



NO DOESN'T MEAN NEVER — IT MEANS NOT NOW

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I have come to realize over the years that lawyers really hate being told NO. Over the years, those two simple letters have caused reactions which literally blew back the hair from my face more than I care to admit. I've seen attorneys with otherwise calm demeanor completely lose it when given NO as an answer. I've also learned that no amount of explanation can help defuse the situation once that word triggers an undesired response.

Are you someone who often over-reacts when you get NO for an answer? Come on, be honest. You're in good company. Lawyers are generally more "fragile" than the general population when it comes to criticism. From an emotional perspective, NO is usually interpreted as a very personal criticism or rejection.

It is important that you try to remain rational, and not let your emotions overtake you when you hear NO. Understand that it's not a personal rejection. If you get emotional about a client's or prospect's rejection, it will become a big unpassable barrier, and often the precursor of the relationship's demise. Instead, be focused and intent on finding out what the NO really means.

Sometimes people say no automatically. They may not want to take the time to actually consider what you have to say. Or they may feel disloyal to an existing relationship by listening. Perhaps there have not been sufficient choices or information provided to provide opportunity for YES. Calmly ask open-ended questions to reveal what specifically is being rejected. Only then can you respond appropriately.

So how do you respond? Well, your instincts will be to disagree to the objections, and counter with additional information and clarification. However, in doing so, you are likely widening the gap between yourself and the prospect. You may be perceived as argumentative. People don't like being contradicted, or having their feelings and viewpoints invalidated.

Instead, you need to find common ground. Begin by showing you understand their objections. Neither agree nor disagree. Paraphrase objections in your own words, to show you understand and welcome the feedback. Next is the hard part. Be quiet. Listen. A brilliant transactional lawyer once explained to me that the person who can outlast the awkward silence at the table the longest, will win the negotiation. In this instance, you want to make the other person feel more understood and safe to open up with a greater level of honesty and better information about their needs. And hopefully the silence will cause them to blurt it out. That will help you understand how to more effectively respond. Keep acknowledging the feedback you receive. Look for opportunities to find specific points of view you can agree with. Begin to negotiate toward YES by presenting solutions which will be better suited to the prospect's stated needs.

Often NO is the final answer. Over the years I've had people who've reacted to my NO with anger, predicted monumental failure for my poor decision, and even some who have emotionally accused me of being unfair in my decision-making process. Ultimately, it made them appear highly unprofessional, and burned a bridge for future opportunities. So learn how to take NO for an answer. Always conclude the discussion with gratitude for the time and consideration extended, letting the prospect know there are "no hard feelings" even though you are disappointed.

It helps to assure yourself that NO doesn't mean no forever, it means NO at the current point in time. I recently read an article which suggested that we view NO not as a stop sign, but rather as an acronym for Next Option / Next Opportunity / Next Offer. That resonated with me, because I have been operating on that basis, instinctually, most of my professional life. If I took NO at face value, I would have been destined to fail.

From this point forward, think of NO not as a stop sign, but rather a detour. An answer that means Next Opportunity. Be patient. Stay in touch. Send valuable information every few weeks or months. Like white papers, links to or copies of interesting articles, invites to networking events or your speaking engagements, your newsletter, and introductions to people who may enhance the prospect's

success. Be a resource. Continue to demonstrate your knowledge in the prospect's industry or area of concern. Build a trusted value-added relationship.



Here's an important consideration to remember. Even if you don't feel you will ever convert a particular prospect into a client, if you continue to build the relationship — rather than sulk off when you realize you will not make that transformation — the prospect might become a good referral source. Possibly a trusted source of strategic intelligence on other prospects you are pursuing, or issues affecting their industry.

There's one more very important aspect of NO that bears examination. That is when NO is truly a rejection, as is the case with a departing client. I rarely encounter lawyers who handle this well. Certainly, on an emotional level, this is very personal. Accordingly, it often evokes reaction on a visceral level, rather than action on a rational level. Predictably, it reflects poorly on the lawyer.

In some cases clients walk because they owe more than they can pay, and you become a hapless victim of their financial shortcomings. There is little consolation is knowing that the next lawyer might be stiffed as well. But at least you can get a small measure of consolation, if you precipitated the departure by putting the pen down, in knowing that the loss might have been greater had you not done so.

More often, clients walk because of some perceived deficiency on the part of the lawyer, the lawyer's staff, or the matter in which their case is handled. This is a learning experience. Yes, it's painful. It's often costly. But at least you can squeeze some juice from the lemon you've been handed by making it a learning experience.

Once again, you must keep your emotions in check. Remind yourself that this is not personal, this is business. If you can keep your focus on what is best for your practice in the long term, you can gain some valuable information. Your departing client's perceptions may be factually incorrect, or based on a lack of knowledge, but they are valid nonetheless.

Try to get the client to tell you all the reasons for departure. Paraphrase back to indicate your understanding. Ask open-ended questions to dig deeper. Remember to keep actively listening. Don't argue. Don't defend. Just absorb. And express gratitude for the candid feedback. Wish the client well.

Be as professional as possible in transitioning the client to their new attorney. Try to work with the new attorney to arrange for payment of your client's bills. Don't be petty about holding back the file. Let's face it, any good attorney will



make you turn over the parts of the file which have value, and you will have no choice because you can't prejudice the client's ongoing representation. If the new attorney is unnecessarily antagonistic, rise above it. Maintain your professionalism.

After you've had a chance to digest the client's feedback, try to determine how the situation might have been avoided. What might you or your staff have done differently to change the outcome? Involve your staff in realistically assessing the feedback and determining what solutions might be implemented. Remember, no matter how small the irritants were which led to the client's departure, there was no doubt a cumulative effect. Even small changes can make a positive difference in future client retention.

The bottom line is that you need to keep building and maintaining positive relationships. You need to train your brain to interpret NO as Next Opportunity. You need to keep emotions in check. You need to look in the mirror and remind yourself regularly, until you believe it, that NO doesn't mean never, it just means not now. The results will be measurable over time.

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