

# YOUR BILL AS A MARKETING TOOL

by Barb Cotton

Can a bill be a marketing tool? I think so-but some care will have to be taken in its drafting. Here are a few thoughts.

## 1. Communicate at the outset

Clients hate surprises, especially in their bills. For this reason it is important that you communicate at the outset what you will be charging your clients for (eg. what disbursements will be charged above your fees?); how the bill will be calculated (eg. are you charging a certain fee per hour, a flat fee or by some other method?); whose time will be billed for on the file (eg. will you be charging for paralegal time?) and when you will be billing (eg. will there be a monthly bill or are you billing at the end of the retainer?).

For clarity be sure to discuss this with your client in your first meeting and confirm these points in your retainer letter.

## 2. Compose your bill in terms of value

Your client is not really as interested in knowing how you spent your time working on the file as much as what you accomplished on their behalf. For this reason it is a good idea to compose your bill in action terms which indicate the value achieved. Indicate why there was value in the phone call billed for, what was achieved in the meeting, what the settlement negotiations achieved or what was achieved at trial, for example. Even if your client insists on a detailed breakdown of all the time spent, prepare a value based bill as well which provides an overview of what was achieved by your services and append the detailed bill to it.

## 3. No surprises

Have you given the client a guesstimate and you are about to exceed that limit? Or are

you simply concerned at the size of the overall bill? Don't just mail or email your bill into the void and hold your breath-call your client before the bill is finalized to discuss it. Explain why the bill may be larger than anticipated and discuss the details. This will take away the surprise and give you an opportunity to address your client's concerns.

#### **4. Freebies**

Everyone likes to feel that they are given a break. Surely there must be something you can record "NO CHARGE" for on your bill. Is it your office policy not to charge for postage, faxes, secretarial time, travel time or other sundry items? Record these on your bills as no charge items and reap the benefits of your policy. Or can you discount items? Have you written down your own time or the time of students or associates? Have you written down computer costs? If so, be sure to record that the matter is billed "AT DISCOUNT" on your bill.

#### **5. Be accurate**

Clients may not be able to truly value the subtleties of the legal services you have performed on their behalf, but they know a spelling error and an error in addition when they see one. Make sure that your bill is flawless and with no mathematical errors so the client can conclude that your legal services were of an equally high quality. This premise also suggests that you should take care to print your bills on high quality paper.

#### **6. Bill promptly**

As the old saying goes-bill when the glow of appreciation is still in your client's eyes. And if it is the final bill, give them the good news that that's all there is!

#### **7. Include a cover letter**

Be sure to cushion your bill with the civility of a cover letter. Ask your client to contact you to discuss the bill if they have any questions or concerns. If there are any special instructions

such as further steps your client needs to take let them know. Thank them for the honour of representing them or acting for them on the matter. Let them know of the other legal services you offer and state that you would appreciate recommendation of your legal services to others.

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