1. One of your primary goals should be to make easier your in-house counterpart’s job easier.

Many times, the “business folks” (read “nonlawyers”) within any given organization may question (and sometimes, challenge) the need to use outside counsel when they already have an in-house counsel on the company payroll. Of course, as skilled legal practitioners, both you and the in-house attorney seeking to use your services are well aware of your value and the expected benefit to be derived from retaining you for a specific project—but it may not be equally clear to those within an organization whose primary focus is keeping costs low. Therefore, in order to help bolster your in-house counsel counterpart’s decision to bring you on board, you should always strive to keep said in-house counsel informed of any developments in the matter on which you are working and to deliver tangible results. Naturally, these are goals that you would be seeking to satisfy in any attorney–client relationship, but because it will usually be the in-house counsel who retained you that is responsible for justifying your legal bills to the company business team, it is prudent to be sensitive to this dynamic and to be considerate to the demands placed on your in-house counsel counterpart.

2. Find an area of the law about which you are passionate and make that area your primary focus, but at the same time, try to pick up general legal skills that would be valuable to any in-house counterpart—in addition to having a strong referral network.

As most in-house legal practitioners tend to be engaged in the practice of law on a general scale, being required to handle a wide array of legal issues regardless of their employer’s ultimate business industry, they will often times reach to outside counsel
for specific substantive expertise. Nevertheless, it certainly can’t hurt you to have basic knowledge of some of the more heavily practiced areas of law even if they aren’t your primary practice area, such as intellectual property, employment, general corporate compliance, and basic litigation, just to name a few. Even if you are only able to help your in-house counsel talk through a situation, identify main legal challenges, and then pass on a few possible referrals, your being viewed as the go-to outside counsel when issues arise will serve you well in developing a lasting relationship with any client.

3. Strive to be as accessible as possible, including outside of traditional working hours.

Although life as an in-house counsel might not be spent filling electronic timesheets, it can often be spent in a string of endless meetings, jotting down never-ending to-do lists. Try not to cringe and hit “ignore” if your in-house counterpart calls you outside of your traditional business hours, as this may be the first chance they have had all day to contact you.

4. Become very familiar with your client’s corporate culture and management hierarchy.

Each company, much like each law firm, is going to have its own special style and method of operations. For example, there might be certain executives who need to sign off before a final decision can be made on a legal matter, even though they aren’t lawyers. Many companies require issues to be vetted by multiple working groups before final decisions can be made, which can be quite frustrating for attorneys (both in-house and outside counsel) who have previously worked fairly autonomously when deciding how to proceed with respect to legal strategy. Therefore, be sure to discuss with your in-house counterpart the timing and approval structure for necessary approvals, particularly if you are facing strict filing deadlines.

5. As with all of your client relationships, having strong networking skills can be extremely valuable to your ability to work successfully with in-house counsel.
Being well known and well respected in your local business community should help reassure any skeptical business folks that bringing you on board was indeed the right decision by their in-house counsel. Also, having strong contacts with attorneys from diverse practice areas in various jurisdictions can help ensure that your corporate client’s needs can be met, regardless of where a need may arise.

6. Be open to alternative billing arrangements.

Although the billable hour continues its stranglehold on the legal profession as the preferred method for capturing work performed, many clients truly detest this form of billing arrangement. The preceding sentence can be doubly true for in-house counsel who were once slaves to their time-keeping systems and are therefore acutely aware of the pitfalls inherent to this form of billing. This isn’t to say that you should feel pressured to enter into a billing structure that will fail to fairly compensate you for your time and effort—rather, this tip is merely intended to suggest that by keeping an open mind when an in-house counsel client proposes a flat fee or some sort of combined flat fee/billable hour combination will go a long way towards solidifying your reputation for being an ally in the war against inflated outside counsel legal bills. Even if you never end up formalizing an alternative billing structure, the fact that you were willing to consider it and crunch the numbers in support of, or opposition to, such an arrangement will be appreciated.

7. Show a sincere interest in your corporate clients’ primary business industry.

One of the perks to having a book of business, is the ability to develop these attorney/client relationships. This relationship development can take the form of informal lunches, invitations to attend sporting events, or sending email blasts in order to keep your clients apprised of industry developments. Every time you reach out to your client with a communication, in addition to remembering important details about what matters most to them as human beings (such as recognizing recent awards of distinction or special family news/milestones), you should strive to share something valuable that you have recently learned about their core industry. The keys here are recent and valuable. The best way to be in a position to receive such information is to regularly review (even skim) industry specific trade publications to stay abreast of recent developments. Thanks to the Internet, including Google alerts and similar tools
from other providers, this shouldn’t take much time nor should it create any additional cost burden.

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