

The three things that I try to do at the first meeting with a client are:

- To find out the events giving rise to the claim.

Why do I do it?

It will give me an idea how I can help the client. It will also help me spot solutions to the problem.

How do I do it?

I do this by having the client explain the claim in her own words. In doing this I spend most of time seated back listening, and then asking questions to clarify positions or explore options.

I find that a face-to-face explanation by the client is the best method to understand the nuances of the client's problem, nuances that may not present itself if my nose was buried reading the documents generated by the claim.

This is so because from the inflection of the client's voice, I might gather that the client's management team may not be so hot in defending the claim in a particular manner. Or from a nonchalant remark, I might gather that the client will not be too concerned if bridges are burnt in a dispute with their buyer.

If I receive instructions by email, I try to schedule an online meeting or at least a phone call.

- To find out how much money is at stake.

Why?

I do this because the amount at stake (the quantum, in lawyer-speak) often determines the resources (time, people, legal fees, effort, etc.) that a client is willing to expend in bringing or defending the claim. Begin with the end in mind, they say.

How?

I ask the client if they have an idea of how much is at stake.

This is sometimes tricky to find out because the true extent of the losses may not have (and sometimes, cannot) be quantified.

But more often than not, stung by the injustice that they have suffered, clients have thrown caution into the wind and have not taken a cold hard look asking how much money is at stake.

I also try to find out if the other parties to the dispute may have a claim of their own and if so, for how much.

- To give clients an overview of how the legal proceedings might play out.

Why?

I do this so that the client has an idea of what they are taking on. Or if they are defending a claim, how much hassle they are in for.

I find that this explanation helps to concentrate the mind, especially if they are still reeling from the injustice (see above).

How?

I think of how the dispute will bear on the different dimensions of legal proceedings, these include (i) the length of proceedings; (ii) the time, money and hassle to be spent on proceedings, and (iii) the monies recoverable.

Thus if pre-judgment security can be obtained by arresting vessels, I explain how additional legal fees will be incurred at the outset to not only prepare the usual court papers but to also prepare ship-arrest papers.

And if the dispute is to be litigated in the courts (rather than be arbitrated), I say how the timetable on which the dispute is fought may not be entirely in the hands of parties.

Also, if the dispute involves a judgment that may need to be enforced overseas, I say how it would be best to find out from foreign solicitors if the judgment can indeed be enforced in those countries.