Mary Vandenack provides the transcript from Legal Visionaries podcast on Transforming Your Practice: The Client-Centric Journey.

TRANSCRIPT:

Mary: On today's episode, my guest is Deirdre Wheatley-Liss. Deirdre focuses her practice in the areas of asset protection planning, taxation, estate planning, and administration, elder law, as well as representing closely held businesses and nonprofit organizations. These are my favorite practice areas by the way. She has experience in Medicaid, retirement benefits, probate and will contest litigation, guardianships and advocacy for the elderly and disabled. I asked Deirdre to participate in today's episode to discuss a topic titled, the Client-Centric Estate Planning Practice. Thanks for joining me today.

Deirdre: Mary, thank you so much for inviting me. It's been one of my goals to look at how do we design a 21st century estate planning practice to serve the needs of our clients. And I'm so happy to have the opportunity to share some of the things that I've learned along my journey and hope that you'll get comments back from your listeners of things that estate planning attorneys can all integrate into their practices.

Mary: So, let's start by explaining the concept that you used about this, which is client-centric.

Deirdre: So, one of the things is as a business, there's lots of things that we're required to do as attorneys. We operate businesses and there's operations and things that need to be done like opening up a matter. We work in a very high pressure and high stress environment, and we tend to be dealing with people who are in a very stressful situation. But at the end of the day, we are professional service providers. That is what it is that we do. And what I've noticed in my career in looking at how law firms address clients, they tend to put the law firm's needs first and not the client's needs necessarily first. So, what I encourage people to do as attorneys is to look at how do you put the client at the center of every single process that you are engaged in to think about it from the client's perspective, not from the law firm's perspective? To see if there's a way to make the client more comfortable with entrusting you with the incredibly important process of doing estate planning, building, growing, and selling their business, dealing with their aging loved ones or dealing with the death of a family member.

Mary: So, I would say estate planning is pretty personal. It involves life, death, family, and money. So, can you give some examples that might explain be a specific example of a client-centric practice?

Deirdre: So, what we try to do is the touchstone of our practice is every process that we are engaged in, does it add value to the client? And if it doesn't add value to the client, can we mitigate it, can we change it or can we eliminate it? So, let's talk about, we have to get an engagement letter and open up a client file. We are required to do that. How are you transmitting your engagement letter? Are you transmitting it via mail, so somebody has to wait for it and then actually get a stamp and send it back to you? Are you transmitting it via email? Which could be fine, except for most of my younger clients don't even own a printer anymore. Are you transmitting it via DocuSign so that they can simply review it and sign it on their phone? Or ideally, are you doing all three and asking the client what they prefer.

That I think is a really good example of a client-centric practice process. You can look at your intake process. Are you asking questions in your intake process that you're never ever going to use? Are you asking someone to go track down, I don't know, their parents' birth certificate, which is not necessarily going to be relevant for the planning? Or can you look at what is the information that you're really needing? Ask the client to gather that information and send it to you.

And when they're sending it to you, can they email it to you? Can they upload it to you? Can they swing by your office and drop it off? Or ideally, can they do it in whatever means works best for them? And then finally, communication. We ask our clients do you prefer phone calls? Do you prefer email? Do you prefer text? And we try to communicate with them and the method that they prefer because at the end of the day, we need to get the message to them. But if we can do it in a way that it fits better within how they are operating their lives, we're putting them in the center of what it is that we're doing.

Mary: See you talk about coming to a client from a place of service and gratitude. I really liked the phrase that you used there. What does that look like?

Deirdre: If you think about it, I mean, so I practice in New York and New Jersey, there's over 75,000 licensed attorneys in New Jersey and over a hundred thousand licensed attorneys in New York. Our clients can go anywhere to be able to get service. They have chosen to entrust us not only with their money because it's not inexpensive to do estate planning, but to entrust us, as you said, Mary, at the top of the show, this most personal decision. Who am I leaving my assets to? Who's going to be in charge of them? How are my children going to be cared for? How am I going to provide for my parents, for my pets? How do I ensure that if I get sick, someone can run payroll at my company the next week? Because I have 15 people that are counting on me to pay their mortgages and pay their rent. We are trusted advisors at the end of the day, and I am so grateful for every client who chooses to come to us and entrust in us, helping them become educated on those details and to move forward with what can be a very scary, emotional, sad process. I mean, I joke, we talk to people, and you said that our basic conversation is what happens when you die and okay, we're done dying. Now what happens if you become disabled? That's what we speak about. So, if people are trusting us with that, we owe it to them to give them a level of service, clarity in how we're going to provide service. So, at the end of the day, they are walking away saying, "I feel really great that I did that. It's been on my to-do list for five years. I took care of it." And not only that, but from a business perspective, "I'm so excited about this. I am going to tell every person I know that you need to go speak to Mary to get your estate planning done, because I had a wonderful experience with her."

