



# PRESENTER— GAINES WEST

West, Webb, Allbritton & Gentry, P.C.



## CLETITLE- Ten Tips to Avoid a Grievance

### TIP #1

- Communicate with your client {even when it hurts};
- Control the way you communicate with your client;
- Don't expect another attorney {paralegal, legal assistant or secretary} in your firm to do it if you are the attorney with whom the representation began;
- Above all else be truthful in your communication.

## CLETITLE- Ten Tips to Avoid a Grievance

### TIP #2

- Privilege v. Right;
- Example: Picture in Office;
- White Board Example.

## CLETITLE- Ten Tips to Avoid a Grievance

### TIP #3

- Read your billing entries carefully;
- Bill regularly;
- Know the lodestar factors and use them when reviewing your billing.



## CLETITLE- Ten Tips to Avoid a Grievance

### *Rule 1.04 Texas Rules of Professional Conduct*

- ★ Time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly
- ★ The likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer
- ★ Fees customarily charged in the locality for similar legal services
- ★ the amount involved and results obtained
- ★ Time limitations imposed by the client or by the circumstances
- ★ Nature and length of the professional relationship with the client
- ★ the experience, reputation, and ability of the lawyer or lawyers performing the services; and
- ★ Whether the fee is fixed or contingent on results obtained or uncertainty of collections before the legal services have been performed

Above adopted in: *Braswell v. Braswell*, 476 S.W.2d 444 (Tex. Civ. App. -- Waco 1972, writ dismiss'd).

## CLETITLE- Ten Tips to Avoid a Grievance

### TIP #4

- Know what to do when your clients asks for her/his file back;
- Treat your file for the client like it really is the client's file – not yours;
- Make frequent memos to the file as the representation progresses

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

## Title search: Ten Tips to Avoid a Grievance: Conflicts and Dealing with the Unrepresented Person

Also available as part of the eCourse

[2017 Gas and Power eConference](#)

First appeared as part of the conference materials for the  
16<sup>th</sup> Annual Gas and Power Institute session

"Ten Tips to Avoid a Grievance: Conflicts and Dealing with the Unrepresented Person"