

WHY DON'T YOU LOVE ME LIKE YOU USED TO DO?

How to retain clients and earn referrals.

BY JAMES E. BRILL



**"Well why don't you love me
like you used to do?"**

**How come you treat me like a worn out shoe?
My hair's still curly and my eyes are still blue.
Why don't you love me like you used to do?"**

It is certain that Hank Williams wasn't thinking about law practice when he wrote those words. It might seem like quite a stretch as you read them today, but I see a clear connection.

Why don't clients come back to us for additional services? After all, don't we still have blue eyes and curly hair? Or to put it another way, aren't we the same bright lawyers ready to build relationships, one matter after another, that we've always been? Didn't we handle their affairs in a competent manner? And, in some cases, wasn't the result more than they could have hoped for?

Handling divorces, in particular, is not a sure way to get repeat business or even referrals. It can be a tough experience for the lawyer as well as the client, and when it's all over, many clients go away because you have seen them portrayed at their worst.

Years ago, I represented a woman in her divorce. It was a tough fight over assets, but she ended up with about 60 percent of the community property. As we sat down for the debriefing, she told me how disappointed she was and that I hadn't done a very good job for her. I was astonished. And then she told me for the first time about a particular item she had wanted that was never even mentioned in the negotiation and how that was the only thing she really cared about. It was obvious that not only would she not be back for future services but she also was not going to sing my praises.

I learned a valuable lesson from that experience, and I modified my approach for first client meetings as a result. Every time after that, I asked my client to take a sheet of paper and write down everything that would be important to have when the divorce was over. Some emphasized custody, visitation, and child support, while others listed specific assets. Most would list fewer than a half dozen concerns. I urged them to keep writing, but most were through. Half joking, I asked them, "If you end up with everything on your list but no more, will you be thrilled and tell all your friends what a great lawyer I am?"

Needless to say, I focused on those items listed and then tried for more. When I was successful, I had enthusiastic clients who talked about me to their friends and helped me to develop my practice. To them, my hair was still curly and my eyes were still blue, and so they still loved me like they used to do.

The point is simple. Give clients what they want. Unless it involves something illegal or unethical, we should not let our ideas of a good result supersede their desires. It took very little time and effort to have the clients make their wish lists and the result was to ensure that my attention was devoted to the most important things. As my minister, Jim Moore, once remarked, "The main thing is to make the main thing the main thing."

In addition, failing to respond to calls from clients is one of the top factors leading to grievances. Why do we ignore people who are trying to give us money? Why are we so interested in marketing our services to prospective clients while at the same time we are so disinterested in the clients that we already have?

And then there is procrastination. Some of us would love to procrastinate, but we can't get around to it. My mentor, J. Harris Morgan, from "the metropolitan community of Greenville, Texas," would exhort his audience to "begin; the rest is easy." How simple and yet how profound.

When your client is obviously angry, upset, or just disappointed, you will know that to this client, you are "a worn out shoe." Other clients go elsewhere for less obvious reasons that are just as harmful to your practice. Additional factors will explain the loss of clients, many of whom will just drift away only to end up with lawyers who listen, who focus on the main thing, who respond when called, and who do not procrastinate. Those new lawyers will have no reason to know the words to this old country blues song because their clients love them, are made to feel important, and enthusiastically give recommendations and referrals.

Even though their hair is still curly and their eyes are still blue, some lawyers are left behind like a worn out shoe, left to wonder what went wrong, why they lost their clients, and why those clients don't love them like they used to do. **TBJ**

JAMES E. BRILL

is a 1957 University of Texas School of Law graduate and a solo practitioner from Houston whose practice emphasizes probate, estate planning, and real estate. He has been the principal author of every edition of the Texas Probate System and is a recipient of the Presidents' Award from the State Bar of Texas.