Take these three steps to convert a service delivery mistake into a stronger client relationship

Use the ***know—have—do*** framework to get your arms around client issues, restore trust, and find new solutions

My lovely wife, who uses me as a kind of Google, called me and said: “I need your help. One of my dog runners just told me she lost a customer’s key. She’s retraced all her steps, looked everywhere, and thinks it’s gone. I need to call the customer—any advice?”

She runs a successful dog services company where her coaching staff spends a lot of time exercising big-pawed, waggly-tongued clients (the dogs) and then charging the customers (the dog owners) for different services. It's a business that runs on a high-level of trust: these animals are no less than furry children to their owners, and the coaches have access to the owners' homes through lockbox codes and house keys. The business strongly recommends customers purchase lockboxes, but some customers prefer the coaches just keep and use copies of house keys. With so many customers and coaches, it is inevitable that a house key gets lost and a customer must be notified.

My world is different but the same. While I've never scratched a legal client behind the ear while hand-feeding him a piece of string cheese and a well-earned attaboy, the high-level trust between a legal client and a legal service provider (lawyer, technologist, support) is just as critical and just as fragile.

The crucible of this trust is the Quality of Service escalation, otherwise known as "fixing a major screw up." When service breaks down and delivery is interrupted, contacting the client quickly, humbly, and with a good plan is often the difference between a client relationship renewal and its termination.

Through my experiences as client service and operations director, I've developed a framework to address these high-urgency, critical stress tests that I lay out below in the hopes that my wife and other new managers can take advantage of my history of successes (built on a vast landfill of screw ups).

Use KNOW—HAVE—DO to frame your response to service delivery issues

Because I can keep very little in my head, I use a three-phase framework to approach client crisis conversations. *KNOW – HAVE – DO*. What do I need to *KNOW* to start the conversation, what do I need to *HAVE* to work a solution with the client, and what do I need to *DO* to resolve the issue the best I can?

KNOW: the client's primary goals, the context (history and environment) of the issue, and the timeline and milestones that led to the service issue.

As soon as I get word—internal or external—that the client's service has been disrupted in some way, I reach out to the client and let them know we've heard them and we're responding. Then I run to my closet, put on my deerstalker, dust off my magnifying glass, and become a detective.

I call each individual on my side of the value chain and ask them for a three-bullet after-action-style report (what the goal was, what happened instead, what they're doing next). I compile those reports and jot down a list of questions I still have. I convene a call and fill out the timeline of events, after which I ask if anyone has any other information, or disagrees with the timeline record. At the end of the call, I establish who will contact the client.

If possible, I want the client's current point of contact (my direct report) to start that conversation instead of me for at least three reasons:

1) Done right, service issue escalation conversations can catalyze a new, more profound trust if the client sees their day-to-day contact working diligently, exhaustively, and intelligently at solving the service issue. Even if it originated with human error or a bad process, an issue resolved well often leaves the client trusting my team *more*, not less.

2) If you're growing a team of future leaders, then this kind of stress test is very hard to replicate in a simulator. Giving your direct reports the chance to be a client's hero will energize them and make them much more confident in their ability to manage a crisis.

3) Finally, if you—as a director, VP, chief or some other manager—jump directly on the escalation and resolve it yourself, you do two risky things:

    a) You implicitly tell the client that you don't have faith in your own team to deliver top-level service on your behalf, and

    b) You lose the strategic option of having your direct report publicly escalate to you if things go off-track during the resolution phase.

If you as a leader monopolize issue resolution, if you can't resist saving the day for the client, you'll likely create an environment in which your team becomes very comfortable letting you solve their biggest problems, which will quickly become *your* biggest problem.

HAVE: A rapidly completed root cause analysis with the issue, the fix, the remediation, the next step to resolve it, and alternative plans.

Before my direct report and I meet the client, we get prepared. That means after reviewing the record of events, we do a *root-cause analysis* (RCA). This could be a five-whys exercise, an Ishikaya diagram, or an FMEA. More likely, it's a cross between an educated guess and a gut-feeling. Whatever the method, I use it to pick out two causes: the but-for cause (but for this one thing, this other bad thing wouldn't have happened), and the systemic cause (this (absence of a) policy/process allowed this bad thing happen).

For example, in my wife's case, the but-for cause of losing the key may have been that the staff member was in possession of too many client keys—keys, which are small and all look the same, seem specifically designed to be lost or confused. Every time I get the right valet key back, my heart wells up with joy—and the systemic cause may be that customers don't yet have to sign a document acknowledging that they should really buy a lockbox and laying out their recourse should they decline and a key goes missing (as keys are designed to do).

