

## ON THE JOB

### LEGAL MANAGER

By Daniel J. DiLucchio

# Are You a Go-to Lawyer?

**W**HEN CLIENTS want legal advice, they call Cornell Boggs. They called him when he was a junior in-house lawyer at Monsanto Company, and later when he was associate GC at Anheuser-Busch Companies, Inc. They turned to him when he was Americas regional counsel

for Intel Corporation, and then when he became GC for Tyco Plastics and Adhesives. Boggs is a go-to lawyer, and it's paid off for him. In December he was appointed chief legal officer for Coors Brewing Company.

Why has Boggs been so successful? He knows how to think like a business- person, and

he understands the business side's legal needs. Most importantly: He's considered part of the executive team. In an era when flatter law department organizational structures limit opportunities for advancement, strategic assignments are highly valued. The premium a client puts on a lawyer's services can make (or break) a career.

The term "go-to lawyer" is one I often

hear when interviewing corporate law departments' clients, or reviewing surveys that assess law department performance. "Go-to" generally refers to a lawyer whom corporate business executives want to work with, one they turn to with confidence. They're attorneys who stand out from the rest for a variety of reasons. The "go-to" label should not be associated with title, position, or experience; it has a much greater and deeper meaning. Go-to lawyers are not anointed; they earn the moniker.

"Well," a CFO recently told me when asked what image the corporate law department projects within the organization, "there are the go-to lawyers—the ones I want to work with—and then there are the others." This description isn't unusual. Key corporate executives have told us that they realize that they get to work with the best lawyers, but they know that the rest of the company is receiving legal services from the others.

What is the biggest difference between go-to lawyers and everyone else? Lawyer performance. Some lawyers cannot seem to earn a client's confidence. Others, over time, can bond with executives in ways that lead to being considered an integral part of the business team.

Altman Weil's clients tell us that a go-to lawyer has a high level of legal expertise. Clients want to work with Cornell Boggs because he conveys a firm grasp of his legal specialty and can communicate it in a practical way. (Full disclosure: Boggs is a member of *Corporate Counsel's* editorial

advisory board.)

Although lawyers are expected to keep up with the law as well as pertinent rules and regulation, not all do. Senior attorneys who let their skills atrophy are not go-to lawyers.

A certain style is important, too. Go-to lawyers are respectful yet not intimidated; confident but not arrogant. They are not only capable of understanding the client's objectives, but also genuinely try to help him achieve them. Similarly, it's a big advantage to be able to say no to a client without alienating him.

**One of the major** competitive advantages of having in-house counsel is that they know the business. Law departments are constantly competing with outside counsel. Corporate counsel should know the business better than firm lawyers, but too often they do not. As a result, they struggle to find creative and practical ways to help the client.

Go-to lawyers grasp the company's strategic issues. They know what industry competitors are doing and how it affects the company.

Go-to lawyers also have excellent judgment. They are business thinkers. Here's how a client recently described this trait to me: "My lawyer doesn't just know the law; she knows what to do with it."

Another description used by corporate clients is that they want to work with lawyers who will "put some skin in the game." They want some tempered risk-taking. They want lawyers who will provide a risk assumption while insuring that the law is not violated.

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By this clients generally mean lawyers who will give them an idea of what the chances of success are for a specific legal strategy. In other words, they want lawyers who will help them navigate through the dense fog.

Two additional attributes of go-to lawyers are a strong work ethic and a sense of urgency. Often we hear about law departments where some lawyers have settled into a fur-lined rut. They know how much work they need to do to keep busy, and they outsource the rest. But for most in-house counsel, work hours are longer than ever. Company lawyers' hours should mirror or exceed those kept by their clients. Corporate leaders want to know that their lawyers feel the same sense of urgency that they do.

**Who are the other lawyers** and what keeps them from being go-to practitioners? Executives often suggest that lawyers who are ultraconservative in their approach to issues deserve the moniker "naysayers." These lawyers find that the easiest and safest answer to a client question is "no." Always playing it safe can discourage clients from seeking a lawyer's advice and counsel. Playing it safe also suggests a lack of creativity on the part of the lawyer.

Strong legal skills alone are not enough to be a top performer. The nay-saying lawyers either haven't learned enough about the company or haven't kept up with the rapidly changing business environment. New lines of business, reorganizations, and increasing competition require that lawyers spend time and effort keeping up with the company's strategic approach.

Having an average-to-poor attitude about service is another way to earn the "naysayer" label. Clients expect prompt attention. They understand workloads and priorities. What they don't understand is a lack of attentiveness and poor communication. Some clients complain that the law department at their company is a black hole: Requests for assistance go in, but nothing comes back out.

Being a go-to lawyer isn't about being the most experienced, having the most responsibilities, or holding the official client relationship roles. Go-to lawyers are not necessarily the deputy GC or the managing counsel. Top performance is, instead, a matter of legal skill, creativity, engagement with the clients' problems, accessibility, enthusiasm, business savvy, and good service attitude. Every lawyer in a law department should have these traits, but client feedback suggests that this isn't the case.

Why do law departments end up with performance chasms? There are a variety of reasons, including inexperience, inadequate training, lack of clarity about job expectations, or sometimes just a fundamental mismatch between person and job. The causes of performance differentials can be addressed, making it possible for a legal department to be full of go-to lawyers.

To achieve this, law departments need strong and effective performance management programs. The foundation for a successful program is setting expectations and standards high. Once the standards are established, the general counsel must hold the lawyers accountable.

input on lawyer performance from other lawyers, paralegals, support staff, supervisory lawyers, and clients. But gathering this feedback is only the first step. Analyzing and applying it is the essential process.

Lawyer reward programs should be directly tied to client input and feedback. Go-to lawyers should be properly rewarded. Decreasing or freezing rewards for nay-saying lawyers is not the most effective way to ramp up performance or achieve a go-to environment.

The stakes are high for a law department when clients feel there's a lawyer performance gap. The general counsel's reputation is at stake and so is the department's. Ultimately,

## THE RIGHT STUFF

### The Eight Attributes of a Go-to Lawyer

ATTRIBUTE	DEFINITION
Knows the law	Has a thorough grasp of the relevant laws and regulations for his industry and keeps up with new developments
Excellent communicator	Knows how to explain the law and its implications to the client; has listening skills that are at least as good as his speaking and writing abilities
Confident style	Can connect with the client, is respectful but not cowed; can win the client's confidence and become a member of the team
Knowledge of the business	Able to identify the key strategic issues and use the law to help advance the business
Excellent judgment	Can make the right call on issues based on past experience and an understanding of similar situations
Willing to "put skin in the game"	Able to take a calculated risk with a client and communicate that he's standing behind him
Good work ethic	At a minimum, works the same hours as the client; is available, responsive, and amenable to time frame and expectations
Sense of urgency	Shares the client's need to move quickly in a highly competitive environment

Set performance measurement tools to chart success. Provide feedback, coaching, and mentoring. Where performance isn't up to par, the general counsel needs to ensure that problems are addressed quickly, fairly, and with compassion.

To create this kind of department, lawyers must listen to the client's concerns. This input can be gathered through regular meetings, as well as through formal and informal surveys. Client feedback should be used as an integral part of the performance management system.

Some law departments have established 360-degree evaluation processes that include

the company's competitive position is at stake, too. Clients can support a law department—or lobby for more help from outside counsel. Striving for a staff full of go-to lawyers will solidify the law department's future. It will also help attract top talent and encourage everyone to perform at the highest level.

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