

# LawPRO Webzine



January 28, 2014

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## Avoid communication errors: the #1 cause of claims



Breakdown in lawyer-client communication is one of the easiest types of errors to guard against and yet it remains the most common. In our fast digital world, clients expect instant replies and more 'round the clock' responses from their lawyers. Rushed communication can result in expensive or embarrassing misunderstandings.

Read some of the best communication-related articles we've published on the subject:

- For a discussion of the importance of retainers in litigation, see Jordan Nichols' article "[Avoiding communication-based claims: some tips for litigators.](#)"
- Because expectations can change as a matter proceeds, lawyers must be careful about "[Avoiding unintentional expansion of retainers.](#)" See this article by Yvonne Diedrick.
- Defining the retainer can raise special issues where the clients are spouses requesting mutual or mirror wills. Read about communicating effectively with wills clients in "[Consider threshold questions before accepting joint retainer for wills](#)", an article by Pauline Sheps that appeared in the Lawyers' Weekly in November 2012.
- Finally, communicating carefully is essential when offering unbundled legal services. See this article by Dan Pinnington: "[Unbundled legal services: Pitfalls to avoid.](#)"

## Be social media savvy

Not all communication with clients occurs one-on-one. Many lawyers are turning to social media to raise their profiles, to attract new clients, and to monitor the issues of interest to clients and other lawyers. Are you ready to make the social media leap? These articles can help you get the most out of your efforts while avoiding the pitfalls:

- [Social media: Pitfalls to avoid](#)
- [Essential do's and don'ts for LinkedIn users](#)
- [Essential do's and don'ts for Twitter users](#)

## Be the messenger... and don't get shot

Some things are easier and more fun to talk about than others. Fun to communicate with clients about: success (and our role in it); progress; winning; good news. NOT fun to communicate: failure (and our role in it); setbacks; losing; increased legal costs; bad news.

The risk: Failing to promptly and appropriately communicate bad news

## Online Community

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## Key Dates

**Jan 31, 2014:** transaction levies and forms are due for the quarter ending December 31, 2013.

**Feb 5, 2014:** last date to qualify for a \$50 early payment discount on the 2014 premium.

**April 30, 2014:** transaction levies and forms are due for the quarter ending March 31, 2014.

**April 30, 2014:** exemption forms from lawyers not practising civil litigation or real estate and wanting to exempt themselves from quarterly filings are due.

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(and therefore, failing to take steps to mitigate setbacks) exposes lawyers to claims. Uncomfortable delivering bad news? Here are some tips that can make it a little easier. [more](#)

### Want more?

Besides those featured above, LAWPRO and practicePRO have created many other resources that can help you improve your communication skills. Here's a list of other communications-related articles from LAWPRO and practicePRO:

- [Is anyone listening? LAWPRO's look at communication claims](#)
- [Let's talk talking: How to avoid communications breakdown](#)
- [Plea conversation vulnerable to error: Issues with lawyer-client communication a key factor in criminal malpractice claims](#)

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