



Expectations for Attorney-Client Relationships

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Your Presenters



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Nature of Representation

- Client is the City (as an entity, an organization)
- City Attorney represents the City
- City Attorney works with City Officials (Council, Manager, Staff)
- We should understand our roles
- We can share our expectations
- We can have conversations
- Expectations should be *Mutual*



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Client's Standards

- **Empathy:** City Officials are people (who face human challenges)
 - [ABA article, *The Power of Empathy*, by Kendra Brodin \(2021\)](#)
- **Respect:** treat people in a professional manner
 - [ABA Preamble](#)
- **Competence:** be qualified, thorough & prepared
 - [ABA Preamble, Rule 1.1](#)
- **Integrity:** adhere to high professional standards
 - [ABA Rules 1.7, 1.8, 4.1, 8.4](#)
- **Candor:** be honest & respectfully direct
 - [ABA Preamble](#)



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Client's Standards

- **Communication:** communicate timely & often
 - ABA Preamble, Rule 1.4
- **Confidentiality:** safeguard sensitive data
 - ABA Preamble, Rule 1.6
- **Responsiveness:** take action with diligence & promptness
 - ABA Rule 1.3
- **Diligence:** devote time to do work
 - ABA Rule 1.3
- **Efficiency:** do not waste client resources or cause unreasonably delay
 - ABA Rule 3.2, TX Rule 3.02



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More Client Standards

- **Alternatives:** present options & risk assessments
 - ABA Rules 1.0(e), 1.4
- **Advisors:** render legal advice & policy guidance (upon request)
 - ABA Rules 1.2, 2.1
- **Politics:** stay out of political disputes & personal conflicts
 - ABA Rule 1.13
- **Relationships:** it's ok to be friendly but maintain professionalism
 - ABA Rule 1.7, ABA Formal Op. 494 (2020)



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Empathy

- City Officials are people (who face human challenges)
Empathy is the ability to sense, understand, & relate to the experiences, thoughts, and feelings of others. Empathetic attorneys anticipate client needs, concerns, & frustrations & they can serve their clients at a deeper level, which increases client loyalty.

The Power of Empathy,
by Kendra Brodin (ABA, 2021)



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Competence

- Be Qualified & Prepared
- Attorneys shall maintain the knowledge, education expertise necessary to appropriately perform as the Client's legal advisor, representative & advocate within the scope of engagement
- ABA Model Rules:** Preamble Comment [7] A lawyer should strive to attain the highest level of skill
- ABA Rule 1.1:** A Lawyer shall provide competent representation, which requires the legal knowledge, skill, thoroughness & preparation reasonably necessary for the representation



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Communication

- Frequently, timely and plainly communicate with the Client to foster a better shared understanding and build mutual trust
 - ABA Model Rules: Preamble Comment [4] A lawyer should maintain communication with a client concerning the representation
 - ABA Model Rules: Preamble Comment 2: As advisor, a lawyer provides a client with an informed understanding of the client's legal rights & obligations & explains implications
 - ABA Model Rule 1.4: (a) A lawyer shall:
 - (1) promptly inform client of any decision or circumstance with respect to which client's informed consent
 - (2) reasonably consult with client about means by which client's objectives are to be accomplished
 - (3) keep client reasonably informed about status of matter
 - (4) promptly comply with reasonable requests for information &
 - (5) consult with client about any relevant limitation on lawyer's conduct when lawyer knows that client expects assistance not permitted
 - (b) A lawyer shall explain a matter to extent reasonably necessary to permit client to make informed decisions regarding representation



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Attorney's Standards

- **Empathy:** Attorneys are people (who face human challenges)
- **Respect:** treat people in professional manner
- **Integrity:** adhere to high professional standards
- **Consideration:** heed legal advice (don't ignore / dismiss)
- **Time:** afford reasonable time necessary to do quality legal work
- **Communication:** communicate timely & often



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More Attorney Standards

- **Information:** provide data needed to perform legal work
- **Context:** give full explanation of situation (not isolated questions)
- **Cooperation:** vital to success & condition of liability coverage
- **Feedback:** assess legal services timely & respectfully
- **Politics:** do not require involvement in political / personal disputes
- **Relationships:** it's ok to be friendly but maintain professionalism



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Course Correction

- Should conflict arise stemming from unrealized expectations, Clients & Attorneys are encouraged to timely engage in civil, direct & respectful discussions seeking realignment
- Conversations among attorneys & clients regarding these issues are encouraged, both one-on-one & as a group built around an agenda focused on fostering mutual understanding



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Clear Expectations lead to Mutually-Supportive Relationships

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