

Why chasing fees will cost you dear.

To me, the process of instruction for the professional services sector has changed little in the past couple of centuries or so. The format follows a well-known courtship – a negotiation of two entities dancing around their respective handbags, one seeking definitive costs, the other careful not to commit.

Did I say courtship? Perhaps I should have said “contest” because this process itself is a long way away from engendering any form of client engagement and has the propensity for catastrophic failure.

Case in point:

My incumbent (but by no means regular) law firm having taken the commercial decision that they would not continue to service trademark and copywrite enquiries, passed my details to another firm by way of introduction.

A little later I found myself in need of some legal expertise and made tentative enquiries to a successor at this new firm (whom I neither knew nor had heard of) and as any sensible person would do I gave a brief outline of my requirements and sought to pin down any associated fees. We danced for some small time around our handbags and eventually agreed a small consultation fee in exchange for a brief phone call.

Fairly straightforward you might say, but no.

Sadly, for me the call yielded little except the confession of my new legal advisor that my specific requirements were beyond their individual capability to remedy and indeed required not one, or two but indeed three experts to engage to ensure adequate breadth of knowledge and would I like to jump onto a conference call?

No, I would not.

Inevitably silence fell, as I drifted quietly off into the sunset wondering how I might achieve my goals without the perils of a never-ending stream of fees. My cynicism later substantiated on receipt of an invoice for my original “consultation call” – the call that advised the need for another call, with more people, for more money.

I had of course agreed to this fee but where was the exchange of value? Was I any the wiser following the call? Did I have a clear and unambiguous course of action to follow? More importantly did I feel that this was money well spent?

No, I did not.

Unfortunately, my new legal advisor was oblivious to this negative sentiment, too content having met the objective of posting a fee to see the calamitous pitfalls of their actions. Missing a golden opportunity to cement a new and uncharted relationship into a long standing and profitable association. Far from engendering engagement they had facilitated mistrust and have probably lost my business, quite likely forever.

It wouldn't have taken much to secure my enduring custom – certainly the clues were there yet the understanding that defining client requirements is not the same as defining their goals was missing and so actions were misdirected.

Saddest of all is that this firm will never get the opportunity to learn from these mistakes – to them I will be just another client that used to engage but drifted off into the sunset like so many others. All they needed to do was ask and I would have told them and maybe, just maybe, we could have had conversation that got me where I needed to be and just maybe I would still be a client now.

It's important to recognise that it's not for the client to raise misgivings with you – it's far easier for them to just go elsewhere and they often do. Don't assume that unless concerns are raised that there are none. Instead adopt a client centric approach that actively seeks out feedback in order to uncover the otherwise unknown and realign your actions against these identified needs.