthur B. Macomber, Idaho
