How to Choose the Right Tools for Any Client Communication

By Wells H. Anderson and Seth G. Rowland

Communicating with clients—what could be more important to your law practice? After receiving an e-mail from a client, how often do you, reflexively, decide to reply by e-mail? Faced with a flood of incoming e-mails and phone messages, you may overlook a superior method of responding.

There is an increasing divide between lawyers who embrace tradition and those who embrace technology. Collaboration no longer means gathering a bunch of high-billing attorneys in a room to work out a legal strategy for a client. The price of videoconferencing technology has dropped substantially. Depending on the choice of technology platform, it can even be free. And the expectation of your clients has grown for greater interactivity, faster response time, and more involvement in their legal matters.

Here we delve into technologies that you can use for virtual meetings with your clients and associates. The term "web conference" refers to a virtual meeting that includes a voice teleconference and the sharing of computer screens. "Videoconference" refers to live video streaming of the participants or presenters so that they can see each other via webcams and their screens. A "video-enabled web conference" includes both of these communication methods. We also cover the merits and drawbacks of phone calls and voice mails, contrasting them with e-mails and virtual meetings.

WORKING MEETINGS THAT WORK

There is more to meetings than just talk. At a true "working meeting," documents and drafts are reviewed. Outlines and flowcharts are created. Presentations of evidence are made and strategies tested. In the past, this sort of work required in-person meetings in the confines of an office or conference room. No longer.

Over the last ten years, we have had thousands of working meetings without leaving our office. They usually begin with a phone call or e-mail, followed by the exchange of a meeting ID# and a conference call number. In less time than it takes to stroll down the hallway in a law firm, we begin our meetings.

In our document drafting meetings, colleagues and clients are able to type in changes directly or use "whiteboard" technology to point out issues. The meetings can be recorded for playback, and the software identifies who is presenting and who is talking. If we wish, we can enable a video-chat. More often, after the first five minutes we disable the video-chat and turn the focus to the actual work.

These meetings are easier to schedule than the face-to-face meetings. They start on time. There is little side chat, which tends to extend a meeting. Those who wish to monitor the meeting but not participate directly can do so without embarrassment. They can check their e-mails without being rude. The meetings are productive. Much of the actual work is done at the meeting rather than afterward.

MEETINGS WITH OUTSIDE COUNSEL AND SPECIALISTS

Web conferences need not be confined to partners and associates in your firm. If the team needs an outside expert or fellow attorney at another firm, that expertise is a short call or e-mail away. The participants are invited to join the meeting. You can show them what you are actually reviewing (subject to attorney-client privilege rules) and get their input. One result of this capacity has been the growth of virtual law firms. These law firms draw on the skills of lawyers found at affiliated law firms in different cities.

A simple illustration shows the power of these collaborative meeting. Picture an antitrust attorney preparing for trial. His expert (in Chicago) renders an opinion on market share, his trial presentation specialist (in Dallas) prepares some demonstrative exhibits, and the lawyer (in New York) now needs the exhibits to be updated to support a new theory to be presented by the expert at trial several weeks later. Using web meeting technology, he can meet with all parties, get a consensus on the new theory, and see a live mock-up of the exhibits.

MEETINGS WITH CLIENTS

Clients like to meet with their attorneys in person to get direct advice, review issues and concerns, and discuss strategy. In a face-to-face meeting, clients can judge the sincerity of their counsel as well as the potential seriousness of the issues discussed. Clients get their "money's worth" in direct advice.

However, client meetings are expensive. They can take several days to set up. They require the client to travel to the office, which may not be convenient if the client works some distance from the lawyer's office. For some clients, visiting a lawyer's office can be intimidating. Moreover, some items require a substantive discussion but not a meeting.

