Tip of the Month

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Danger Ahead! Are Your Emails Tumbling Into Unknown Pitfalls?

Email is often the preferred method of communication for corresponding with colleagues and clients. Although writing an email is easy, lawyers need to steer clear of certain pitfalls. Avoiding the common errors discussed below will help ensure that emails remain effective and professional.

1. Failing to Promptly Respond

Responding to a client's email often requires legal research as well as review of various documents and the file. Nonetheless, answering too slowly, no matter how legitimate the reason, can lead to the impression that you are not interested in the client's matter. Just a few years ago, responses were expected within twenty-four hours of an email being sent, but now expectations have accelerated due to the use of hand-held devices. Thus, if you need more time to consider a question or task, simply send a reply indicating that you will be responding more fully in the near future. If a response is delayed due to you being out of the office, set up an automatic email reply to inform everyone when they should expect a response, and who to contact in an emergency. Colleagues and clients may feel frustrated and angry with their lawyers when they feel they are being ignored. Timely responses and open communication can help avoid these negative reactions.

2. Failing to Proof-Read

Emails with spelling, grammar or punctuation errors can look careless and imply a lack of professionalism. Do not solely rely on automatic spell-checkers to review a message as these features do not always pick up words that are used incorrectly, such as homonyms or incorrect verb tenses. Reading an email aloud can also assist in catching typos and grammatical errors. Do not sacrifice quality for speed as it could result in appearing unprofessional.

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3. Unnecessary Use of "Reply All" on Emails

"Reply all" should be used when each recipient on the email is required to take action or needs to be kept informed of developments. You can avoid frustrating email recipients by including only relevant individuals. To include only selected recipients, utilize the "cc" (carbon copy) or "bcc" (blind carbon copy) functions.

4. Failing to Attach Referenced Documents to Emails

Do not forget to attach referenced documents to emails. Although this is a common oversight, if it happens often, it can appear neglectful. This can be a time consuming error for both the sender and the recipient. It often entails the recipient having to send an additional email advising of the oversight and requires a supplementary message from the sender acknowledging the mistake and including the omitted attachment. Consider attaching the relevant document before typing an email so that it is not disregarded. To avoid confusion and a possible confidentiality compromise, verify that the correct and most current version of document is attached.

5. Using Vague Subject Lines on Email Messages

Using ambiguous subject lines, or failing to use subject lines at all, could result in the email not being opened. Utilizing a clear and concise subject line allows the reader to identify the topic, and perhaps, determine whether or not the message is urgent. Having an appropriate subject line in the initial communication is beneficial to the sender and recipients throughout the existence of the project or case. It allows all parties to easily search and identify emails specific to the matter at hand. Additionally, use the subject line to inform the recipient if your message is attorney/client or work product privileged, and that it should not be forwarded.

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