

# Introduction

## WHY A “FIELD GUIDE”?

Long-term, profitable client relationships form the foundation for the enduring success of any law firm. In addition to quantifiable economic benefits, such relationships generate numerous other business benefits, such as higher morale and lower turnover, and the increased ability to recruit talented associates eager to work with attractive clients and do exciting legal work. Although less easily quantified, those benefits, too, ultimately contribute to profitability.

Such client relationships also enable lawyers to exercise their skills in more significant and rewarding contexts, to experience the satisfaction that comes from serving clients really well, and to have the kind of personal and professional experiences that drew them to a legal career in the first place.

Winning and retaining long-term, attractive clients doesn't happen by accident. No matter how sophisticated your firm's marketing or its client relationship management technology, client relationships almost invariably begin—or never get off the ground—as the result of individual encounters between a lawyer and a prospect. Managing those encounters and maintaining the relationships that grow out of them requires passion, energy, discipline,

focus, and highly specific skills. To successfully build and manage a profitable book of business, you must be able to

- engender trust with prospective clients from the very first meeting;
- master interpersonal communication skills that enable you to take those first meetings beyond rapport to genuine trust;
- follow a step-by-step, repeatable process that results in long-term, profitable client relationships;
- establish financial and qualitative measurements to determine, at any point in a client relationship, the profitability as well as the nonfinancial rewards associated with the relationship;
- provide quality legal services and meet clients' needs in an extraordinary manner; and
- maintain a balance among the competing claims of legal work, business development, and personal life.

Unfortunately, those skills aren't taught in law school, and few law firms offer such training. It's not surprising then that many lawyers find building business to be an onerous task or even try to avoid it as much as possible. People are rarely comfortable attempting complex tasks for which they feel unprepared, especially tasks that depend on their personal qualities. This book is designed to reduce that discomfort. It lays out a clear sequence of action steps that practitioners can follow to master the skills of business development and, incidentally, to acquire the confidence to use those skills over and over to turn what was once a source of anxiety into a resounding triumph.

## **WHO SHOULD READ THIS GUIDE**

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All lawyers, regardless of practice or clients, type of law firm, geographic location, or size of the firm, can benefit from the principles

and techniques provided here. That includes in-house lawyers in all types of organizations: corporations; medical, educational, and government institutions; nonprofit organizations; and charities. And, yes, it even includes sports and entertainment lawyers, who may already be outgoing but nevertheless lack some of the basic business development skills that could harness the full power of their gregariousness. A law firm's professional staff should also read this guide to understand how they can best support the firm's business development efforts.

## HOW TO USE THIS GUIDE IN THE NEW NORMAL

The chapters are organized chronologically to take you step-by-step from your initial search for profitable clients all the way through building and maintaining long-term relationships with those clients.

This proven five-step process (see Figure 1) enables you to

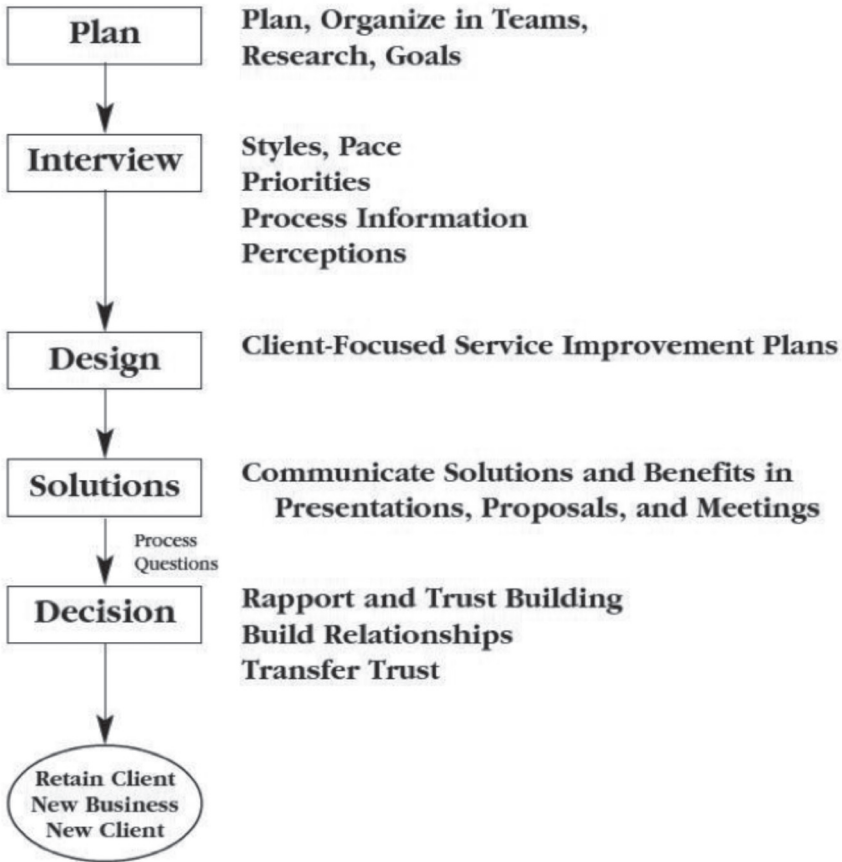
- repeat success and avoid unintended outcomes;
- focus on client needs;
- obtain measurable results;
- create a new, more positive mind-set about business development;
- adopt a firm-wide approach; and
- establish clear roles for everyone in the firm.

To help you stay oriented as you read, the particular step under discussion appears in the right-hand margin of each right-hand page.

I have also included a number of other helpful features designed to enable you to quickly and conveniently access the information you need to fully understand the concepts presented here.