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We often have hour-long virtual meetings with clients using a combination of videoconferencing and desktop-sharing services such as GoToMeeting (gotomeeting.com), Skype (skype.com), or Microsoft Lync (microsoft.com/lync). We use a range of presentation software, including PowerPoint (office.microsoft.com), MindManager (mindjet.com/mindmanager), and Prezi (prezi.com). We work with graphical tools such as Visio (microsoft.com/visio), Allclear (allclearsoftware.com), and SmartDraw (smartdraw.com). These tools allow us to work jointly with our clients to revise documents and procedures.

So how are meetings conducted in this brave new world? What technologies should you use, and what are the pros and cons of these technologies? We will review them in increasing order of complexity.

As a conference call gains more participants, it can lose focus.

TELEPHONE CALLS
Telephone calls still work. Sometimes it may be better to reply to a client e-mail with a telephone call instead of an e-mail.

Benefits. A telephone call is more personal and more communicative. You and your client can interact directly. You are much less likely to experience miscommunication or incomplete communication through a phone call than a flurry of e-mails, back and forth. So much meaning is communicated by tone, timing, and even interruptions. As a further benefit, your message is unlikely to be accidentally forwarded to the wrong party the way an e-mail can be.

Drawbacks. Telephone calls interrupt. Your client has the option to take your call or not, or respond later by telephone, e-mail, or a voice mail. Yet your

client may feel some obligation to answer an incoming phone call immediately, even though the timing is inconvenient. One solution is to precede a phone call with an e-mail invitation and follow up with an e-mail summarizing the salient points of the meeting.

Current technologies have taken a step backward with respect to voice quality in phone calls. Cell phones, speaker phones, and cordless headsets vary widely in the quality of sound they deliver. Before buying a new telephone device, take the time to place a call to a friend or colleague and ask for a candid opinion of the voice quality.

VOICE MAILS
Voice mails have morphed from an answering machine to messages that follow you around on your cell phone, your home phone, and your e-mail inbox. You can even get transcripts of your voice mails sent to your e-mail (with varying degrees of accuracy).

Benefits. Leaving a voice mail has the advantage of allowing your client to determine when it is most convenient to hear the message and respond to it. It allows you to communicate immediately when the message and facts are fresh in your mind. A voice mail of some length can be created much faster than an e-mail.

Drawbacks. As a one-way communication, a voice mail does not allow for interactivity. It may take a series of voice-mail messages to accomplish what you need. Your time might be spent more efficiently by waiting until you and your client are on the line together. Long voice-mail messages can feel burdensome

to your client. If you need to communicate detailed facts or advice, an e-mail is a superior form of communication. Confidential messages should never be left on voice mail.

Voice mails do not automatically create a record of the information communicated. For delivering specific, factual information, consider the advantages of e-mail but also weigh the importance of interactivity and inflection that phone calls allow.

TELECONFERENCES
Three-way calls and multiparty teleconferences are highly efficient for delivering information to multiple people. They are effective for decision making and for keeping all the people involved in a matter up to date. Most phones include either a "flash" button or a conference button, which can be used to bring a third party into an ongoing call very easily. For additional participants, you need a conferencing service such as FreeConferenceCall.com, FreedomVoice (freedomvoice.com), or GoToMeeting to provide a bridge.

Benefits. Conference calls are an excellent way to get an answer for your client while he or she is on the phone. You can also leave joint messages on a voice mail, which should impress the recipient as to the importance of the message. Teleconferences work best when all the participants know each other and recognize the voice of each participant.

Drawbacks. As the conference call gains more participants, it can lose focus. And the role of silent participants can be problematic. While it is important to be prepared for any kind of client communication, it is more important when setting up a teleconference involving multiple people. You should provide an agenda in advance and maintain control of the meeting.

A particularly effective tool for teleconferencing is a service such as GoToMeeting that allows you to share a screen containing your agenda, have conference participants identified when they speak, and selectively mute and unmute individual participants using a dashboard on your computer screen.

VIDEOCONFERENCES

Although Skype, FaceTime (apple.com/ios/facetime), and Google Hangouts (plus.google.com/hangouts) have become immensely popular services for connecting family members and friends, videoconferencing is not yet widely used for business communication.

