



Developing and Nurturing Commercial Client Relationships

By Jim Kozelek, Esq. of Weltman Weinberg, & Reis Co. LPA. Reprinted with permission.

Many of WWR's commercial clients are not banks lending money to individuals but are companies that sell, lease or rent goods or provide services on a local, regional or national level to other businesses. Developing and nurturing commercial client relationships revolves around two central questions: What does your client do? And how do they do it?

What does your client do?

At first glance, the answer may seem simple. Your client may sell advertising or building materials, rent uniforms, or lease equipment. Whereas these responses are technically correct, they are also oversimplified and do not truly identify what your client does. For instance, even though both the advertising client and building material client "sell" a "product", you would not represent them or market them in the same way because they are not in the same industry. The advertising client may sell space in a directory that has a one year

shelf life, or space in a monthly magazine, or a 30-second radio spot that runs for one week while the building material client sells 30-year shingles or vinyl siding meant to last for 20 years. The same goes for the uniform rental client and the equipment leasing client. Both retain an interest in their "product" but the uniform rental client has more overhead costs to pick up - launder and return the uniforms over a five-year period - while the equipment lessor client has more at risk because a forklift costs way more than five sets of uniforms. In sum, the devil lies in the details and the key to a successful and long term relationship is to truly understand what your client does.

How do you do this?

Start by asking questions. There is no shame in asking your client about their industry or their products. Remember,

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Hamilton County Law Library

Hamilton County
Courthouse
1000 Main Street
Room 601
Cincinnati, OH 45202
T:513.946.5300
F:513.946.5252

Open Monday-Friday 8 - 4

[www.http://www.hamilton-co.org/cinlawlib/](http://www.hamilton-co.org/cinlawlib/)

Tech Tip: Get Updates from the Law Library via Twitter, Facebook, LinkedIn, Blogger and/or Email

By: Julie Koehne, Systems Librarian



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Professional legal information, resources, and services for Hamilton County 513-946-5300 Cincinnati, Ohio <http://www.hamilton-co.org/cinlawlib/>

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THE HAMILTON COUNTY LAW LIBRARY PROVIDES LEGAL RESEARCH SERVICES AND RESOURCES TO THE ELECTED OFFICIALS, JUDGES, LAWYERS, AND THE PUBLIC OF CINCINNATI AND HAMILTON COUNTY, OHIO.

Subscribe to our blog

THURSDAY, OCTOBER 18, 2012

U.S. Supreme Court denies Ohio voting case

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Free CLE

Due to increased attendance, advance registration is now required for all Law Library CLEs.

Free to subscribers

\$35 for non-subscribers

To register, call 513.946.5300 or via email reference@cms.hamilton-co.org

Casemaker CLE

Did you know that Ohio State Bar Association members have free access to Casemaker? It's available here, too.

Join Rebecca Skeeles of OSBA for a free CLE!

Tuesday, December 4, 2012

1-2pm

1.0 hour of general CLE in Ohio

Westlaw CLE

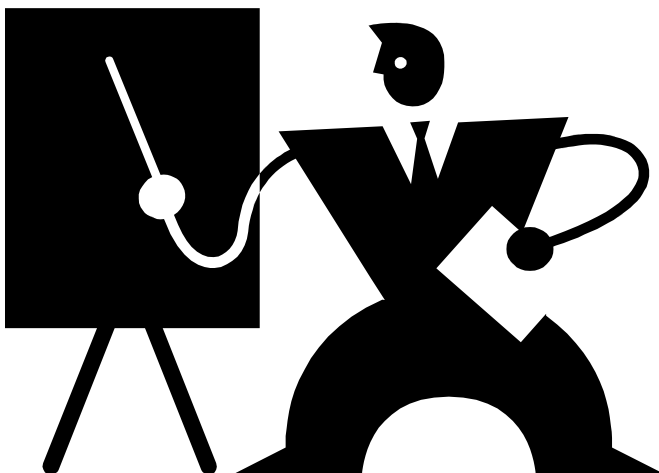
Tuesday, December 11, 2012

Noon-1pm

1.0 Hour of general CLE in Ohio

Looking for other CLE opportunities in the Cincinnati area? Check out the Ohio Supreme Court's website. You can search for approved seminars here-

<http://www.supremecourt.ohio.gov/AttySvcs/CLE/ActivitySearch/>



What We're Blogging About

If you haven't looked at the blog recently, please visit. You may want to subscribe to the feed to help you stay up to date on legal issues, especially those facing Ohio. We also post news about upcoming events at the Law Library.

<http://www.hamilton-co.org/cinlawlib/blog/default.asp>

Here are some of the recent topics Chuck Kallendorf has been blogging about:

- Ohio Supreme Court Rules of Practice and Procedure, Commercial Docket amendments
- Supreme Court's look at Inmate Competency
- Ohio voter's issue cases
- Ohio Supreme Court's "foreign language interpreter" rules
- New federal discovery rules proposed by International Trade Commission

Court Rules

Looking for local court rules? You can find them on the Law Library's website at

<http://www.hamilton-co.org/cinlawlib/resources/courtrules.html>.

