

Client management

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Law Society of Nunavut

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- Criminal defence counsel in Ottawa
- Called in 2010
- Sole practitioner / now one associate
- Taught at University of Ottawa
- Co-founder of ‘Solo Queens’
- Book forthcoming



AGENDA

- Importance of solicitor–client relationship
- Setting expectations & boundaries
- Dealing with different client needs
- Getting paid
- Managing difficult relationships
- Ending a relationship

SOLICITOR-CLIENT RELATIONSHIP

Unique relationship

- guarded by solicitor-client privilege

Duty to the client

- also duty to the court

Better outcomes = better business



LAW SOCIETY OBLIGATIONS

3.2-1 A lawyer has a duty to provide courteous, thorough and prompt service to clients. The quality of service required of a lawyer is service that is competent, timely, conscientious, diligent, efficient and civil

- Duty to communicate effectively with the client



LAW SOCIETY OBLIGATIONS

3.3-1 A lawyer at all times must hold in strict confidence all information concerning the business and affairs of a client acquired in the course of the professional relationship and must not divulge any such information unless:

- (a) expressly or impliedly authorized by the client;
- (b) required by law or a court to do so;
- (c) required to deliver the information to the Law Society; or
- (d) otherwise permitted by this rule.

SETTING EXPECTATIONS

- Importance of knowing what to expect
 - both for counsel and the client
- When to set expectations:
 - intake
 - retainer agreement
 - throughout the relationship

INTAKE

- Build rapport
- Provide information
- Educate client
- Establish boundaries



COMPETENCIES

- Indigenous & racialized clients
- Trauma-informed practice
- Mental health
- Addictions
- FASD / learning disabilities / brain injuries

RETAINER AGREEMENTS

- Foundation for the relationship
- contract can be revisited if there are disagreements



RETAINER AGREEMENTS

- Solidify parameters of the relationship
- Spell out expectations of both the client and the lawyer
- Specify fees
- Address ending the relationship

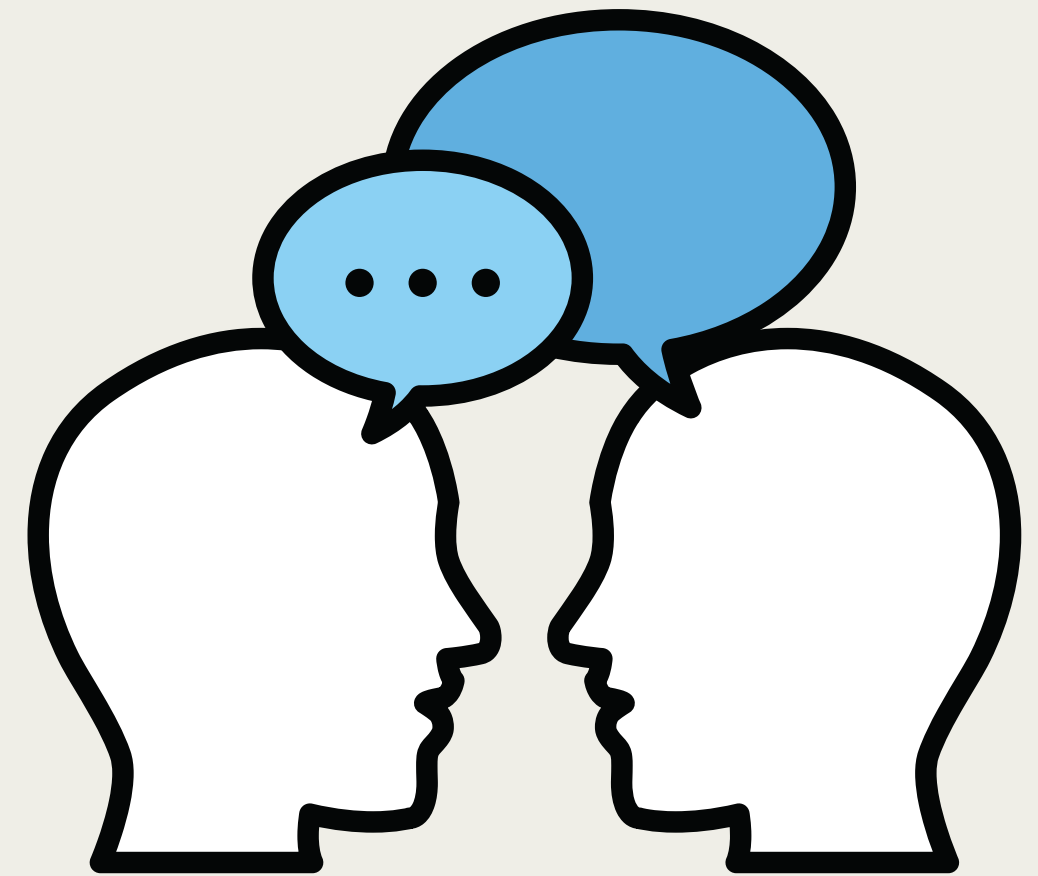
MONEY TALKS

- Be upfront about fees
- Firm / fair / transparent
- Have a written record to go back to



