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TREATING STUDENTS AS CLIENTS: PRACTICAL TIPS FOR ACTING AS A ROLE MODEL IN CLIENT RELATIONS

BY LIBBY A. WHITE

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Although I am now a full-time teacher of legal writing, in many ways, I am still acting like a practicing attorney dealing with clients. The major difference, of course, is that I teach the written and oral expression of legal analysis, rather than advise my clients on the *results* of my own analysis. But pretty much everything else I do is the same: my students are my clients, and I approach each one with that “client service” mind-set (of course, no billable hours, thank goodness). I suspect I’m not alone in this regard because most legal writing teachers come to the profession following many years of practice. After initially being a bit concerned that I was not being “teacherly” enough, I decided this past year to use my client approach as a way to role-model the standards a good lawyer should try to maintain when dealing with clients. I could teach the practical skill of client relations while doing my “real” job, and this pedagogy would be comparatively effortless because I was doing it anyway.

Two questions immediately came to mind. First, when do I tell my students what I’m doing—or do I? Second, can I keep to the standards enough to be a good role model, or is this additional pressure I do not really need while I’m teaching an already pretty tough subject? The former question is really determined by the answer

to the latter because my lack of success as a role model would, in effect, prevent me from admitting my subliminal goal. The problem, however, with not telling the students about my client-care standards up front is that they would be less likely to pay attention, and the lessons I’d like to teach would probably be less effective. On the other hand, I felt that I would be setting myself too high a standard and perhaps ask for too much scrutiny from the students if I told them to watch me throughout the year so they could emulate the things I do with them as my student/clients. Because I decided to explain these standards to my students mid-way through my teaching, I concluded that *if* I felt I’d been pretty successful with keeping to my “client service” standards, then I would tell my students during the last class about what I’d been trying to do. That is what I did, and the following are the standards I set out for them that I try to follow as their teacher and as their role model.

Communication: To me, communication is the paramount client relations skill to have as a practitioner. Client communication is essential to a good relationship, and it alleviates misunderstandings and anxiety. But, for a successful attorney, it is very difficult to always answer phone calls, letters, and e-mail messages in a timely manner. There are things even a busy attorney can do to keep the client happy and informed.

I role-model good communication skills by skimming my e-mail when I turn on my computer. All e-mail from students gets answered immediately. If I don’t know the answer or don’t have time to answer, I still reply by letting them know that I will give them an answer by an estimated time. I file the e-mails in appropriate folders, and I print my replies to the unanswered ones as reminders. I check my e-mail throughout the day and follow the same procedure. This takes little time and is very effective.

During my “active” teaching time, that is, the time during which I am either holding class or

waiting for assignments, I also check my e-mail at night (I can do so from home) and at least once a day on weekends. If I am going to be away and will not have access to e-mail, I do a general e-mail announcement to the class and ask them to contact the teaching assistant with questions, or send them to me anyway, but know that I cannot answer until I return.

The same procedure can be followed with phone calls. When I return phone calls, if I have to leave a message I also leave my e-mail address in case the student doesn't remember it or can't access it on our system. Again, I let them know when I'll be in and that they can always e-mail me if necessary.

I also make use of our virtual classroom by using it to post frequently asked questions and questions and answers that I think would be of general interest. I require that they check the virtual classroom on a weekly basis, in general, and on a daily basis during the time an assignment is out, until its due date. This saves me and the students time and prevents them from the oft-used excuse: "But you didn't tell us that in class."

Accessibility: This skill goes hand-in-hand with communication. A practitioner evidences accessibility by responding quickly to client questions, but he or she should also answer the telephone when in the office, provide clients with a cell phone number when not, and let the secretary know if meeting or telephone interruptions are permitted for certain clients. Meetings should also be scheduled within a week if at all possible.

I role-model accessibility by being in my office during the same hours five days a week. These hours coincide with the hours my students are most likely to be at the law school. I also schedule meetings at my students' convenience, but always during the time I'm already in the office, since their schedules are more rigid than mine. I encourage them to drop in even if they haven't scheduled a meeting, and I never turn them away, even if I'm on the phone. If I'm in a meeting

already, I take a brief moment and suggest a time for them to return, or I ask them to e-mail me with a possible appointment time that we can meet. There are boundaries to accessibility with students—for instance, unlike clients, I do not provide a cell phone number.