In addition to federal and state courts, we provide rules for most counties in Ohio. A collaborative effort of law librarians around the state, we either link to the court's website or we acquire paper copies, scan, and upload them. Periodically, librarians verify links and currency of the rules. If you come across rules that we don't have or if you see that an update is available, please contact Law Library staff.

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your client works with their product every day - five or more days a week, 365 days a year. They know what they do better than you likely ever will. On the other hand, you, as their attorney, you understand the legal forum, effect, and consequence better than they likely ever will. A good relationship is a partnership where both parties have strengths and weaknesses and each brings a different set of skills to the table.

How does your client do what they do?

Or put another way, how does your client generate business? Again, the answer may seem simple. Your client may generate business through the internet, through a store front countertop or through sales personnel on the street. However, similar to above, this may be an oversimplification - internet or counter sales may be a “buy here, pay here” transaction where the goods or services are bought and paid for at the same time where there is no need to gather additional information other than the name on the order, where to ship the product, and the method of payment. On the other hand, the material buyer may look to establish a credit account with the material supplier to allow for larger purchases and extended repayment.

Likewise, the advertising purchaser, uniform renter and equipment lessee are looking for goods and services to be provided and paid for over an extended period of time. As such, more information is needed. Your client may use a credit application which requires the applicant to disclose the legal name of the business, where the business banks, and what other suppliers the business uses for references.

Because your client may be entering into a long term arrangement that requires a significant investment, your client will also likely want additional protection in the form of a written contract, a promissory note, a personal guarantee, and/or a security interest in some or all of the assets of the business. They may want additional protections in the event of a default on the obligation in the form of a late payment fee, an agreed upon interest rate on all amounts remaining unpaid, or a collection cost/attorney fee provision in the event that the account has to be placed with an outside party for collection.

Finally, your client may not want to have to file or defend lawsuits outside of its state/county of operations and thus may include a venue provision or an arbitration clause. All of the above information is going to assist you in determining how your clients generate and conduct business on a day-to-day basis, so it is crucial to look for and look at the documents that are provided by your client with each claim. For example, a claim comes in with an account summary listing 4 invoices and a finance charge. The first invoice has been paid down and the other 3 are completely unpaid. This fact, and the fact that there is a finance charge on the invoice, would lead me to believe that the customer was on some sort of repayment terms as evidenced by the fact that the first invoice has been paid down from its original balance and there is a finance charge assessed, indicating an agreement to pay a finance charge. In this scenario, it is likely that there is either a contract or a credit application that has not been provided, and it should be requested so that you, as their attorney, have all of the information and documentation to assist your client in recovering the full balance from all

liable parties. In the event that your client does not use a contract, a credit application or require references, banking information or a personal guarantee, you can add value to the relationship by offering to review their documentation to make sure they are taking full advantage of their remedies.

While commercial clients are very unique in makeup and requirements, they are very rewarding to work with and add an element of adventure that I enjoy greatly. Learning the most you can about who they are, what they sell, their clientele and how they sell it will better allow you to understand their industry and service your commercial clients. For more information contact Weltman Weinberg & Reis at wwr@weltman.com.

New Books

The Law Library displays new books in the Main Room. If you would like us to hold one for you, contact us at 513.946.5300. Here is just a sampling of our recent acquisitions. We have received many Tax Management Portfolios and OSBA CLE titles recently, too.

The developing labor law : the board, the courts, and the National Labor Relations Act / editor-in-chief, John E. Higgins, Jr.
KF 3369 .D48 2012

Intermediate Word : Word and legal drafting don't mix ... and other urban legends about Microsoft Word, and Advanced Microsoft Word : don't get mad--get even
KFO 205.5.B8 16 2012

A lawyer's guide to the internet / Paul J. Unger.
KFO 75 .L39 2012

Legal malpractice law in a nutshell / by Vincent R. Johnson.
KF 313 .J64 2011

NLRB region 8 labor law.
KFO 334.5.E55 D723 2012

Ohio manual of uniform traffic control devices / [electronic resource] prepared by the Ohio Department of Transportation, Office of Traffic Engineering.

Trust accounts 101.
KFO 137 .T78 2012

Consumer credit regulation : credit cards, payday loans, auto finance and other non-mortgage credit.
KF 1040 .Z9 C37 2012

Every Tenant's Legal Guide / Janet Portman.
KF 590.Z9 P67 2012

Foreclosures : mortgage servicing, mortgage modifications, and foreclosure defense / John Rao *et al.*
KF 1040 .Z9 P67 2012

Legal forms for starting and running a small business / Steingold, Fred.
KF 1659 .A65 S74 2012

New books are listed monthly under Lists/ New Books in the Library's catalog.

Law Library Board Meeting

The next regularly scheduled meeting of the Hamilton County Law Library Resources Board will be held on January 3, 2013 at 1:00 p.m. in the Robert E. Kraft Board Room in the Law Library. Meetings of the board are open to the public. Minutes of past meetings are available at <http://www.hamilton-co.org/cinlawlib/about/trustees.html>.

