

SoloSez Popular Threads, June 2012

PC (Potential Client) Asking for References??!

Have any of you ever had a potential client ask you for client references? If so, how did you handle? Did you give them names (with clients' permission, of course)?

Yes and yes.

Kathleen Balthrop Havener

I have not had this happen before, but I can understand why a potential client would. If you're going to hire a gardener, nanny, general contractor, etc, you ask for references.

If you have cases in court, you could always give the PC that. I did invite a PC to come to court and sit in the gallery one time when I was there for a hearing on another case. The PC did hire me, perhaps comforted that I knew what I was doing.

I would definitely check with prior clients before giving their names out. I'm guessing that only a few past clients would agree to this, though, and usually only if (a) their case was resolved really well, (b) it was something not embarrassing, etc.

Andy Chen, California

I haven't have that happen to me before but I did have a potential client who wanted to hire me. They had looked up and obtained the court documents in a trial that I had done. I think that they may have obtained the transcript too. It was really creepy!

Mike Wright

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I had this situation one time. I did give references, after getting prior clients' permission. They finally did not call for the references. I won't to it again though. It is not worth it. In this age of internet PCs can easily obtain a lot of background information on me before they even pick up the phone to call me.

I had another situation in which a potential client attempted to interview me from what it seemed was a prepared script. I cut him short, politely, and told him the best way for him to hire an attorney was to ask his friends, colleagues and family members for an attorney who they have worked with. I will maintain this position if anyone asks me for references from my ex-clients in the future.

Lubna Jahangiri, California

If you have brag book of letters--with names redacted--fine. Otherwise, the answer I learned as employee of mgt. consulting firm.

We do not provide references for two reasons: First, we have helped people with problems they do not want to talk about. Second, it is a burden for the prior client. They may welcome the first two or three calls. After that, they will be annoyed and show it.

AND...SUPPOSED TO BE YOU INTERVIEWING THEM.....you have a job, they need a lawyer. Why I always call them CLIENT APPLICANTS and let them see it.

John Page, Florida

I'd also recognize it's a failure on my part. That client should already trust me and want to hire me, before they ever meet me (but I recognize this maybe also over the phone). The key is to get this information to them before they have to ask you.

Joseph Dang, California

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Winner winner!!

Yep, that's the whole key.

I had a guy call the other day, and the scheduling didn't work out for me. I could've taken the case, but it wouldn't be in front of the judge he needed for a good result. It took me quite a bit of coaxing to refer him out. He already trusted me and wanted to hire me, even though I was telling him I wasn't the right guy for him.

He finally took the phone number and we hung up. Later in the day, he called back saying he couldn't believe what the other firm was telling him. It sounded too good to be true. I confirmed that it was legit, and off he went to hire them!

Trust works in amazing ways.

Too bad I don't get referral fees from that firm.

Andrew

Andrew Flusche, Virginia

Thanks for the feedback and suggestions. I must say, though, that I would not analogize this to hiring a nanny, gardner, etc. Of course we ask them for references. Nothing confidential or private about clipping hedges. I would never dream of asking a doctor, accountant or similar professional for references. I'd ask people I know for recommendations *to* a particular professional, but would never ask a professional who deals with highly personal, private and confidential matters for client references. The more I think about it, the more inappropriate I think the request was. I just needed to bounce it off others to make sure I wasn't totally off-base. Of course, the responses and opinions are all over the map on it.

Laura S. Mann, New Jersey

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Thank you for your feedback. Being too defensive at times, I immediately took insult by your suggestion that this guy's mistrust was a failure by me. (I'm not offended and know it wasn't intended that way). Then I took it to heart to think about what I did wrong and how to fix it. I've gone back and forth and all around with it and do not believe it was a failure on my part. This guy has seen 3-4 lawyers about the issue who came to me about, and had problems with every single one of them. While your point still is very well-taken and I will try hard to be mindful of it in future similar scenarios, I'm not sure it applied here. I think this guy just has issues. Not that that will keep me from trying to improve what I do of course.

Laura S. Mann

I definitely didn't mean offense to you. Never. Hell by my own measure I've failed way too many times on this.

When I say a "failure on my part" I really mean it's a teaching moment. Something I can improve. What can I do so next time, a good prospect already knows this, or, such as in your case, a bad prospect doesn't even get to me. Bad prospects are bad. No matter how perfect we are in our approach.

So yeah I definitely didn't mean to imply you failed in any way. We don't cause bad prospects to be bad. I could have subbed "teaching moment" in there instead. I just call it a failure so that it forces ME to improve on it. Nothing wrong with failing. Failing is learning. But that terminology was directed at myself, sort of to reinforce the idea I don't want that happening again.

Joseph Dang

I'm the one who should have phrased my email better. My apologies. I absolutely know you didn't mean any offense and you said nothing wrong. I just was blabbing. Your points all are well-taken and appreciated.

Thanks!
Laura Mann

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I you hire an associate, do you ask for references?

Every time we make a proposal to a corporate or local government prospective client we include references.

The list of representative clients in your Martindale-Hubbel and West Legal Directory, are references.

I would not hesitate to give a good prospective client references. Of course, we always obtain the client's consent to identify them.

David Masters, Colorado

If I was a corporate lawyer or something in that realm, I would agree with you. I'm not. I have a general practice, with a large % of my cases are BK and family law matters. Highly personal, private and often (to the clients) embarrassing stuff.

This person came to me regarding a BK. Ironically, the same day I got this email, I got another from a BK client whose case just closed gushing about how wonderful I am (!! :)). They were thrilled with me. I still wouldn't feel right asking them to be a reference. Very awkward and, in my humble opinion, inappropriate.

Just like the gardner / nanny scenario, totally different than hiring an employee. Nothing private, personal, embarrassing (hopefully!) or confidential about where they worked before.

Laura Mann