Mary: So, you've talked about looking at things from the client's perspective, and then when you look at the law offices' processes, how do you look at those processes to develop that client-centric practice?

Deirdre: So, the first thing we started to do, and we started to engage in this process, I guess it was 2020. So, the first year of COVID when there was a lot of uncertainty just around the business, how are we going to survive? How are we going to pay our employees? Plus, we were dealing with families that were thinking about estate planning really for the first time because everything was really in their face about something bad could happen in a way they hadn't thought about before. So, we sat down and with the whole team and said, "What are all the touch points? First, the client contacts us. How do they contact us? Are they emailing? Are they calling? Are they finding us through their website? Is it from a referral?"

Then we're gathering a lot of personal information. What does that look like to the client? How are we gathering that personal information? We're producing documents. Are we sending, I'm going to call it plain English summaries of the documents, flowcharts. Can the clients... Are they really able to understand the documents that we are producing? We have an execution meeting. Do they feel good about that? Or they feel nervous about coming into an attorney's office. After the execution? How are they getting their documents? How do they look? Somebody's going to be pulling these out. When somebody passes away, are we giving them, here's the phone number you need to call. Just very practical information.

And then finally, what are the timeframes that we're getting back to people? And if you were the client, would you feel comfortable with that timeframe? Would you want to wait a week to get a phone call back? Chances are no, you wouldn't put in the client at the center. So, what can we do? So, it starts with really mapping out what that ideal client journey is. And part of that gets into systems and processes so that your voice, Mary, as an attorney, is coming through with every communication, regardless of you're having the communication or any of your many team members are having the communication.

Mary: So you define the ideal journey, and then you take a look at the current journey and what do you do with that to move towards the ideal?

Deirdre: You benchmark against it. So, let's say that a person calls in and you have three different people that are answering your phone and person A speaks to them one way, person B, another way, person C, another way. And you can see the differences because in your CRM system, person A completes every single thing, person B only ever completes these ones. And person C, they don't really like computers. So, they're writing everything down on paper with a great intention of getting it in there, but it never gets in there. Can we standardize that intake process so that every client, regardless of who they're speaking to, you are gathering the exact same information and your team members are all asking the exact same questions so that it's if they're talking to Mary every single time, regardless who on your team they're speaking to. So that's an idea of the process.

We also engaged in a practice of systematizing all of our documents. And when I say documents, it could be an email communication. The email communication that goes out after an initial client consultation. There's a form, we modify it for the client, but it's always going to contain, here's a sentence about what an executor does. Here's a sentence about why choosing fiduciaries is so important. So, it doesn't matter if I'm speaking to them or any of the other attorneys on the team are speaking to them, they're getting a consistent piece of output, which also then makes it easier. Somebody's on vacation, another person can pick it up right there because the process is always the same, even if the people who are engaging in the process with a client are different at any point in time.

And then the final thing is timeframes. We all intend to get our documents out to our clients as quickly as possible. I will say that we don't always meet what our timeframes are. Others may and not have a problem with that. But if you're going to say, "All right. I want to commit to a four-week timeframe," what deadlines do you have to have done within one week, two weeks, three weeks, four weeks to be able to commit to that four-week timeframe about what it is that you're going to be sending out to your client? And then finally, how do you track that everybody on your team is doing what needs to get done so that you can meet that four-week timeframe?

Mary: So, when you talk about a culture of yes, can you describe what you mean by that?

Deirdre: Yes, so if it's a client-centric practice, our clients don't call us up to tell us what they can't do. They call us up to tell us what they can do. So, everyone on the team should be, yes, we can do that. But yes, we can answer that question, but you need to speak to Mary because it's not something that I know. Billing adjustments and just you know, we didn't come up with this. We actually engaged in a training through the Ritz-Carlton. If you think of the five-star hotel over and over and over again and how you feel when you walk into a Ritz-Carlton, it's that type of experience.

