



## DO YOU HAVE PROCEDURES IN PLACE FOR QUALITY CONTROL?

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I get a regular number of calls each year which are seemingly dissimilar, but are actually one and the same. The calls go something like this:

- “. . . I had an associate leave the firm recently. Afterwards, as I contacted affected clients, I found out that many were unhappy. Calls were not being returned. Emails were not answered. In short, communication was non-existent. Plus, their matters were just lingering. I’m lucky I didn’t lose them. I had no idea. How do I do a better job of hiring a replacement so this doesn’t happen again?”
- “. . . I recently lost a good client to a competitor. When I asked the client why he left, I was told that my partner had charged a significant amount of money, but was not making any apparent progress on their matter. They also complained that he occasionally spoke to them in a condescending manner. How do I handle matters in the future if I don’t do that practice area, and don’t trust handing it off to another attorney at the firm?”
- “. . . I have a partner who is very skilled in her areas of practice and is also a good rainmaker. But when I send one of my clients to her, they are treated like second class citizens. How do we change our compensation system so that my clients are ‘worth’ as much to her as her own?

In the first variation, the caller sees the problem as a human resource issue. The conclusion is that the problem arose from a bad hiring decision. Further discussion along that line may reveal additional HR-related issues like lack of training and inadequate or no feedback mechanisms.

In the second variation, the caller has lost trust in the ability to effectively cross-market. She concludes that referring matters outside the firm is a better option, and wants to find out how to do so without damaging internal relationships. This path is seen as easier than rebuilding trust by having difficult conversations which may or may not eliminate another similar occurrence.

In the third variation, the caller has concluded that the compensation system is at fault. The firm's formulaic compensation system rewards the referring partner by crediting a small portion of the earned fees to him, thereby leaving slightly less to the working partner's credit. He feels sure this is why she is treating his clients differently.

My take on these calls — typical of the many variations which come in throughout the year — is that there is something else awry in all situations. While it is true that there may be correctly identified factors in play in each situation, it is also true — but not apparent — that there is one factor common to all situations: a lack of quality control measures.

Many of you may remember talk of TQM (Total Quality Management) in the 1980's. As a concept in the legal industry it arose seemingly from nowhere. The majority of law firms and its managers watched carefully to see whether this was something innovative to deploy, or another passing management fad. Many concluded it was the latter.

For those of you not familiar, here is what Wikipedia says about it:

Total quality management (TQM) consists of organization-wide efforts to install and make a permanent climate in which an organization continuously improves its ability to deliver high-quality products and services to customers. While there is no widely agreed-upon approach, TQM efforts typically draw heavily on the previously developed tools and techniques of quality control. TQM enjoyed widespread attention during the late 1980s and early 1990s before being overshadowed by ISO 9000, Lean manufacturing, and Six Sigma.

TQM is/was regarded by many as a passing fad. Its successor, ISO 9000, and more currently and significantly ISO 27001, which focuses on security standards, have made inroads into some large law firms mostly at the behest of clients. Law firm ISO 27001 certification is a significant differentiating factor to some of the most desirable clientele.

Bottom line? Cut through the hype. Lose the assumptions. And let's just admit that most of us operate in an environment which does not have any or sufficient mechanisms in place to alert us when someone at the firm drops the ball in servicing clients.



We *should* have in place processes and procedures, and readily available information, to enable us to actively monitor how we are doing in terms of client service in all aspects. We should be able to monitor how others are servicing our clients, and how. We should be proactively soliciting feedback. We should have everyone at the firm on high alert and trained in soliciting client feedback, good or bad.

The information we gather, good and bad, should be openly shared. Everyone should be able to bask in praise directed toward anyone who has delighted a client by surpassing their expectations. By the same token, when the firm falls short in the client's eyes, private action must be taken. Feedback must be immediate and privately conveyed. Yes, these unpleasant conversations must be had. Not to cast blame, but rather to discuss how to avoid repeating the same misstep again. To reconfirm that everyone is on the same page regarding dedication to excellence in the delivery of client service.

Accountability must exist as well. Usually it means that performance is tied to compensation, or other rewards. If delighting clients through service isn't one of the factors considered in your compensation scheme — a factor which must be subjectively applied — then think of what other leverage you have.

The title gave away the purpose of this article. What do I want you to do? What “call to action” am I trying to incite? I want you to reflect on just what your firm is doing to consistently monitor client satisfaction, and actively seek out negative comments at the earliest possible moment. I want you to reflect on how well you are monitoring work you delegate outward or downward. No matter how busy you are, you can create simple procedures to do so regularly enough, such that you don't have to fear passing work off to others.

If you're a solo, you may be so overwhelmed with work that you barely keep the tip of your nose above water. You probably think this is impossible to do in addition to all else. You may think it's an exercise in futility, since you can't do anything about it. Consider that you may be very wrong in your assumptions. Don't wait until you lose a client, or any chance of future referrals from that person. You can't unring that bell!



Not sure how you're doing? Don't like the answers? Don't know what to do about it? That's what I'm here for. PBA members are encouraged to contact me to discuss delivering and monitoring client satisfaction.

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