

What Can Law Firms Do to Win New Business?

By Thomas S. Clay, James D. Cotterman, Rees W. Morrison, Alan R. Olson, Eric A. Seeger & James S. Wilber

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In light of the increasing competition to attract and retain clients, what can law firms do to effectively win new business?

We asked Altman Weil consultants to comment on new and emerging business development tactics they are seeing deployed effectively, as well as tried and true tactics that law firms should revisit with a new level of intensity or discipline.

Develop related services through subsidiaries or affiliations

Eric A. Seeger

Law firms should be thinking about how to prosper outside the 'provider of legal services' box. What related services do your clients buy that you and your partners could build, buy, affiliate with, or otherwise get a piece of? Those might include things like environmental consulting, HR consulting, financial advisory, M&A consulting, investment banking, research services, economic analysis, training, healthcare consulting, public relations, private investigations, sports agency, employee testing, oil and gas title, pharmacy, legislative/regulatory alerts/advisory collections, and a host of other adjacent and quasi-legal services.

Before shooting down new ideas due to potential legal ethics hurdles, think about the opportunities they may present to expand services to clients and create new revenue streams for your partners. Other firms are doing these things. Some firms have been doing them for a long time. Ask practice leaders to brainstorm innovative ways to expand services to clients as part of their annual planning efforts.

Create industry research with value for clients – and insight for your firm

Rees W. Morrison

Team with an industry trade group to survey its members about current legal issues the member companies are facing. Ideally, the research report you publish will get some publicity and you will get some new client inquiries. Even better, develop a regression model based on the survey response data that will enable you to predict a relevant behavior, key need, or emerging preference within your potential client base.

Get to know the new gatekeepers – Law Department Operations Managers

James S. Wilber

As the size of corporate clients' law departments increases, so too do the chances that a law department operations (LDO) manager will have a significant role in a company's selection of outside counsel.

Law firms should be reading everything in the legal press about LDO managers. Familiarize yourself with two professional associations that have formed in recent years – the Corporate Legal Operations Consortium (www.cloc.org), and the legal operations group of the Association of Corporate Counsel (www.acc.com/legalops). Although law firms can't join these associations, they can get involved in other ways. They should seek speaking engagements at the organizations' conferences, and if they are able to obtain them, they must demonstrate their knowledge of what legal operations managers do and what their goals are.

Paying attention to LDO managers and their roles in outside counsel management and selection within law departments of major companies, however, is an add-on task. Firms still need to be doing many other things to develop business, with the LDO dynamic being merely the newest, important one.

Build knowledge-based relationships that lock in clients

Thomas S. Clay

In a survey conducted by Altman Weil, chief legal officers were asked about what influences them most in their selection of outside counsel. The top answer was "a demonstrated understanding of our business / industry."

Most law firms talk about their strengths in client relationships and partnering but, in my experience, marketing and business development through a client relationship is 'assumed' more than it is done. In other words, more talk than action is the prevailing mode.

The increased sophistication of clients has raised the importance of managing these relationships and there is a growing recognition of the value to be gained from establishing a true partnership that will lock in a client over the long term. Relationship value can run from very low (order-taker) to very high (collaborative problem solver). Most firms and practice groups only scratch the surface of what's possible. Some firms have key client programs. But again, in my experience, they tend to be fairly *pro forma* and primarily focus on what else the firm can sell rather than on strengthening relationships in a fundamental way.

Here are some questions that all lawyers on your team should be able to answer about their key clients:

- Can you draw an organizational chart of the client's business and tell me who is in charge?
- Have you made a strategic analysis of the client's business and industry and can you articulate that clearly to others in the firm?
- Are you aware of potential client succession issues and are we proactively involved in responding?
- Who else provides legal services to the client and what do they do? Why does the client use them?

There are a number of other questions that can be asked but the idea here is to truly invest in understanding the client in a deep and broad way. If you are dedicated to not only gaining but keeping and expanding client relationships, you will likely achieve much more through these efforts than you would with standard-fare business development tactics.

Bring a new idea to a client

Rees W. Morrison

Explore third party litigation funders and suggest the idea to a client that has one or more lawsuits that might appeal to a funder and for which you can represent the client.

Go low-tech and personal

James D. Cotterman

This is not my field, so I will stumble in with a decidedly low-tech, old-fashion view.

I sense that firms are overthinking the issue. They are spending increasing sums of money on people, technology, research. They invest in “Big Data” as the promised path to the holy grail, then argue about what they think they know and how to respond. Additionally, they are challenged by internal law firm dynamics that make cooperation difficult and true collaboration (where real breakthroughs can happen) highly unlikely.

What ever happened to asking each client what they care about, how the firm is doing at delivering on that, and then collaborating with the client on solutions to make their experience better? Take some time to learn a bit about the client, their industry and the macro forces that shape them. I believe just a little advance reading can be enough if you develop good thoughtful questions from it. Clients are individuals with different personalities and needs, just like their companies. Instead of big data (which has its place), why not go small and personal? I think Casey Flaherty’s *Unless You Ask* is a fabulous tool to prepare and structure such a conversation at the individual client level. If you haven’t read it, do so now at: www.acc.com/legalresources/resource.cfm?show=1432511.

Make a contact strategy – and stick to it

Alan R. Olson

Reaching out to clients and referral sources can be effective in reminding them of your knowledge, advice, problem-solving skills, legal services and other help you can bring to bear. These contacts also can be successful in developing new business, new clients and new referral sources.

Any contact strategy should be linked to a consideration of *how, when and in what way clients or prospects want to interact with you*. Is it better to plan a visit to the client's office, manufacturing plant, warehouse, farm or print shop to minimize the impact on their time? Should you set up a meal or a phone call twice a year or on a quarterly or monthly basis? Maybe you know your client is amenable to using their daily commute to catch up via phone, text, or another vehicle? (No pun intended).

Regularly scheduling time for outreach and check-ins is much more effective than relying on *ad hoc* free time. Whether you set aside a short period of time daily, reserve a few hours a week, or attend a monthly lunch meeting or networking event, making a specific contact strategy part of your routine will greatly enhance follow-through and yield better results.

Of course, our days are getting constantly busier with more interruptions from emails, texts, phone calls and other media which put greater pressure on our ability to follow through. I am seeing even dedicated business developing lawyers having greater difficulty in implementing an ongoing contact program. Nevertheless, this is not an area you can let slide – you must keep the faith and maintain or revitalize your commitment.

With clients facing the same increasing time constraints, you will also need to learn if they are open to unplanned, informal check-ins or if they prefer to schedule in advance. Many clients undoubtedly want a respite from calls and emails, and will prefer in-person meetings. Some will want to meet during office hours, while others may want to socialize or meet over a game of tennis or golf. *The key is to find out what the client wants and follow their lead.*

Finally, if a client really prefers a “don't call us, we'll call you” relationship, it is probably better to roll with it and adapt rather than pushing back.

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