So, one thing that was a takeaway from that is at Ritz-Carlton, every employee is allowed to spend $250 to make a client experience better. And this example I heard at a conference one time was a gentleman in Miami. It was an incredibly hot day. He went out and bought ice and water to put ice and water so that when people were coming in, they had a nice cold drink that they could have because it was a very hot day. Sometimes people call and they have questions on invoices. Maybe you authorize your team members to say, "Look, you can always deduct X from an invoice. You don't need to get to me to be able to do that." Give them the opportunity to make the client satisfied in terms of things. Having multiple teams so they're not, "Well, I'm on vacation for 10 days and she'll get back to you on day 11." Instead, "Okay. Harry has also been involved in your file, so Harry's going to be able to help you out." And then finally, if you want to say yes to your clients, you need to be really clear about what they are engaging you to do. If you do work on a flat fee basis, be really clear, "Here's the scope of what it is that we're going to be doing for you. Yes, we can do anything in that." And now they say, "Oh, but I also want you to handle this other issue." The answer can be yes, we're happy to handle that other issue, but here's how the engagement would be. So instead of saying no to your clients, and sometimes it's your team members, not the attorneys, but everyone in your organization has this client-centric client service approach. And our goal is to help our clients by finding a way to come to yes, with whatever issue they have, whether it's operational or it's actually a legal matter.

Mary: What about accountability?

Deirdre: And that's the big thing. Attorneys run individual small businesses. So if you're in your own firm and you own your firm, you do that. If you are a partner in another firm, you have your own practice within this whole larger organization. And in order for your practice to grow, you need more people. But once you have more people, how are those people consistently treating your clients as you would? Because every attorney knows it is so hard to get a client. You want to keep them happy, and you want to make sure that they're going to come back to you for more legal work, but the people in your financial services department may not necessarily have that same client service attitude or in your IT department as an example.

So, in terms of accountability, one thing that we've recently started using, which has been so illuminating for us, are dashboards. So dashboards are the idea that a data analyst will pull all of your information, your financial information. So, what's the profitability of each file, your timekeeping information, who's working, what hours, and how many hours are going to into each file? Your marketing information, what marketing campaigns are being most successful? All the data that you already have as an organization. And then you can automate accountability to say, "Okay. This file should be at this point by this time. And if it's not Mary, you're going to get a list. Here are all the files that are not on track right now so that you can help manage that situation." Or here are all the people that their hours aren't the same as somebody in a similar position. Is there an opportunity to speak to that person to find out what's going on with that? Or all of these types of files, our profitability is much lower than we anticipated or candidly much higher. So maybe we need to shift our marketing approach to seek more of those higher profitability files and less of those lower profitability files, or change our pricing on the lower profitability files.

At the end of the day, it's not Pollyanna to say it’s client-centric and to put the client first. We're all seeking to have profitable, enjoyable law practices by being client-centric and doing that, you have happy clients and processes and systems that help you actually increase your profitability for the files that you're working on.

Mary: Any last thoughts today, Deirdre?

Deirdre: Yeah. I mean, so look, law firms are what, 10 to 15 years behind the times, usually? We don't evolve the same way the businesses are-

Mary: Or more.

Deirdre: Or more. We're trained to be risk averse. We literally went to school for three years to identify risk issues in terms of what it is that we do. And I think because we're very intellectual in what we do, it can be very easy to forget that we're talking to people. This is the first time that they've done that, no matter how smart they are, this is a totally new world for them. A lot of times we're talking about tax issues. I mean, what is it? There's 76,000 pages of the tax code when you include regulations in it. It's a ridiculously complicated area. And just put ourselves in the position of being a client to another service provider where we don't know anything about it.

It could be your contractor, it could be your doctor, whatever the case may be. How do you want to be treated in that situation? And have you done everything in your law practice to make your clients come back to you and say, "This was the greatest experience that I've had. I'm so glad that I finally did that." And that's what's going to help you grow your practice. You're going to have happier clients, you're going to be able to charge higher rates, and you're not going to have to spend all that money on marketing because your clients are going to go out and not just refer you, but encourage people to come to work with you. So I encourage people to think about, am I really being client-friendly? Am I being client-centric in my practice? And if not looking at how over one, two, or three years you might be able to transform your practice.

Mary: Well, thank you so much for your thoughts on this topic today. As we reach the end of our episode, I want to thank our sponsors Interactive Legal, Carson Private Client and Foster Group. That's all for now. Thanks for listening to today's episode and stay tuned for our weekly releases.