

## Effective questioning and active listening

By Linda Julian

Among the personal marketing skills you'll need to become really proficient in business development are questioning and listening.

Through our extensive survey work, a considerable number of law firm clients report that lawyers don't take the time to find out about their business and its problems, nor do they show great interest when the client attempts to open up communication beyond the current matter.

However, the majority of legal practitioners I've met believe that they already have excellent questioning and listening skills. After all, they listen to clients all day, and fire off questions constantly; some lawyers even cite courtroom successes as evidence. You may have to work hard to overcome a tendency to use questions in a way that feels to the client like interrogation or cross-examination: best courtroom technique doesn't win business.

In the personal marketing context, effective questioning is different. It is about **discovering needs, surveying problems, and getting to what's important to the client or prospective client.**

There are three main types of questions: closed, open, and probe questions.

**Closed questions** are answered in a syllable or two: yes or no. (E.g. "Do you ever seek legal advice?") They yield quick information, but it's hardly complete.

Open questions lead to a longer response. (E.g. "Would you tell me about the occasions when you seek legal advice?")

They are useful in collecting information and opinions.

**Probing questions** encourage elaboration on a response to an open question. (E.g. "Why do you say that you don't seek legal advice with your distribution agreements and bad debts?") Use probes to clarify a response, and to find out about underlying views and motivations.

To uncover needs, avoid closed questions. Ask plenty of open questions, and follow these with appropriate probes.

When you're questioning, increase empathy and rapport by adopting your clients vocabulary - use his or her terms wherever appropriate. Be sure to ask about the impact of the situation, too: is this a make or break predicament? Find out exactly how important this problem is to your client.

Polite and thoughtful questioning is an convincing way of expressing your genuine interest and concern, and it will help you to understand exactly what's on the clients mind, and why.

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Effective questioning also means dealing with the important question of price. Price is almost always a question. Often, it's left unspoken, and you may have to raise it.

While price is an **important** question, only in a few market segments is price the **most important** issue. So long as forewarned about price, most clients are satisfied if they're convinced they're getting value for money.

Recent research reveals that talking about fees is the third biggest stress factor for practitioners. If you're among the masses of lawyers who feel uneasy talking about price, work on it until you can deal with the issue comfortably and constructively. Be prepared for the desensitisation process to take some time and training.

Most of us think we have great listening skills. Active listening in the business development context means listening as though through the ears of your client or prospective client. Listen to what they're saying, and for why they're saying it.

Really listening to your clients involves coming to a close understanding of their needs, and learning how to respond to those needs.

Most importantly, **listen to what you're saying through client ears**. Are you communicating that you genuinely care and want to contribute as required? Do you sound like someone who understands the clients business and priorities? Do you sound adaptable, flexible, and like a lawyer who'll commit to high service levels, and deliver on your promises?

By using open questions, probing out the answers, and carefully listening to the responses, you'll be well on the way to defining the problem. Only then can you demonstrate how your legal expertise can satisfy your clients needs.

Practice these important skills. "Replay" client situations, and mentally experimenting with different styles of questions. Role-play with your colleagues, and organise mini-workshops in your firm to master the techniques.

Highly-developed questioning and listening skills are not only a vital component of successful personal marketing, but they are also essential to the client-friendly lawyer in his/her quest to develop an enduring base of satisfied clients.

#### **About the author**

Linda Julian is acknowledged as a leading authority on strategic practice development and how to win business for law firms. Since 1979, she has consulted with lawyers and other professionals throughout Australia, New Zealand, the Pacific, and Asia on a wide range of business acquisition, client retention, and strategic management issues.

Her book *The Passionate Professional: creating value, success, and prosperity* has sold in 13 countries and has received wide acclaim. Linda lectures in strategic management and marketing professional services at post-graduate level. She leads the small and highly specialised Julian Midwinter & Associates consulting practice.

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