

TUESDAY'S TIP #24 – PRESERVING YOUR RELATIONSHIP WITH YOUR CLIENT

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Situation: You've got too many cases going on and not enough time. Your client is unhappy with your representation. Every interaction with them seems to be getting worse.

The Problem: Unhappy clients turn into uncooperative clients. They become belligerent. Unhappy clients may also call the bar and file a complaint.

Law: The Rules of Professional Conduct require attorneys to be [competent](#), exercise [diligence](#) and promptness in representing a client, and maintain [communication](#) with the client. The [Bar](#) reminds us that a "lawyer should not accept representation in a matter unless it can be performed competently, promptly, without improper conflict of interest and to completion."

Action Steps:

1. Meet with your client, early and frequently, and not just at the courthouse.
2. Schedule appointments at least a week ahead of court.
3. Find out the best way to communicate with your client. Few people receive mail (and our clients tend to move frequently) or even open it when they get it. Does your client email? Text? Be available to your client using their preferred communication method.
4. Give your client homework to get them involved in their court case.
 - i. Have them prepare a letter about their child to file with the court and ask that DSS or the GAL provide the letter to the foster parents.
 - ii. Have them sign a general release to you and a limited release for DSS/GAL (see Tuesday's Tip #4).
 - iii. Have your client go through the petition. For each paragraph, they should tell you whether they agree or disagree with the allegation, explain why and name any witnesses.
 - iv. Have your client drop off certificates for every class or program they complete.
 - v. Have them take photos of their home, visits, etc. Print the photos and get stories of good family times. (see Tuesday's Tip #21).
5. Talk to your client's witnesses. Subpoena them to court when necessary.
6. Review discovery with your client.
7. Prepare and file motions on your client's behalf. Consider Motions in Limine (for example to keep out prior unsubstantiations) or motions to increase visits as your client makes progress (see our website for examples).
8. Prepare a parent report. If your client's progress isn't great, documenting it for them will show them what their lack of progress looks like. You don't need to use it.

Conclusion: Clients want to know that their attorney is on their side. This means showing them that you care about them and are taking their concerns seriously. Remember that our clients are in crisis, and they are separated from their kids. Every delay is traumatic and impacts your professional relationship.

The biggest reason for bar complaints is attorneys not being reachable and not returning their clients' phone calls. Treat your client as you would want to be treated if you were in their situation and show them that you'll fight for them.