

LAWYER ALERT

Stopping Medical Injustice

THE ULTIMATE CLIENT COMMUNICATION MACHINE

Consumers assume all lawyers are the same. The assumption is that you will get the same results as any other lawyer. You may think you're the greatest lawyer and you do better work than anyone, but consumers don't agree. That's just a fact.

So, what can you do that will make your law firm completely different from every other firm? First, what is the most common complaint of clients? Poor communication from their lawyer. Even if you're doing great work, if your clients don't hear from you, they will assume you're doing nothing.

Client communication is where you can differentiate your law firm. But let's face it, you don't have time to call your clients every day and no matter what you do, clients want to be treated as though they are your only client. There's a solution: you must become obsessive about automating client communication for every step of your clients' legal journey.

THE MAGIC OF CUSTOMER RELATIONSHIP MANAGEMENT (CRM) SOFTWARE

With a customer relationship management (CRM) software, you can master the art of automating client communication. That is what CRM software does. You create a sequence of automated email/text that will be sent once a team member activates a specific trigger. The trigger could be the initial phone call from a new client.

Our firm's intake management software, Lead Docket, has a category, "Under Review" for new cases. Once a new case is entered in Lead Docket and "Under Review" is clicked by our intake specialist, our CRM, Infusionsoft/Keap, automatically sends a sequence of informative emails to our new client. We don't have to do anything—the CRM does the work.

Why should you do this? Your clients will tell you that you don't need to explain anything about your processes because they read your emails, watched your YouTube videos and they have no questions. You avoid having to repeat the same instructions to new clients and in the process, you and your team save a lot of time. This is the beauty of automation.

AUTOMATION #1 WELCOME COMMUNICATION WITH NEW CLIENTS

Let's put automation to work for your law firm. First, what happens after the initial phone call from a new client? For many law firms, not much. You want to make sure the new client gets immediate responses from you, via text and email, welcoming them to your law firm and informing them of the next steps in their legal journey.

When your client first contacts your law firm, your intake specialist activates a trigger in your CRM that will automatically send 3 emails on the following 3 days:

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Day #1: Welcome video email with points of contact at your law firm

Day #2: Email with links to informative videos about your process for case evaluation

Day #3: Email containing a digital copy of your firm's Client Welcome Package describing your clients' rights

Your clients will receive a daily sequence of email/text messages informing them what they can expect. The emails have embedded video messages from you, and attachments that explain their rights and responsibilities. Your law firm has become an information powerhouse and your new client knows they found the best law firm.

AUTOMATION #2 FOLLOW UP WITH REFERRAL PARTNERS ABOUT REFERRED CASES

Using the software, TypeForm (and the power of automation with your CRM), you should ask for periodic updates from your referral partner about the status of referred cases. Depending on the responses provided by your referral partner (e.g., "yes" or "no"), the CRM will automatically respond with additional questions.

DAY #1 OF THE REFERRAL: INITIAL EMAIL TO REFERRAL PARTNER

Dear [insert name of referral partner]:

We are happy to refer our client, [insert name of client], to your law firm.

The contact information for [insert name of client] is set forth below.

We will appreciate frequent updates from you about the status of [insert name of client]'s matter. Kindly respond to the questions set forth below.

Kindly advise:

Have you spoken with [insert name of client]?

YES__ NO__

[IF NO]: Please describe the efforts you've made to speak with [insert name of client]?

[IF YES]: Have you decided whether you will accept or decline [insert name of client] as a client?

YES__ NO__

[IF YES]: What was your decision?

ACCEPT__ DECLINE__

[IF ACCEPT]: Have you formally retained [insert name of client] with a retainer agreement?

YES__ NO__

[IF DECLINE]: Have you sent a letter notifying [insert name of client] that you declined his case?

YES__ NO__

[IF YES]: Please forward a copy of the letter to Serena Mirrow at smirrow@fishermalpracticelaw.com.

[IF NO]: Please confirm that you will send a letter to [insert name of client] notifying him of your decision to decline his case within 7 days.

CONFIRMED:_____

[IF NO]: Is [insert name of client]'s claim currently being evaluated by your law firm?

