

# Things your lawyer is too polite to tell you

 By Jody Doyle

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Good communication is the basis of any good relationship - we all know that. But honesty can be awkward, and so most people avoid difficult conversations, often in the name of politeness.



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In the long run that can cause a lot more trouble than it saves. Mismatched expectations lead inevitably to disappointment, anger, blame and conflict; relationships that could have been great collapse into a mess of ill-feeling and regret.

So, in the interests of saving everyone a lot of time and pain, I'd like to share something many commercial lawyers are too professionally polite to confess to their clients: nothing turns us off faster than clients who demand the earth, then get sticky about the bill.

Let's start with the "demanding the earth" part. Some clients, when they need legal services, come to us prepared with clear, accurate explanations of how their business works, how the money flows and what exactly they want to achieve. We love those clients: they tend to get what they want, at a price they're happy with.

Then there are clients who turn up just to kick some ideas around, with no clear notion of what they want - but a strong expectation that the lawyer should be able to wave a magic wand and deliver it anyway. Those clients tend to be less happy with what they get, are far more likely to argue about the bill - and are far less interesting and fun to deal with.

## Extra time won't come free

Here's the thing: the better prepared the client is, the less time the lawyer has to spend interpreting instructions and doing background research - which means a lower bill to the client in the end. As lawyers, we're not unwilling to act as sounding boards and participate in brainstorm sessions: but that extra time won't come free.

Which brings to us to the bottom line: lawyers charge for their time, because it's all they have. A lawyer who works every available hour can possibly afford to charge a lower hourly rate - but then a client who wants adhoc advice needs to stand in the queue with everyone else. There **will** be capacity issues. On the one hand, lawyers who leave enough space in their practice to be responsive to their long-term clients, and who have the administrative and other backup they need to deliver high-quality service, are going to be a little more expensive.

So, if you're about to choose a lawyer, ask yourself some hard questions about exactly what you want: a quick adhoc review of a document, or a longer-term relationship with somebody who will get to know your business? How much work are you prepared to put in to develop your own knowledge and skill?

The last question is important: if you're an entrepreneur, having some level of legal support is a cost of doing business - you'd be naive to think otherwise. If you want to develop a relationship with your lawyer that delivers real value, it also is worth investing in your own legal knowledge, competence and confidence.

## ABOUT JODY DOYLE

Jody completed a BA LLB at the University of Cape Town and thereafter worked at Edward Nathan Sonnenbergs Inc. He subsequently joined Domisse Attorneys where he is currently a partner.

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