**Glossary of Terms:** These definitions of the terms that you will encounter as you move through the five-step business development process are intended to make clear precisely what is under

Figure 1 The Client Development and Relationship Management Process



discussion. Because my experience with glossaries tells me that, as readers, we rarely look up words at the back of the book, I have put the glossary up front. Readers can gain a full understanding of business development terminology *before* they get to the heart of the book.

◆ **Gems:** The gem symbol identifies helpful tips, such as ideas, concepts, action steps, or important insights.

**Rule:** At the end of each chapter, a rule in a shaded box, like this one, encapsulates the thrust of the chapter.

**N<sup>2</sup>** **New Normal:** This symbol denotes a strategic change as we adapt to our postrecessionary new normal market.

**Appendix A.** This section offers the most effective way to pursue the five-step business development process for firms of differing sizes and types, including

- solo practitioners,
- small law firms (2 to 25 lawyers),
- medium-sized law firms (25 to 100 lawyers),
- large law firms (100 or more lawyers),
- government lawyers, and
- corporate law departments.

**Appendix B.** An article titled “Opinion Surveys Can Help Keep Clients Happy” provides a deeper look at one of the most effective tools of business development.

**Appendix C.** Gems, Rules, and New Normal notes: all three categories of highlights, in the order in which they appear in the book, are gathered here for easy review.

**Bibliography.** This list of additional resources has been organized by mapping them against the various steps in the business development process. Books, articles, or Internet sources that do not clearly fall within a given step in the business development process have been listed in alphabetical order. A bibliography of readings about the new normal follows this page.

These features are designed to equip you with everything you need to engage immediately in more effective business development.

Use them—not just as aids to better understanding, but as indispensable tools to build business. Remember, this is a field guide. Carry it in the glove compartment, in your briefcase, on an airplane. Refer to it often, especially right before you are about to encounter a prospect. Scan the Gems. Review the Rules. Revisit what's most effective for your kind of firm. And dislodge from your thinking, as often as necessary, the crippling myths that keep you from achieving the breakthrough results that await.

# Glossary of Terms

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**business development.** All activities associated with getting in front of clients or prospective clients and winning their business.

**client.** Any person employed by the institution or company that you either currently represent or have represented in the past.

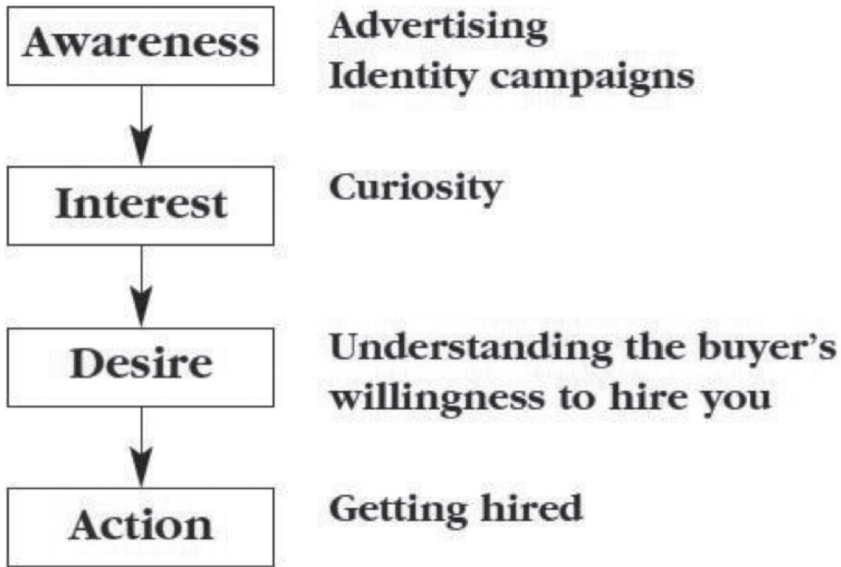
**client relationship manager.** A lawyer at your firm who has responsibility for managing the legal work and the day-to-day service relationships with a client. Most firms refer to these individuals as the billing attorney or billing partner.

**contact software.** Computer software that allows you to store and retrieve vital information concerning clients and prospective clients.

**marketing.** All activities that support your face-to-face business development efforts. Marketing activities create awareness of, and interest in, your services on the part of the client. Business development, through understanding the client's willingness to hire you, converts client interest to client action. (See Figure 2.)

**needs.** The acknowledged or unacknowledged legal, personal, or organizational desires or necessities of a client or prospect. Successful business development is premised on an understanding of these differing needs.

Figure 1.2 Marketing and Business Development Flowchart



**needs analysis.** Undertaken in face-to-face discussions with the client and drawing on research, this process determines the client's legal needs. In addition, other issues may emerge during your analysis, such as the quality of service the client receives from you or the law firm—that is, how you are managing the relationship. The effective and profitable management of client relationships will be critical to your long-term success.

**new normal.** In a legal-business context, this is a descriptive phrase that reflects the new buyers and new buying processes since 2008.

**prospect.** A potential new client whom you are not currently representing and whose organization or institution you do not represent.

**return on investment (ROI).** Your ROI is the profit you realize after subtracting your marketing and business development expenses from the revenue those expenditures generate. A positive ROI in marketing and business development should be a goal for every firm, yet the vast majority of lawyers and law firms fail to analyze



their ROI. You may discover that your marketing and business development activities are unprofitable. Note that the ROI from marketing and business development to current clients, versus seeking new clients, is dramatically higher. Many consultants have calculated that it takes ten times the cost and business development time to get work from new clients versus expanding work from current clients.