Benefits. There are a number of distinct advantages to videoconferencing:

- **Face-to-face.** A videoconference is closest to an in-person, face-to-face meeting without the inconvenience and lost time devoted to travel. A videoconference carries many of the intangible aspects of a personal connection that face-to-face meetings can deliver.
- **Audio quality.** A videoconference has all the audio advantages of a telephone call: Your client hears your inflection, emphasis, and tone of voice.
- **Body language.** Unlike any other communication medium, videoconferencing includes your gestures, posture, and facial expressions. These are powerful aspects of interpersonal communication.
- **Option to record.** A more formal videoconference can be easily recorded for the record or for distribution to others who cannot attend the live conference.

Drawbacks. Although videoconferencing sounds great, there are some drawbacks that tend to inhibit the use of face-to-face video calls:

- **Poor equipment.** Webcams are not yet at every desk. Your clients may not have good cameras and videoconferencing applications on their computers.
- **Self-consciousness.** The prospect of looking into a video camera makes many people uncomfortable.
- **Lighting and background.** The light sources in your office may be unflattering, and you may have a cluttered or busy background behind you that detracts from your professional appearance.
- **Eye contact.** It is hard to have real eye contact in a videoconference.

If you look at your client's face on the screen, your client does not see you making eye contact. If you look directly at your camera so your client sees your eyes looking directly at him or her, then you cannot see your client's eyes and face so clearly. It helps to position the camera near the focal point of the screen.

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VIDEO-ENABLED WEB CONFERENCES

At the pinnacle of meeting technology are video-enabled web conferences. Services such as GoToMeeting, WebEx (webex.com), join.me, and Microsoft Lync are the de facto standards for meetings among tech professionals, and in the future they will become core tools for attorney meetings. These services combine desktop sharing, whiteboard, and recording with audio teleconferencing and optional videoconferencing. These hosted services require little more than a computer or tablet with an Internet connection and a camera. For optimal audio quality, we recommend using either a good headset or the optional telephone dial-in.

Benefits. This technology provides almost all the advantages an attorney has with an in-person meeting. By sharing a desktop you can show your client exactly what you want to discuss. With whiteboard and mouse-sharing technology your client can point out issues of concern and even revise language. With teleconference capability you can identify who is speaking and, on some services, who is paying attention. With videoconferencing you can

observe facial expressions and get to know the attendees. Conferences can be planned in advance with invitations sent via Outlook, or they can be impromptu, responding to an issue raised in a phone call or an e-mail.

Drawbacks. Getting the meeting started still takes time and can engender confusion. If you have never done a web conference with a particular service, you should do several practice runs to work out the kinks. Otherwise, the meeting may be marred by technical glitches, and you may look like an amateur.

Planning for a video-enabled web conference is even more important than planning for a multiparty teleconference. Send invitations. Start the conference session ten minutes before the actual meeting to ensure that everyone is properly connected. Check the sound quality of your equipment. Many attendees lack noise-canceling microphones. As a result, you may get a feedback loop—the attendee's voice may echo seconds after he or she speaks. If there is a telephone conference number provided with the service, have attendees dial in and use the number.

EMBRACE THE POWER

It is time to embrace the power of technology and use it for your benefit. None of the tools described will break your budget. What these tools will do is enable you to reach out to your clients and colleagues and provide better, more immediate, and more personal service. The "meeting" is not going away; rather, it has transformed. The meeting can now occur anytime, anywhere, with anyone and cover anything. That is the power available to you. ■

Wells H. Anderson, JD (info@activepractice.com), works with small firms and solos via virtual meetings to implement Time Matters, Billing Matters, and ActionStep practice management applications. Seth G. Rowland, JD (sgr@bashasys.com), is the founder Basha Systems LLC (affiliate member, 3545 Consulting Group; bashasys.com), where he builds document workflow automation solutions and helps law firms implement practice management systems. Both authors have won TechnoLawyer awards, including Consultant of the Year.