Our Attorney-Client Compact™

The attorney-client relationship is one that is bound by ethical rules for the attorney including confidentiality, avoidance of conflicts of interest and similar aspects of professionalism. But much like a doctor-patient relationship, the attorney-client interaction works best when there is a commonality of understandings about the affiliation. In the case of physician-organization relationships there has been a fair amount written about the so-called "gives and the gets"[1], particularly when physicians become employees of health care institutions or in the efforts to realign the health care system including within medical staff organizations and hospitals. Yet, in the world of attorney-client relations, there has been little attention given to what explicit reciprocity of expectations should lie at the core of their interactions.

In our health law practice, the two things we hear most often from new clients are "Thank you for returning my call so quickly," and "Thank you for getting me the information so quickly". While we wonder how other attorneys function, since we are in a service business after all, we are willing to make known our commitments to our clients within our relationships with them. By the same token, we think it is equally important to state our expectations from clients to maximize the potential of the relationship to serve their needs.

In other settings alluded to above, the use of 'compacts' has become more popular. These are clear statements of what each of the parties expects to get from the other and what they should also expect to give in the relationship. We are willing to be explicit and accountable for our performance in that regard. Set forth here is the compact we would hope to enter into with each of our clients. The issues center primarily on communication and fees.

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[1] Carlson, "Improving Care Starts with Changing Culture", Managed Care, (Sept 1, 2002) https://www.managedcaremag.com/archives/2002/9/improving-quality-starts-changing-culture

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Our Compact

Our Clients Can Expect from Us:

Communication

1. Timely communication, both responding to inquiries and informing the client of developments in their matter.

2. Clarity in guidance and advice.

3. Maintenance of excellence by reading widely, writing and publishing, educational lectures

4. Collaboration with the client in arriving at practical solutions.

5. Direct communication if proposals are risky or raise liabilities

6. Referrals to other professionals we trust, who share our values

7. Education on the matters at hand, so they understand the basis for our advice

Fees:

1. Itemized invoices indicating who has performed work and for how much time

2. Willingness to discuss client concerns about fees.

3. Communication if fees will be higher than anticipated

4. Willingness to accept a cap to proceed, as mutually agreed

5. Willingness to accommodate payment plans, if circumstances warrant and are communicated to us immediately.

We Expect from Our Clients:

Communication

1. Full communication of relevant facts and orderly production of documents

2. Waiting to be informed of developments rather than asking "have you heard anything?"

3. Being prepared for interactions with a list of questions, an agenda, or something that structures the dialogue usefully

4. Maintaining confidentiality of our communications with them, including documents, contracts, opinions, guidance and emails.

5. Timely responses both to requests for information and review of documents and appearance for arranged phone calls and appointments

6. Courteous interactions with our staff

7. Avoidance of emergency work with realistic expectations regarding time of completion

Fees:

1. Timely payment of bills in accordance with our fee agreement

2. Prompt presentation of any concerns about bills

3. Immediate notification if the client's financial circumstances warrant accommodation for the time to pay a bill