



Client Intake: 5 Questions to (Always) Ask

Not all clients are worth having. There, we've said it.

And often, the only way to ensure a good match is to have an established client selection — and rejection — process. A well-thought-out intake procedure allows your firm to:

- minimize problems with fee collections or fee write-offs,
- avoid the stress of a difficult client,
- defend against malpractice issues, and
- improve office morale by avoiding unreasonable and over-demanding clients.

Your plan might include these questions:

1. How's your credit? Starting the meeting by asking a prospective client for permission to conduct a credit check is probably not going to win any points. There is, however, a backdoor approach via the Internet. The obvious starting points are Dunn & Bradstreet and Moodys. Other online sources of company and individual credit information include CRIBIS, Experian, Thomson West and Equifax.

2. Who was your previous firm? Beware of a client who is playing law firm ping-pong. This may be an indication of the type of person who is really never satisfied and is very willing to blame the attorney.

3. What are your expectations? Avoid clients with unrealistic expectations or demands. Likewise, be leery of

clients who cannot clearly articulate what they have come to the attorney to achieve. There may be psychological needs or ulterior motives in seeking representation (revenge against a philandering spouse, for example).

4. Know any good lawyer jokes? Lawyer-bashing, even if done in a joking manner, may be symptomatic of a negative attitude toward lawyers and the legal system — making it difficult to establish the bond of trust that is the cornerstone of the lawyer-client relationship.

5. Are you ready for a retainer? Watch out for clients who cannot or will not discuss or agree on fees, or who will not sign a fee agreement or pay a retainer. They may be subtly broadcasting their intent to dispute your fees.

Your best bet here is a clear and detailed engagement letter. Your engagement letter should contain provisions giving you an out if the client does not pay, as well as an evergreen arrangement to replenish the retainer as it's drawn down. As you take on additional work, make sure you get new engagement letters for each project.