



Good Forwarding Gets Better

Robert Ash, *Radius Global Solutions*, Ramsey, NJ

Brandon James, *Tucker Albin & Associates, Inc.*, Richardson, TX

Christopher S. Young, *BTLG*, Columbia, MD

Moderator: Don Scott

Timeline Touchpoints and Responsibilities



Key Stages in the Forwarder–Attorney Workflow

Structured Workflow Phases

The workflow includes intake, pre-suit evaluation, filing, service, pleadings, judgment, and enforcement stages with defined roles.

Importance of Real-Time Communication

Real-time updates on filings, service attempts, and scheduling are crucial for managing client expectations effectively.

Risk Assessment and Strategic Advice

Pre-suit evaluation involves candid risk assessment and insights on debtor's financial and legal background.

Post-Judgment Enforcement

Attorneys communicate judgment timelines and enforcement strategies like garnishments or levies to ensure compliance.



Improving Consistency Across Touchpoints

Standardized Communication Protocols

Structured updates and immediate alerts ensure timely information sharing across legal process stages.

Uniform Document Checklists

Using consistent document templates reduces errors and ensures attorneys receive complete files initially.

Pre-filing Collectability Assessments

Standardized assessments help attorneys evaluate risks like liens, judgments, and credit histories systematically.

Enhanced Workflow Reliability

Predictable, systematic processes reduce delays and improve client satisfaction and trust.

Client Expectations and Decision Frameworks



Establishing Realistic and Documented Expectations

Transparent Cost Discussions

Discuss all fees and expected expenses upfront to prevent surprises during case handling.

Required Documentation Clarity

Specify all necessary documents like credit applications and affidavits before proceeding with cases.

Defined Communication Channels

Establish primary contacts and escalation paths to streamline client communication and updates.

Procedural Timeline Explanation

Explain litigation stages and update frequency to manage client expectations effectively.



Risk–Reward Analysis and Litigation Viability

Structured Risk–Reward Framework

Attorneys use structured frameworks to assess litigation risks and rewards, guiding clients ethically without guarantees.

Debtor Financial Profile

Assessment includes debtor’s liens, judgments, bankruptcy indicators, and credit trends affecting recovery chances.

Litigation Costs vs Recovery

Evaluating expected litigation expenses against potential recovery methods like garnishments and asset seizures.

Informed Client Decisions

Balanced analysis empowers clients to make realistic decisions and builds trust by avoiding false expectations.

Forwarders' Frustrations with Receiving Attorneys



Communication Gaps and Operational Risk

Impact of Communication Gaps

Delayed or inconsistent updates between forwarders and attorneys cause operational risks and disrupt case progression.

Pressure from Lack of Information

Forwarders face anxiety and credibility loss when required to respond without timely updates or complete data.

Trust and Relationship Erosion

Poor communication harms client trust and can impact future referrals and attorney reputations.

Benefits of Transparent Communication

Clear, timely updates improve client confidence and strengthen agency-client relationships despite challenging outcomes.



Maintaining Client Trust and Relationship Stability

Role of Consistent Engagement

Consistent communication by attorneys builds client trust even without monetary recovery. Detailed record-keeping supports transparency.

Providing Actionable Insights

Attorneys empower forwarders by identifying liens, judgments, and financial indicators to guide realistic client expectations.

Importance of Clear Communication

Clear, professional communication strengthens client relationships and builds resilience during challenging legal processes.

Long-Term Partnership Building

Strong communication practices position agencies as reliable stewards, fostering lasting client relationships beyond case outcomes.

Ethical Communication Obligations



ABA Model Rule 1.4 and Its Practical Implications

Core Communication Standards

Model Rule 1.4 requires regular, clear communication and informed consent between attorneys and clients.

Timely Updates and Responsiveness

Attorneys must promptly inform clients of decisions and updates like settlements and court rulings.

Tailored Explanations

Legal matters should be explained clearly to clients, considering their unique background and needs.

Broader Ethical Implications

Rule 1.4 extends to communication with intermediaries, promoting trust and efficient case management.