Preparation: Of course, preparation is one of those skills important to all aspects of practice, but a client who knows a lawyer is "always prepared" is a client who feels in good and competent hands. In the foreign country that is law school, where students are thrown new vocabulary, new rules, and a different way of thinking, a teacher who is always prepared and seems in control of the material is an anchor. I've only taught for two years, and so I overprepare for my classes. I believe that I will continue to do so ad infinitum because there are always new ways of teaching and new things to learn about a familiar course. The students are bright—unlike some clients, they can sense (sort of like sharks) when a teacher is unprepared—and will not appreciate their time being wasted.

Organization: Complementary to preparation, being organized makes life more smooth. As a business attorney, I had to know where all documents were, what draft was in progress, who the players were, and what steps had to be climbed to close a deal. Skipping a step or losing a document could have been a disaster.

Being organized for my students helps them learn the value and comfort of organization, and illustrates how much it enhances their experience in my class and in law school. My office is (usually) neat, and I've never lost one of their papers (yes, I know, it's early days yet). To prevent panic and appearing unorganized, I have my students e-mail me their graded assignments, making clear that an e-mail is considered acceptable delivery of the assignment. I organize my students as I would my clients: each has a folder, and I put all papers concerning that student in that folder. If it's a particularly *interesting* student, I may have a file with several folders. I

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also maintain my virtual classroom on at least a weekly basis. I post class materials, e-mail links, assignments, and anything else pertinent to what is being taught or legal writing in general. Finally, I get to class a few minutes early if there isn't a class there before me so I can set up and make sure my “technology of the day” will actually work.

Respect: I confess, I had some clients that I had somewhat less than *any* respect for, and a number I just didn't like. Nonetheless, as a professional, I had to address their problems, no matter what my feelings, and I had to mask those feelings as well. The same goes for my students. On the whole, they're a likable, pretty malleable group, but there have been one or two who make me sort of cringe when I talk with them. I do my best to be respectful no matter what the topic, no matter what the question, and most important, no matter who the student. I do remember almost laughing once when a student asked me if she needed to cite to a statute in a problem analyzing a statute, but thankfully I didn't. I also respect each student in class and do not believe that an atmosphere of humiliation and fear is the best in which to learn.

Honesty: Once I asked a successful attorney about his secret for keeping clients satisfied. He said he tried to present bad news in a positive light. He was honest, but he was excellent at finding the silver lining. That skill, combined with tact, is just as effective when dealing with a student's less-than-stellar writing abilities. Once, the only positive thing I could really find to say about a student's work was “I see you're really trying to use good grammar here.” But that was enough to give hope (to both of us). I also don't mince words if the student needs a straightforward “I really need to know if this is good” answer. I do couch it in the truisms of “you're a first year,” “this is all new,” “keep trying; it will come.”

I also think that a successful attorney must be honest in admitting to and correcting mistakes. That doesn't mean confession is necessary with minor errors, but big mistakes should never be hidden. Of course the best way to confess big

mistakes to a client is to find a solution first and then tell the client. With students, I do admit to my errors, and I fix them quickly. I think this is also a good thing to role model: lawyers make mistakes, and that's OK as long as they repair any resulting damage.

Confidentiality: We have an ethical duty to maintain client confidentiality in practice, and the same need to engender trust and open discussion is present in law school. I have had many conversations, and some tears, in my office about subjects that have nothing to do with law school. Unless it's a law school “need to know” topic, that is, one in which a student's mental or physical health may be significantly affected, I keep these conversations to myself. I think many students just need to vent to a sympathetic ear, and usually no more is necessary. If more is needed, I ask the student's permission to discuss it with others.

When I disclosed my treatment of my students as my clients in the last class, we had little time for discussion. Not one student has mentioned it to me since then. I'm not sure if that means I was not as successful in role modeling as I thought, and they were just being polite, or if they didn't get it and merely thought I was being a bit unusual, or if maybe they understood but won't appreciate it until they have clients of their own. I like to think it's the last. Next year, I may take the brave step of discussing my role modeling up front and see if the learning process will be more successful.

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