Do You Bill for Writing Notes?

Hi all,

Ok, this might be a stupid question, but do you bill for writing notes?

For example, while I'm on the phone with a client, I take notes during the phone call. But sometimes I'm too busy advising rather than writing, so I end up taking another 5-10 minutes after the call is over detailing what was said. So, do you only bill for the phone call, or bill for the note writing too?

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If you are billing hourly for your time, which appears an unstated assumption, then your time on the file or matter is not concluded until you have written notes as needed after the phone call. I more commonly deal with this after an in-person meeting as I will have to make notes or establish next steps after a meeting. You are working on the file or matter, so you keep track of your time.

Darrell G. Stewart, Texas

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I image if you really want to make a living practicing you should charge,

After all having good notes helps the client. Some would actually draft a memo to file and bill for it

John Davidson, Pennsylvania

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I would absolutely bill for the time spent writing down notes about the phone call.

Best,

Deborah Hardin

I agree.  I think the key here is how you phrase your bills.  Writing "take notes after call" may get an objection.  But if you send a bill that says "t/c with client; consider potential strategies for x in light of information discussed" or something similar (if true, of course), then you're less likely to get a call that says "but we only talked for 20 minutes!" when you bill for half an hour.

Kevin W. Grierson, Virginia

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You bring up a very good point, Kevin. The wording and description of bills plays a huge role in getting paid; writing off and down time. Attorneys are usually very busy when doing their time/sheets - but unless you wish to spend a great deal of time revising the work in progress reports/pre-bills prior to sending; or unless you want lots of clients calling asking for clarification (if not just down right haggling) and/or upset - you need to word the descriptions of what you/your staff do and what you are charging the client for with care.  May take a few more moments when capturing the time, but will pay off in spades when clients just pay their bills and do not call to discuss.

Andrea Cannavina, Not a Lawyer

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I have presented a few lectures around the country with this as part of the presentation.  The short story is, why should you make your notes later?  If you are using a time and billing program you should pop up your time entry screen as soon as you place the call or answer the call and bring up the client’s data.  Make your notes as to the conversation while you are on the phone.  That way you get paid for writing the note while you are on the phone.  It’s almost like a time doubler!  I don’t worry about spelling as my secretary reviews my slips.  (That means she knows what I’ve been doing and is in a better position to respond to client inquiries so that I don’t have to take every call for status reports from nervous clients.) When the bill goes out there is far more detail so the client can see the effort that goes into my services. I can always shorten the detail, but it’s hard to remember everything if you want to expand the detail.

If there is a follow-up task, I add an entry into my schedule / to-do list, to attend to those items and my computer nags (reminds) me to get it done.

If you make your notes while on the phone you are far more likely to get it right and not have the 11 AM syndrome. That’s when you sit back in your chair late in the morning, stare at the ceiling, and ask yourself, where did the morning go?

The key to any record keeping system is comfort for you and consistency.

Bruce L. Dorner, New Hampshire

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Good advice, this is.

Joe Gormley

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Thanks to everyone who responded! This was really helpful. Kevin, I think you hit the nail on the head for me; I didn't want clients to feel "cheated" in any way, but I just need to create time expense descriptions that accurately reflect the work I'm doing.

Bruce, the issue has never been time entry management (I have a time entry system already) and I always record my time right after the call. I also take notes during the call, but it's typically shorthand and I want to make sure my notes accurately reflect everything that was discussed during the call - what I advised, the client's concerns, the facts, etc. I can't listen, think, advise, and write all at the same time! I don't have a secretary so it's really up to me to do everything  But I don't do a full memo for a 5 minute phone call - it's old-school writing on a legal pad that I stick in the client folder.

Sharon Barney, Pennsylvania

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Nonetheless, you should be charging for that time. I do.

Greg Zbylut, California

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One thing that may help is having a .2 minimum bill for every call. This is something I've done since I started. Many big firms have .3 or higher minimum charges.

Client calls don't always take 12 minutes themselves, so that leaves me a little buffer to process the call in my office. The entire process of preparing to call, pulling the file, reviewing the last few conversations, any client messages since, and processing the call afterward (internally or jotting down notes) can reasonably take 12 minutes.

I've also never had any client compare my billing records to his or her phone records, saying I billed too long for a call.

Monica Elkinton, Alaska

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One thing I have started doing recently that has been helpful is doing voice memos on my phone with a recording app, email it to myself or my assistant, and then saving the memo to the client file (we are a paperless office, which I guess makes a difference here). I can get a LOT of info, facts, what I advised, etc. into a 2 minute message, and I don't have to worry about me (or someone else) being able to ready my messy handwriting later. When I need to refer to the info later, I just pull up the voice memo and get a quick 1-2 minute refresher that brings me up to speed again.

Erin R. Kick, Ohio

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