YES__ NO__

[IF YES]: What are the next steps in your case evaluation?

Please let us know if there is anything we can do to assist you.

Thank you for your update. We trust and value our relationship with you and we will continue referring clients to your law firm.

John H. Fisher
Cell: 518-265-9131
Work: 845-802-0047
www.ProtectingPatientRights.com

DAY 30 OF THE REFERRAL: 2ND EMAIL TO REFERRAL PARTNER

Dear [insert name of referral partner]:

On April 16, 2023, we referred [insert name of client] to your law firm.

Kindly provide an update about the status of your case evaluation:

Have you been able to speak with [insert name of client]?

YES__ NO__

[IF NO] Please describe the attempts that you've made to speak with [insert name of client].

[IF YES] Have you decided whether you will accept or decline [insert name of client]'s case?

YES__ NO__

[IF YES]: Have you confirmed your decision with a letter to [insert name of client]?

YES__ NO__

[IF NO]: What is the status your case evaluation?

Is there anything we can do to help?

If you have declined representation, please confirm your decision with a letter to [insert name of client] and provide a copy of your letter to Serena Mirrow at smirrow@fishermalpracticelaw.com.

Thank you for taking the time to serve [insert name of client].

John Fisher
Cell: 518-265-9131
www.ProtectingPatientRights.com

The requests for updates should be sent to your referral partner at days 30, 45 and 60 following the initial contact from your new client. If your referral partner does not respond, you should send the following email on Day #60:

EMAIL FOR NON-RESPONSIVE REFERRAL PARTNERS

Dear [insert name of referral partner]:

On April 16, 2023, we referred [insert name of client] to your law firm.

Periodically, we ask for updates about the status of [insert name of client]'s potential case. We understand that you are very busy and we just ask that you take a moment to update us.

Have you spoken with [insert name of client]?

YES__ NO__

[IF NO]: Please describe the attempts that you've made to contact [insert name of client]?

[IF YES]: Have you decided whether to accept or decline [insert name of client]'s case?

YES__ NO__

[IF NO]: What is the status of your case evaluation?

[IF YES]: Have you memorialized your decision in a letter to [insert name of client]?

YES__ NO__

[IF YES]: Please forward a copy of your letter to Serena Mirrow at smirrow@fishermalpracticelaw.com.

John Fisher
Cell: 518-265-9131
www.ProtectingPatientRights.com

If you do not receive a response to the email for "Non-Responding Referral Partners", within 10 days, you should send the following email:

EMAIL FINAL WARNING TO REFERRAL PARTNERS

Dear [insert name of referral partner]:

We trust and value our relationship with you and your law firm.

For this reason, we are sending this gentle reminder for an update about the status of x's case. We have sent previous requests for updates that have not received a response from you.

Kindly advise us of your contact with [insert name of client] and whether you have decided whether to accept their case.

If you do not respond to this request, we will assume that you are no longer interested in receiving referrals from our law firm. We hope that is not the case.

John Fisher
Cell: 518-265-9131
www.ProtectingPatientRights.com

AUTOMATION #3 UPDATES ABOUT POTENTIAL CASES

While you are evaluating potential cases, your clients will assume you're not doing anything (unless you keep them informed). What are the milestones in a case evaluation that you should share with your clients? You might consider the following email updates for your clients:

- Explanation of your case evaluation process
- Requesting medical records
- Received the medical records
- Expert reviewing the medical records
- Ready to discuss case evaluation

With these email/text updates at certain milestones, your clients will know that you are working on their case and your team members won't be bothered with incessant phone calls from clients. This is a win-win.

AUTOMATION #4 UPDATES ABOUT ACTIVE (LAWSUIT) CASES

What can you do during the status of a lawsuit to update your clients about their case? Think of the biggest milestones in a lawsuit and then create emails that describe each phase of the case. You might use the following milestones for client updates:

- Filing of the lawsuit
- Receipt of the defendants' answers
- Confirm date of client's deposition
- Request for trial date
- Confirming date of trial

Your clients will know what is going on with their case and you won't have to explain every step of their lawsuit. This will save you and your team a lot of time.

