

Practice the Three Email Rule

By Wayne Eig

Providing outstanding legal services and counsel depends upon the clear, concise and timely transfer of information between client and attorney, or between attorneys representing different clients. Over the last decade, email has become the most commonly-used - and generally most efficient - method of exchanging information. Unfortunately, during that same period, email has in some instances served as a serious obstacle to achieving the goal of effective communication.

There are several reasons for this unfortunate development. First, many frequently use email as a means of making a point without any expectation of engaging in meaningful discussion about it. Even when one's position is supported by an explanation, it often appears obvious in the text of the email that there is no contemplation that there will be any real exchange of information. In a sense, email is often used as a sophisticated and untouchable soapbox from which one pontificates. Quite predictably, a response to these types of emails usually has the same non-communicative tone and foundation.

Another principal reason why email often fails to achieve the goals set forth above is the rate at which we read and reply to such messages. The speed at which email is delivered does not ensure or even assist those receiving and responding to be so instantaneous. In fact, this quality of email *should* be a warning as to the care and caution to be observed in dealing with such communications. And yet so many of us often fall victim to futile attempts to read, comprehend and respond to emails at warp speed!

Not all email "chains" are subject to these problems, but many are. It is fortunate, however, that there is a simple solution which often allows you to avoid these pitfalls. Generally, if a series of emails appears to be moving away from a possible solution or at least a compromise, and especially if subsequent messages reiterate previously-stated points of view and/or if positions appear to be becoming more divergent and rigid, or if each email appears to raise more questions than answers, a new problem-resolution plan is clearly indicated. This different approach, interestingly suggested by a variety of people in various professions, is to observe the **three-email rule**. Simply stated, if a debate/discussion over any particular issue has required *three* mails - and an end to these communications is not imminent - the person who would otherwise send the *fourth* email must use the telephone to begin a "new" discussion regarding the particular issue. The idea is to disengage from the previous process of pontificating to each other - and initiate a dialogue designed to embrace a more solution-oriented interaction based upon a foundation of the effective exchange of information.

Perhaps George Barnard Shaw, who died well before emails were known, said it best: "The biggest problem with some communication is the illusion that it has taken place."