



## LAW FIRM MARKETING

# Distinguish Your Firm From the Crowd

BY JOY NEWTON AND RICHARD SKOLLER

In the competitive legal marketplace, where product supply far exceeds demand and product cost can be exorbitant, there is no room for error and no room for average in the client relationship. Over the last few years, many firms that could not effectively differentiate themselves from the larger firms dissolved or were acquired, and, shockingly, many of the larger, traditional firms began to see erosion in their client bases. In this environment, law firms and lawyers need to distinguish themselves from the pack. How can a firm or lawyer accomplish this?

Fortunately, it is fairly simple to outshine the competition. Winning firms and rainmaking lawyers differentiate themselves by delivering extraordinary client service that goes beyond a round of golf; service that actually adds value to the client relationship. Where does outside counsel begin?

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*Remember: when general counsel meet their numbers, the in-house counsel is a hero. Every heroic moment for a client is a heroic moment for its firm.*

### Share Resources

Recent surveys indicate that since 2001, corporate law departments have decreased in size by nearly 40 percent, placing enormous pressure on general counsel to staff work with dwindling resources. A savvy law firm may offer to “lend a lawyer” to support the client company. “Secondment,” a British term used when a military officer was lent to another unit during a time of dire need, is an attractive option for

in-house counsel, who can negotiate a discounted hourly rate with the firm, predict the total cost, and save on benefits and other employment costs. In addition, the client gets a lawyer who knows the company and can seamlessly fit into the company’s culture and immediately get to work.

Other rich law firm resources—paralegals, engineers, real estate analysts, the library, accounting staff and marketing team—can support a client’s business operations. A client may need office space during a move, a conference room, or help drafting a press release. Partners need to get beyond their billable hour targets and think about the client’s needs.

### Educate Clients

As a matter of course, law firms are on top of various emerging legal and business issues and should leverage that knowledge arsenal. Rather than inundating clients with puff pieces about law firm successes, get practical. Send lean, instructive newsletters that will help a corporate law department get up to speed on a current issue quickly and easily. In New York, where all lawyers are required to maintain continuing legal education (CLE)

credits, host an accredited CLE program on a timely issue for a client's law department.

### **Anticipate Issues**

Outside counsel must anticipate the business issues facing their in-house counterparts. Legal issues arise everyday that will impact how a corporate entity deals with employees, lenders, clients, auditors, etc. Firm lawyers must know a client's business and stay abreast of the current events and issues facing the industry, thinking about these issues before the client calls for help. Stand in your client's shoes. Never present a legal problem without also presenting a realistic solution in a positive light. You don't want to be known as the "glass half empty" lawyer. When giving advice, always ask yourself "If I got this advice, would I be happy with what I just heard?"

### **Be a Matchmaker**

A law firm may be in a terrific position to make introductions on behalf of (and perhaps between) clients that will help the client achieve its business goals. Perhaps a company is looking for private equity dollars, a different bank lender, portfolio acquisitions, a new accountant, or a public relations firm. By acting as a matchmaker for a client's need, the law firm will deepen the client relationship by delivering value that transcends legal services.

### **Do the Easy Stuff Right**

In a marketplace where 40 percent of law firms engage in some sort of client survey program, it doesn't make sense that 90 percent of in-house

counsel (still) complain about basic service issues such as responsiveness and billing formats. Drafting legal documents is hard enough, at least get the "soft" stuff right. Don't let the sun set on an unreturned call. Make sure your accounting department sends easily understood bills. Don't allow a client to languish in the reception area only to attend a meeting at which you regularly check your blackberry "for an update on a really important client matter." Do not bring a young associate to a meeting for training purposes and then bill the client for the wallflower who contributed nothing to the discussion.

### **Understand a Budget**

Outside counsel don't usually worry about a legal budget. It's different on the inside. General counsel, particularly those at large public companies, are responsible for the numbers they put to paper—including the massive litigation for which they need to set a massive reserve. If you tell them a matter will cost \$20,000 and halfway through the matter you believe that number needs adjustment, go to the client and explain how you arrived at the new number. Budgets can always be revised, but there should rarely be surprises. There is nothing worse than a closing where the most significant negotiation is the legal fee.

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### **Shoot Straight**

Any meaningful relationship relies on open and honest communication. Carry this over to the client relationship.

Outside counsel will court an existing client for months, even years, with baseball games and fancy dinners without saying simply: My partner would like to meet your employment people. Can we set that up? Shoot straight. Seeking new business is not a crime, it's a fact of professional life. In a full-bodied client relationship, the general counsel likes you. She wants to help you. So be straight. And don't bait and switch. If a client calls with a serious potential matter and seeks an expert lawyer—make sure your firm is the right firm. Sometimes the best way to add value to a client relationship is to refer a matter out to a firm better equipped to handle it. This is not a paradigm to lose a client. It is a model of trust that will come back in spades.

### **Stay in Touch**

Remember that a relationship is not about the documents, it's about people. To enrich a client relationship, being an excellent technical lawyer is not enough; technical expertise is assumed by the client. You must stay in front of your client/prospect with absolute consistency because for busy people, "out of sight is out of mind." Do not minimize the importance of maintaining social contacts with your clients. The better you know your client, and vice versa, the more likely are the real business opportunities. You don't need a reason to call to make a lunch date. So do it. Do it today.

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