AUTOMATION #5 UPDATES ABOUT FORMER CLIENTS

You have hundreds or even thousands of potential referral sources at your disposal. Who? Former clients. Former clients who know, trust and love the work that you do. But you are wasting the opportunity for referrals if you are not continually communicating with former clients.

Don't spam former clients about your settlements/verdicts. Make the follow up personal by automating emails to former clients about things that matter to them. You might try email updates for the following:

- Birthdays and wedding anniversaries
- Client appreciation parties
- New YouTube videos
- Updates about changes in the law
- Your books and newsletters

3 STEPS TO THE MAGIC OF AUTOMATING CLIENT COMMUNICATION

You need 3 things to begin automating communication with your clients: (1) content, (2) Customer Relationship Management (CRM) software; and (3) an expert at integrating the content into the CRM.

Step #1: Content: I can provide you with the content (send your request to jfisherlawyer@gmail.com), but it will be better if you create your own content that is relevant to your law firm and practice area. Start small and just get started creating some content for one automation.

Step #2: Customer Relationship Management (CRM) Software: The CRM software will automate client communication for you. We use Keap (formerly known as Infusionsoft), but there are many CRMs that are specific to law firms, such as Lawmatics and Case Status. For a modest fee, you can get started automating client communication with your CRM.

Step #3: Expert Integrator: Automation will not work without an expert at integrating

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INJURY MALPRACTICE

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(above) On April 25, 2023, New York's Appellate Division came to Greene County Courthouse in Catskill, NY for oral argument. Very proud of my wife, Honorable Lisa M. Fisher (far left on the bench)

FROM JOHN'S CASE BOOK

\$1,250,000

Recovered for

Failing to Diagnose Lung Cancer

The widow of a 75-year old male recovered \$1,250,000 for the 12-month delay in the diagnosis of lung cancer in Ulster County, New York.

12 months before being diagnosed with lung cancer, the 75-year old patient underwent a chest x-ray prior to a minor operation at the Kingston Hospital. The chest x-ray was interpreted as negative.

1 year later, the patient began having respiratory symptoms and a series of tests consisting of a chest x-ray, CT scan of the chest and bronchoscopy (a procedure that lets doctors look at the lungs and air passages) led to the diagnosis of lung cancer. Tragically, the lung cancer had spread to the patient's brain and 19 months later, the patient died. The patient was survived by his widow and 17-year old son.

A Surprising Twist to the Story

Following her husband's death, the widow requested the images from the chest x-ray that had been performed 1 year before the diagnosis. The Kingston Hospital refused to provide the images to the widow over the course of 6 months. Finally, after many unsuccessful attempts to retrieve the images, the widow had to sue the Kingston Hospital and its medical records retrieval company, CIOX, just to get the images from the chest x-ray.

The images from the chest x-ray revealed that there was an irregular, 2.5 centimeter mass in the patient's upper lobe of his right lung that was highly suspicious for malignancy. The mass should have warranted further evaluation, including a CT scan of the chest and bronchoscopy. However, due to the radiologist's failure to correctly interpret the chest x-ray, the patient never received the testing and treatment that he needed.

The failure to diagnose lung cancer led to the spread of cancer and diminished the likelihood of the patient's survival.

CLIENT COMMUNICATION MACHINE

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your content with CRM. This is pivotal. You simply want to provide your content to the integrator, give them access to your CRM and let them do the rest.

For 10 years, our firm has used the team at Blick Digital (www.BlickDigital.com), owned by Brett Farr (brett@blickdigital.com) in Arizona. Brett and his team do amazing work in automating tasks, e-commerce and client communication. Morgan Henson (morgan@blickdigital.com) of Blick Digital takes care of everything digital for our law firm and it makes our life so much easier. You won't find a better integrator than Brett Farr and his expert automation team at Blick Digital.

THE NEXT STEP IS UP TO YOU

Once you automate client communication, your law firm will be more efficient, your clients will receive regular updates from you and your team members won't have to answer the same questions for your clients...over and over again. So, what are you waiting for?

Practice Limited to the Representation of Seriously or Catastrophically Injured Persons