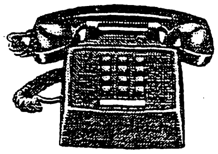
Articles and Sample Forms

Communicating with Client

- Helpful hints for interviewing a client by telephone
- Effectively managing client calls
- Telephone effectiveness Checklist
- Lessons in listening



SOME HELPFUL HINTS FOR EFFECTIVE TELEPHONE INTERVIEWS

DO.

1. Picture client.

2. Listen carefully.

3. Be patient and courteous

4. Sound interested.

5. Use uncomplicated language.

4. Let client to do most of the talking.

5. Core values to remember: (1) focus on client

   2) listen carefully

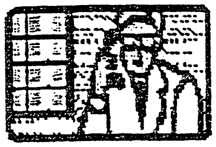
   (3) be patient

   (4) be courteous

DON'T...

1. Comment on client's legal problems
2. Give client legal advice, information or referral (other than LCE hotline number)
3. Provide more information than recommended to prompt client.
4. Use complicated language.
5. Do all the talking.

Call Handling 101



EFFECTIVELY MANAGING CLIENT CALLS

*By: Megan McLaughlin, Senior Program Manager, Customer Care Institute **

What do your clients want when they call? They could be calling about any number of issues, but all callers want someone to listen to them, to understand and to remember their situation. They want a courteous, dependable, solution-oriented response.

Most importantly, they want to know that you care about them. *In fact, they don't care what you know until they know you care.*

So how do you let them know that you care, while providing solutions that will satisfy their needs?

There are **six steps to successfully handling a call.** They are:

1. Setting the appropriate tone
2. Listening effectively
3. Asking questions
4. Interpreting the information
5. Offering a solution
6. Closing the call

**Megan McLaughlin is responsible for program development, training and research at the Customer Care Institute. Many of us were sorely disappointed when Ms. McLaughlin's plane to Tampa was delayed causing her Telephone Communications Skills Workshop at the ABA/NLADA conference in May to be cancelled. She graciously agreed to write this article for the Legal Hotline Quarterly.*

The Customer Care Institute provides information, research, advisory services and training to the Consumer Services, Consumer Affairs, Teleservices, and Help Desk Professions.

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1. Setting the Appropriate Tone

Just as when you meet someone for the first time in person, callers also form opinions about you within the first few seconds of a call. Therefore, it is critical that the appropriate tone is set in the first seconds of the call.

Each client has a different style of communication, and it is important to **adjust your communication style** to deal most effectively with the caller. If the caller is assertive and direct, it would be ineffective for you to chat about the weather. Some callers, however, would prefer a little small talk before getting down to business.

Listen to yourself. Your telephone voice is a substantial part of your message when you are delivering Client Care via the telephone. Your voice is you. While it is not important that you sound like a professional recording artist, it is important to understand how you sound to callers so that you may further refine your telephone voice.

Generally, people find it easier to listen to a lower-pitched voice so it helps to be aware of the volume and pitch of your voice. Also notice your rate of speech. 120 to 150 words per minute is an effective rate. If you speak too quickly, your client will feel rushed and miss key points of the discussion.

Many Client Care representatives tape their telephone conversations in order to understand how they sound to the client. They look for opportunities to improve voice tone, grammar and diction - avoiding filler words like "um." They also determine if they are speaking at the caller's level of understanding and avoiding terms with which the caller may not be familiar.

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2. Listening Effectively

In dealing with clients over the telephone, it is important to **listen for the central idea** – to listen between the lines. Without the advantage of reading body language and facial expressions, it can be more difficult to discern the meaning behind a caller's words. It is important to listen to the nuance of voice and expression in order to understand the caller's emotion and to find the appropriate resolution to the situation.

An important aspect of communicating via the telephone is conveying the fact that you are listening. Since your client cannot see what you are doing, it is important to reassure them verbally that you are paying attention. Ask questions and **use short messages** such as "yes" and " I see" to let them know that you are listening.

Barriers to Listening

Just as it is important to be aware of effective listening techniques, it is equally important to recognize barriers to listening before they become a problem.

Environmental distractions are a fact of life in any office, so it is important to maintain a strong focus on the client. In some cases, it is possible to arrange the immediate workspace to be more conducive to concentration.