Subscriber Benefits

All subscribers have access to the following valuable resources and services:

Circulation privileges to borrow from over 40,000 print volumes for up to 6 weeks at a time

Access to extensive electronic databases from the Law Library, including LexisNexis, Shepard's, CCH Omnitax, CCH Human Resources Group, and CCH Business Group resources, Hein Online Law Journals and Federal Register, and over 70 Aspen / LOISLaw treatises in 16 substantive areas

Wireless network access throughout the Law Library

Polycom videoconferencing

Five meeting rooms with speaker phones

Professional reference service by our law librarians, available via e-mail, telephone, and in person

Free document delivery by fax or e-mail of print and electronic materials

Inexpensive CLE seminars throughout the year, on legal research and substantive topics

In addition, solos and attorneys whose firm has a subscription have 24 hour remote access to Fastcase.com case law, Aspen/ LOISLaw treatises and CCH Newsletters

Please tell a colleague about our services.

You and the Legal System

The *You and the Legal System* series will take a hiatus in November and December and return in January 2013. Check with us next month for a list of 2013 topics. If you have a suggestion for a topic or a speaker, contact [Laura Dixon-Caldwell](#).

2013 Subscriber Renewals

We are starting to take subscriber payments for 2013. If you have questions, please contact Mary Ann or Mary at 513.946.5300. Here are the answers to a few FAQs:

Q. Will there be an increase in the fee?

A. We are not increasing the subscriber fees for 2013. There may still be a need to raise fees for some services, but the annual fee is not changing for 2013.

Q. Will you invoice me?

A. Yes, we will mail invoices in early December. Law firm invoices go to our contact person, either the librarian or the office manager, typically.

Q. May I pay early?

A. Of course! Your subscription will run through December 2013.

Q. If I don't pay until, say, March, will you only charge me for nine months?

A. No, we only prorate for new subscribers.

Q. Do you take credit cards?

A. Not yet. We are working at the state level for a statutory change that would allow us to take credit card payments.

Q. I'm with a firm but the firm doesn't subscribe. How can I get others to join?

A. You are our best advocate because you know your firm's needs. We will be happy to prepare a quote and a statement of benefits for the firm's consideration. When a firm joins, the benefits to the individual attorneys increase.

Library Resources on Pensions and Benefits

The Law Library offers a variety of print and electronic resources on pension and benefits law. If you have questions about access to any of these resources, just call us at 513.946.5300.

Books

Domestic partner benefits: an employer's guide/
Todd A. Solomon
KF3509 .S54 2008-

Employee benefits and executive compensation in corporate bankruptcy/
John R. Cornell
KF1526 .E45 2010

ERISA Practice and Procedure/
Ronald J. Cooke
KF3512. C65

Mandated health benefits: the COBRA Guide
KF3605.A6 H34

Multistate guide to benefits law
KF3509 .M8 2013

Pension distribution answer book
KF3512. A15 P464

Pension Answer Book
KF3512 .P456 2010-

BNA Tax Management Portfolios*

Cafeteria plans/David L. Raish
KF6289.A1 T35 no. 397-3rd

Deferred compensation arrangements/
A. Thomas Brisendine, E. Thomas Veal, and Elizabeth Drigotas
KF6289.A1 T35 385-4th

Employee benefit plans and issues for small employers/
Barry Kozak
KF6289.A1 T35 no. 353-4th

Employee benefits for tax-exempt organizations/

Daniel j. Schwartz
KF6289.A1 T35 no. 373-3rd

ERISA: litigation, procedure, preemption and other Title I issues/
Marcia Beth Stairman Wagner
KF6289.A1 T35 no. 374-3rd

International Pension Planning/
Russell E. Hall
KF6289. A1 T35 no. 320-3rd

Medical Plans: COBRA, HIPAA, HRAs and disability/
Greta E. Cowart
KF6289.A1 T35 no. 389-5th

Reporting and Disclosure Under ERISA/
Michael J. Kushner
KF6289.A1 T35 no. 361-6th

*Available online in the Law Library's Computer Lab

Online Resources (Available in the Law Library Computer Lab)

CCH Benefits Library

Cobra Handbook
Employee Benefits Answer Book
Flexible Benefits Answer Book
Health Insurance Answer Book
Health Savings Account Answer Book

CCH Pension Library

Benefit Practice Portfolios
Pension and Deferred Compensation Guide
Pension Plan Guide



Upcoming Events:

December 4: Casemaker CLE

December 11: Westlaw CLE

November Holidays:

The Law Library will be closed:

Monday, November 12 in observance of Veterans' Day.

Thursday, November 22 and Friday November 23 in observance of Thanksgiving.



November 2012 Law Library Newsletter

- Pension and Benefits Resources
- Free CLE
- Tech Tip: Library Updates Online
- Commercial Clients

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ADDRESS CORRECTION REQUESTED

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