

Name: [REDACTED]

Membership no: [REDACTED]

1. Competency: 3

Learning Outcome: 3.6

Manage a client's expectations

2. Evidence provided:

Telephone attendance note

3. Outline how the evidence demonstrates you meet the outcome

Identify needs/objectives of client: The client wanted an apology from the Defendant.

Identify situations in which objectives may be unrealistic: The purpose of litigation is to put the client in the financial position they would have been, but for the negligence. It is rare that there is an admission of liability and/or an apology.

Reasonable steps to manage expectations: I advised the client that it is unlikely she will get an apology, but the fact the other side are looking to settle, is an indication that they are aware that something has gone wrong.

4. Reflection and evaluation

It is important at the outset to find out why a client is bringing a claim. If it is purely for an apology, rather than compensation, they should be advised that a complaint would be better for them.

5. Completion date:

5.11.13

6. Signed (applicant)

[REDACTED]

7. Signed (supervisor)

Date: 5.11.13
Date: 5.11.2013.

Attendance Note

File: [REDACTED] Dental Negligence
Date: 29 August 2012
Fee : [REDACTED]
Attendance: Telephone
Attending: Client

Incoming call from client at 10.35 on 29 August 2012.

KE advising to client that [REDACTED] had offered £ [REDACTED]. KE advising that this is reasonable and we would be at risk on this offer. however, they have not advise about the radiographs, and KE advised that the next steps are to write to them, sticking at 5k, and see if they are willing to negotiate.

However, if they are unwilling to increase their offer then we would have to accept 2.5 as cannot be certain that would beat this at trial. client understanding this and noting that she was happy with the advice.

However, she was unhappy they were not acknowledging that the dentist had done wrong. KE advised that it is extremely rare that they admit liability and the majority of the time the case will settle without them every admitting they have done wrong. The fact they are looking to settle the case and offered a settlement, goes someway to showing they think something has gone wrong.

KE advising that the point of litigation is not to get an apology and the client will not get this. The point is to compensate the client financially and put them in a position they would have been in.

KE advised client that she would be back in touch once she had a response from [REDACTED]

Time engaged on telephone

4 units

Drafting AN: 1 unit