The **"Third Ear" syndrome** occurs when one is engaged in conversation but has a "third ear" on another conversation. Most callers can sense when they do not have someone's full attention and view it as a lack of respect for them and a lack of interest in assisting with their issue.

A frequent trap that many of us fall into is **the tendency to assume or jump ahead** because we already know everything that the client is going to say. Letting the caller finish what he or she has to say without interrupting is simply a matter of common courtesy. Although we may hear the same scenario ten times a day, each situation has different circumstances and a unique client who deserves to be treated as such. This is why effective listening skills are so important in providing good client care.

3. Asking questions

The most effective method of gathering information and controlling a call is by asking questions. Of course, the question must be effective in order to elicit the necessary information. Understanding how to ask a question can help expedite the information gathering process and expedite a resolution.

For example, **open questions** that use how, why, when, what, or where should be used to get a client to explain or discuss a situation: "What happened next?" or "Why did you think that?" Open questions have many answers and are useful for understanding the bigger picture.

Closed questions that use did, can, have, do, will or would will elicit a yes/no answer or a factual response. Closed questions are used to obtain facts or agreement, for example: "Did you cancel the credit card?" or "Have you got a copy of the letter?"

Open questions should be used at the beginning of a call to gain a broad understanding of the situation and to allow the caller to express what is on his or her mind. As the focus of the call narrows to a discussion of priority issues and actions to be taken, closed questions should be used to ensure that both parties have a clear understanding of the situation or the resolution.

4. Interpreting the Information

Paraphrasing and summarizing information back to the client helps confirm the accuracy of the information and it also helps you to process the information more effectively. Even if you are confident that both parties understand the issues, it can only help to repeat the information. This can be accomplished tactfully by telling the caller that you want to be sure that you understand the situation.

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5. Offering a Solution

Once you have obtained and interpreted all of the information required to make a decision, you must then offer a solution for the caller. It could be a matter of providing information that is easily available or you may have to conduct further research before responding. In either case, **create an action contract** with the client and obtain agreement. Tell the caller what you are empowered to do, how you will do it, and what results he or she should expect. Then obtain agreement from the client about what his or her obligations are.

> ***Action Contract Illustration***
> Suppose the client was complaining about bad conditions in his apartment. (For purposes of illustration, the details of L/T law are left out)
> Advocate: " *So we agree that the best course of action is for you to write the certified letter?*
> Client: "*Okay, I'll do that.*
> Advocate: "*Would you like to review the points that should be included in the letter one last time? If your landlord doesn't make the repairs or if you get any other communication from him please call me back between the hours of 9-12; I can give you additional advice over the phone."*

6. Closing The Call

The way you end the call makes a lasting impression on the caller. Once the action contract has been reviewed and the outcomes of the call have been summarized, it is time to ask the **closing question**: "Is there anything else I can do?" or "Have I answered all your questions?"

This information should help you in your day-to-day telephone interactions with clients. The advice offered here is not groundbreaking. These are familiar lessons for all of us who deal with clients over the telephone. The value of this advice comes in its application. If you can successfully apply these techniques in your work each day, it can make the job of satisfying your clients a productive and rewarding experience for all involved.

Working with Assertive Callers

In some instances, we project our emotions and believe the caller to be angry when he or she is not. This can happen if the caller is more assertive than you, impatient, rushed, or cold. Assertive or demanding clients are quick to get to the point, show authority, and demand action.

To deal effectively with assertive or demanding callers:

1. You may need to **raise your own assertiveness level,** but keep your assertiveness level just below the caller's to prevent escalation.
2. If your voice is soft, **raise it slightly**.
3. **Be direct and to the point** in your statements.
4. Keep the **non-business conversation to a minimum.**
5. **Adjust your posture** by sitting taller in your chair or by standing.
6. Do not be offended by a lack of rapport with assertive clients - remember, they are focused on taking care of business.

Working with Angry Callers

Some people are angry with every person and every situation. However, most people do not behave that way unless they feel that they have no other choice. Remember that anger is usually born out of fear, and behind every angry voice there is a human being that needs your help.