ESTABLISHING COMMUNICATION

- What to expect and when to expect it
- Establish tone of communication
- Build trust



TOUGH CONVERSATIONS

- i.e. Instructions aren't reasonable
- Opposing advice
- Not open to reasonable resolution

- Maintain professionalism

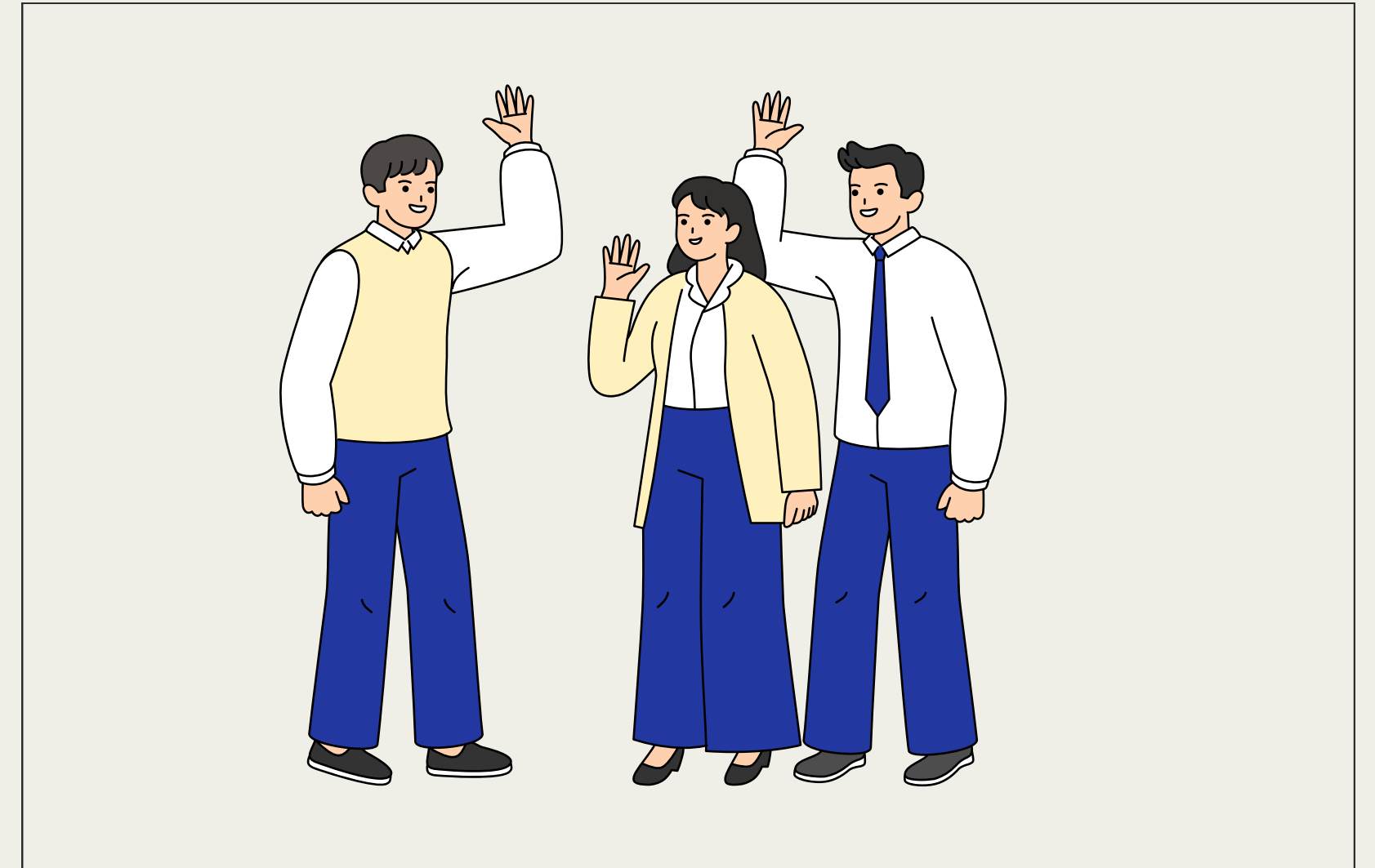
LAW SOCIETY OBLIGATIONS

3.2-2 When advising a client, a lawyer must be honest and candid and must inform the client of all information known to the lawyer that may affect the interests of the client in the matter.

3.2-4 A lawyer must advise and encourage a client to compromise or settle a dispute whenever it is possible to do so on a reasonable basis and must discourage the client from commencing or continuing useless legal proceedings.

ENDING RELATIONSHIPS

- Firing a client
- Being fired
- Losing touch
- Closing a file



LOGISTICS FOR ENDING A RELATIONSHIP

- Getting off record
- Letters of disengagement
- Closing letters



TAKE-AWAYS

- Set expectations
- Enforce boundaries
- Maintain professionalism
- Use retainer agreements as touchstone
- Get it in writing

Questions?



Thank you!
