



TYLER WILSON

# LEARNING BY LISTENING

A VIEWPOINT ON CLIENT LISTENING EXERCISES

“Competitive advantage is hard to achieve but much harder to maintain: whatever your firm does well, and differently, your clients will soon demand from your competitors.

This makes the race for first mover advantage risky, expensive and fleeting: it's no surprise that many firms are better at responding to clients' needs than they are at anticipating them.

So how do you get to understand how your clients' needs and expectations have changed after six months of lockdown? Answer: by listening to what your clients tell you.

In this **Viewpoint**, we look at the opportunities and advantages of client listening exercises.”



## 🔗 FOUR COMPONENTS

There are few firms that don't already seek client feedback in one form or another but, in our experience, four components are pivotal. These are core not simply to the listening process but also to the client relationship itself.

The first component is to work from the same side of the table as your clients: their feedback is their investment in your business, not the start of a confrontational process. If you are not committed to acting on the suggestions that they take the trouble to make, it's better not to ask. If you go in search of praise, the greatest compliment you can receive is to be told how to improve, so you have a chance to keep their business. As the Japanese business maxim goes: *'every defect is a treasure'*.

The second component is to value relationships ahead of systems: in-person, not online; asking, not telling; listening, not talking; delivering, not dodging. In IT parlance, these are moments of design-time, not run-time. Your scope for fixing bugs (recurrent, structural problems) and glitches (one-off, human side effects) depends on your access level (the client's willingness to confide in you). This is not just a trust issue; it is a hierarchy issue. Whoever represents you must have the passcode to escalate and fix problems, rather than offer limp promises; they must be far enough removed from the action to be a safe harbour for client concerns; and they must be primed to receive, not transmit, signals, with sales mode disabled.

The third component is to value practice over theory: it is each client's individual experience of your firm's service that counts, not what you hoped or intended it to be. Equally, what you get done for the client, and how painless the experience is for them, matter far more than the operational standards or values that you espouse. You will learn little if you compile a list of abstract measures on your client satisfaction scorecard; far better to swallow hard and ask them what they didn't like or understand.

The fourth component is to value adaptability over structure. Responsiveness is not a test of your reaction speed; it is a measure of your willingness to abandon what is normal for you to fit what is beneficial for them. Some of this is a function of your performance, to show your commitment and to underwrite your claims about value. The rest of it goes with the territory – the unwritten code of elite professional services. Think of it as a blink test to see if you have caught their eye.

## 🔗 RECURRENT THEMES

Judging from our discussions with GCs and other contacts, there are some fixes you can attempt without needing to speak to clients, if yours is a typical firm: first, be more willing to bring up the subject of money – earlier and more regularly during the

lifecycle of a matter; secondly, join up your services better, so that client information gets circulated automatically between teams and doesn't need to be repeated; thirdly, don't fall into the trap of thinking that slips in project management are more forgivable than slips in legal advice. This is the distillation of three professional truisms: lawyers are expensive; their tendency to hoard information is ingrained; and their instinct for self-direction is hard to countermand.

In a similar vein, GCs often express their bemusement at firms who won't invest seriously in building long-term relationships without expecting an immediate pay-off, just as they do at the ones who think that fee discounts are their only lever of client satisfaction. There is so much more that can be done. Interestingly, as a consequence of Covid, legal departments face increased financial scrutiny just like every other cost centre, but it is the unpredictability of fees, not their magnitude, that is the more noxious bug in their system.

## 🔗 SEIZING THE MOMENT

But, where there is cost, there can also be opportunity: a number of clients have sought to tap into firms' expertise in areas such as value pricing, data mining, workflow and time recording – all the result of the recent corporate need to monitor remote performance and productivity, and extract the maximum possible value from their management tiers. The possibility of a fruitful exchange is open to those firms who seize the moment.

So what might stop you instigating an effective round of meetings to listen to your clients? Often, even where there is a will to initiate such a project, it simply gets bogged down in other, day-to-day demands on those tasked internally to undertake the conversations. Outsourcing the task ensures that the conversations happen and the feedback is collated and shared. The conversations are often the richer for the listener being one step removed from the client relationship team.

We know both from our work as coaches and from our client feedback experience that active listening is a skill more often claimed than demonstrated, especially for lawyers who enjoy being the expert in the room. Enabling someone to feel heard involves more than stifling the inner voice that is already composing your next contribution. It is about establishing the boundaries that make it safe to disclose and about building the rapport that inclines the client to do so. It is the skill of knowing what to pick up on and what to leave alone.

Asking is an investment in your clients; listening is the dividend. Are you sitting comfortably?



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