To deal effectively with angry callers:

1. **Depersonalize the emotion.** Although it may seem that the client is angry with you, remember that he or she is actually angry about a *situation.*
2. **Let the caller vent** to diffuse the emotion.
3. **Empathize without committing to agreement** by using phrases such as "*I understand that you are frustrated*" or "*I can see that this has upset you.*"

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4. **Avoid becoming defensive** - it will only escalate the situation. Avoid such phrases as *"I never said..." "You're wrong about that..." "You have to understand that..."*

5. **Use positive phrases** to correct misinformation: *"I can see why you think so. Our records show..." "Our information does not agree with yours. Perhaps we misunderstood you..."*

6. Use the word **situation** instead of the word problem.

7. Use the word **I instead of you.** *"I need you to check your policy"* is less confrontational than saying *"you need to check your policy."*

8. **Take responsibility** for doing all that you can. That does not mean that you should make com mitments that you are unable to fulfill. It does mean that you should pledge to do whatever you can as quickly as possible.

Take care of yourself. If you've had a particularly upsetting call, take the time to work the emotion out of your system. Evaluate the call; understand what you did well and what you will do differently next time. Take the time to reflect, go for a short walk, breathe deeply. Do what you need to do to put yourself back on track for the next call.

You should do everything in your power to control the call and make it a productive experience. However, if the caller becomes abusive and is unwilling to work toward a solution, politely inform him or her that you are going to terminate the call and will be ready when he or she is willing to work with you.

- *"I understand that you are upset. I would like to help you, but I cannot do so if you use that kind of language."*
- *"Mr. Jones, it's very important that we work as a team to resolve this situation."*
- *"I'm sorry, but I am unable to help you at this time. Please call back when you are ready to discuss the situation." or "I will call you back in a couple of hours when you have had a chance to calm down."*

When you speak with your client again, resist the urge to retaliate.

Working with Talkative Callers

The talkative client is sometimes harder to handle than the angry client. We are often sympathetic to the talkative client's need to have someone (or anyone) with whom to talk. Delivering effective Client Care means handling the talkative client with care, freeing you to help other clients.

To deal effectively with talkative callers:

1. **Ask closed questions** that require a short yes/no or factual answer
2. **Shorten pauses** between statements
3. **Provide minimal responses** to non-business conversation and always guide the conversation back to the matter at hand.

The following are some examples of effective closes when working with talkative callers:

- *"I know you are busy, so I'll let you go."*
- *"I would like to begin working on this right away, so I'm going to say goodbye now."*
- *"Have I answered all your questions?"*
- *"You understood and I'm sure you'll do well."*
- *"May I call you tomorrow after I've done a little research?"*

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Customer Care Institute
TELEPHONE EFFECTIVENESS CHECKLIST

Greeting:
- ❑ Did you use a salutation?
- ❑ Did you use a clear and appropriate identification statement?
- ❑ Did you ask how you could help?
- ❑ Did your tone establish rapport?

Hold Techniques
- ❑ Was hold appropriate?
- ❑ Did you ask the customer's permission?
- ❑ Did you estimate time?
- ❑ Did you check back regularly? (every 30 secs)
- ❑ Did you thank the customer for holding?

Establishing Rapport
- ❑ Did you use the customer's name?
- ❑ Did you listen to the customer and ask appropriate questions?
- ❑ Did you acknowledge the customer's concern?
- ❑ Were you courteous and respectful?

Controlling the Call
- ❑ Were you able to keep the conversation on track?
- ❑ Were you able to deal effectively with angry or talkative clients?
- ❑ Did you educate the client?

Job Knowledge
- ❑ Were you able to help the caller during this call?
- ❑ Did you offer the appropriate solutions and/or alternatives?

Closing
- ❑ Did you summarize actions and set clear expectations?
- ❑ Did you confirm the client's understanding?
- ❑ Did you execute appropriate follow up?

From the Frontline
By Carol Matthews

LESSONS IN LISTENING

I recently attended the National Conference on Law and Aging, which is always an educational experience. It is a great opportunity to find out the latest developments in substantive areas of law useful to my clients. But what has stayed with me most are some remarks made by a hotline manager who had recently conducted a client satisfaction survey. She reported that a number of clients had complained that although the hotline attorneys they had spoken to knew a lot about the law, they were sometimes very abrupt and did not give the impression that they were really listening.