We find both these causes to more easily identify the short-term fix (from the but-for cause) and the long-term remediation (from the systemic cause). While the causes may not interest our clients, the fix and remediation will. Once we identify the fix, the next steps my team needs to take to resolve the issue are easier to determine.

We provide the client a fix *and* a remediation, because just fixing the problem doesn't add value. At best (and rarely) it makes the client whole. However, the remediation—how this stressful thing the client is dealing with will be repeat-proofed in the future so that no one has to deal with it ever again—communicates that we recognize the client's hardship and that our normal course of action is to use her pain to improve our process. While that doesn't directly benefit her, she understands that she benefits indirectly from the process because she doesn't fall prey to all the other mistakes and issues we've repeat-proofed in the normal course of business.

Depending on the severity of the service issue and its disruption, we want to have at least a primary resolution and a back-up idea, in case our assumptions turn out to be flawed. However, sometimes all the resolutions we propose will not get the client back where he or she wants to be. In that case, we draft the best alternatives we can, note both the pros and cons, and offer them to the client in order of how closely they meet the client's goals.

DO: Maintain the point of contact, inform the client ASAP, listen to the client vent, apologize and take responsibility, walk the client through the problem and brainstorm solutions, and/or ask: what will it take to make this right?

Only after the client has been informed and after my team has prepared the client's goals, the timeline record, the RCA, the fix, the remediation, and the next steps, do we meet with the client. That said, it's the meeting with the client that's the priority, not the perfect collection of that list. Whoever we designated as contact runs the meeting and starts with a brief recitation of what we know (the timeline record) and what the client wanted.

Then we create space to let the client vent. Usually clients have had time to process and just want to get to the solution. But occasionally, this is when they blow off some steam at us and express their extreme displeasure in no uncertain terms. And we let them, because they didn't bargain for this.

We acknowledge that we are deeply sorry for the stress and inconvenience the issue caused. We can say this straight-faced, because we *are* deeply sorry. Someone paid good money for our service and got back unwanted stress instead—that's not supposed to happen. However, if you're not sorry, then don't say you are; the only thing worse than no apology is a fake apology.

But more importantly, don't stop at sorry. Few things undercut an apology more than an empty gesture or no follow-through at all. We lay out the issue and its parts as simply as we can make it. We discuss alternatives and weigh the pros and cons, and we guide the client patiently through each course of action.

A research team at Case Western Reserve found that more than an empathetic ear, customers angered by service disruption want creative solutions, not just apologies (https://hbr.org/2018/01/sorry-is-not-enough). Specifically, they want someone willing to spell out the issue and work with the customer to find the best outcome.

That certainly echoes my experience where breaking up a complex issue into its simplest components and then helping the client explore the sub issues, the resolutions, and the alternatives has often resulted in the client *thanking* my team. More than once, I have actually felt the blame melt away and be replaced by gratitude for guiding the client through the problem—a problem, lest we forget, that *we* created for *him*.

Of course, I've also been in a couple situations where the client could not be consoled at all. Justified or not, the client was so irate that no solution we proposed could satisfy him. In that instance, with any hope to rescue the relationship all but gone, my only option was to call him back after he'd had more time to cool off and say "I really value our relationship, what can I do to make this right?" That is essentially an invitation to negotiation by ceding the opening terms to your counterpart, and his answer may make you question *how much* you value that relationship.

The vast majority of the service issues I've wrangled have gone the other way, though. The clients ending up very appreciative of someone taking their stress so seriously and working so hard to alleviate it, and the relationship becomes much stronger for the effort.

Know	❑ the client's primary goals, ❑ the context (history and environment) of the issue, and ❑ the timeline and milestones that led to the service issue
Have	❑ Root cause analysis (but-for cause, systemic cause, fix, remediation) next steps, ❑ Alternative solutions
Do	❑ Maintain the point of contact ❑ Inform the client ASAP ❑ Listen and let the client vent ❑ Apologize and take responsibility ❑ Walk the client through the problem and brainstorm solutions ❑ And/or Ask: 'what will it take to make this right'

Know-Have-Do framework

Do you have your own tips and tricks? How do you ensure you're doing everything you can to quickly and correctly resolve quality of service issues?

Sam Davenport is Director of Legal Business Solutions for Davis Wright Tremaine where he helps build teams and lead change and innovation initiatives. He's been a publisher, vendor, consultant, and executive. He writes about the changing legal technology and operations landscapes and can be reached at samdavenport@dwt.com or tw:@SamLawTechOps.