I have been thinking about this a lot and there is more here than just a problem for Miss Manners. If a client feels that the attorney was not listening it is probably because his/her question didn't get answered. Maybe this is because the client didn't understand the answer but was too embarrassed to say so, or maybe there was more than one question. Sometimes the question that is answered isn't really the one that is asked. This is a ticklish problem and one that hotline attorneys need to do some individual soul searching about because it isn't always going to be picked up by a supervisor reading the printout. If the case notes say the client wanted to know how to deed his house to his daughter it may not be obvious to a reviewer that what the client really needed was Medicaid planning. It might not be immediately obvious to the hotline attorney either but it soon would be if she asked the client a few more questions or encouraged the client to ask more of his own.

The telephone techniques for speaking with clients are fairly elementary. At the beginning of the call the questions should usually be open ended to allow the client to explain the situation in his own words. We all know how to make little encouraging noises when we want someone to keep talking or to let them know we are still there. Often, the conversation calls for little questions interjected into the narrative. *You say the letter was dated the 10th?* Or, *The accident was in July of last year*? As the client relates his problem the attorney can politely nudge the conversation in a particular direction, or ask for clarification, but it should be clarification of what the client hasn't mentioned usually gives the impression that the listener hasn't been paying attention.

Suddenly asking a question about something the client hasn't mentioned usually gives the impression that the listener hasn't been paying attention. New topics should be introduced with a bit of explanation. *I can see that your landlord was very rude, but now I need to get some information about your lease in order to advise you about your options.* The questions become more specific as the attorney tries to nail down the pertinent facts.

When the client has had his say, the careful hotline attorney will then restate the facts and formulate the legal question to be answered. *You say you bought your house 40 years ago and own it free and clear and you want to be sure your daughter gets it? Is there any special reason you want her to have it now instead of after your death? You may need to go to a nursing home?* Now the real issue emerges. The client wants to know what he needs to do for himself and his family in case he has to go to a nursing home. The hotline attorney can then ask questions and probe for problems in this area. Before ending the call the attorney should ask whether all of the client's questions have been answered and encourage the client to call back if s/he thinks of more questions. When I am talking to clients about nursing home issues I always tell them that if the nursing home tells them anything that they think can't be true, or shouldn't be true, to call me at once.

It is also okay for the hotline attorney to sound a little bit human. Acknowledge that the client has a real problem-- even if the law isn't going to solve it. Agree that it is very annoying not to be able to get through to social security; sympathize with the client whose neighbors are very noisy, and congratulate the client who has navigated most of the way through small claims court herself. If the hotline cannot help the client this should be explained. If there are limits to what the hotline attorney can do this should also be explained. The essence of a hotline is a conversation between two people about a legal matter in which one person advises the other on the basis of the facts provided. There are two components to good legal advice. One, of course, is that it *is* good advice, and the second is that it comes from a credible source and thus is *believed* to be good advice. Creditability is the responsibility of the hotline attorney. So are good manners.

Customer Relations Skills in a Multi-Ethnic Society

Responses for creating positive Customer experiences:

- Reflect back what you hear the customer say
- Show appreciation
- Affirm and support customer decisions
- Assure the customer, give confidence and comfort
- End an interaction positively, pick up on something the customer said
- Show interest when a customer is talking
- Clarify the situation when the customer is confused
- Build rapport with the customer

Sensitivity Skills:

- Proper use of the customer's name
- Demonstrate respect
- Use courteous language
- Be aware of body language
- Use appropriate greetings
- Remain objective
- Suspend judgement
- Understand customer's viewpoint
- Be comfortable with differences

Communicating with Limited English Speakers:

- Decide what is the main point to communicate
- Determine the proper sequence of an explanation
- Keep the questions simple
- If asking several questions, arrange them in a logical order
- For sensitive questions, first explain why they are being asked
- Try rephrasing Yes/No questions
- Demonstrate with visuals, charts
- Simplify the explanation
- Be aware of information overload
- Pay attention to non-verbal cues signaling a lack of understanding
- Speak clearly
- Avoid slang
- Be patient
- Stay cool