

## Finding & Keeping Clients

### *Sales Management Is a New Role for Practice Group Leaders*

**R**ight up front, can we agree that for most firms to be successful, their lawyers must sell? Despite being in a “profession,” the brutal reality is that we must constantly keep the pipeline filled with new and existing clients.

The sorry truth, however, is that many lawyers are not very good at building a successful practice. Few receive any real training or guidance in how to do it.

Within this gap lives a tremendous opportunity for those firms that choose to be proactive in developing a sales management process utilizing practice group leaders.

Why is sales management so important?

Most industries would never allow those directly responsible for bringing in business to be untrained, unfocused, and unaccountable. Why has it been tolerated for so long in the legal profession? Simply put, when times were good and clients plentiful, firms did not tinker much with their management systems since they were achieving satisfactory financial results.

For many firms, that luxury no longer exists. Now that the game has changed and firms are facing reduced profits and greater competition, they must take a closer look at how their businesses are run. And one of the glaring weaknesses is the generally low standard around managing the process of finding and keeping clients.

---

**David H. Freeman**, a former attorney, is founder and president of Whetstone Consulting, a Boulder, Colo.-based consultancy that helps leaders design and implement programs to achieve higher performance levels.

A lot of new business is left on the table due to a lack of focus, systems, and discipline. With better sales management systems comes better results. The good news for early sales management adopters who get it right is that they can achieve a tremendous competitive advantage.



### Implementing a System

A unified process that manages the business development activities of lawyers has the potential to reap significant benefits by:

- Developing accountability. Of all the activities within a law firm, marketing is one of the least watched. The lack of oversight means marketing activities take a back seat to that which is more visible. The number one factor for increasing marketing

activity is holding people accountable to their commitments; one of the most important tasks a sales manager performs.

- Increasing focus on the client. There is absolutely nothing more important than serving the needs of clients. A sales management system, by definition, is all about adding an additional level of focus on this population.

- Aligning firm-wide activities. A sales management process breaks down barriers and builds relationships between practice groups. A well-designed program can actually cascade through to the individual level, thereby allowing everyone to understand their role in achieving overall strategy. “If the antitrust people and the IP people are on the same page, you have a law firm, not a collection of individual practices,” asserts Larry Smith, director of strategy at Levick Strategic Communications in Washington, D.C.

- Capturing opportunities that might otherwise have been lost. On a daily basis, millions of dollars of potential business flies by a law firm. If the radar is not up, those dollars cannot be caught. A sales management process helps lawyers become more aware, more proactive, and more skilled at identifying and landing a greater number of these opportunities.

- Increasing the competitive advantage. Significant differentiators are rare, and sales management is one of them. In this shrinking market, firms with better systems, superior skills, and disciplined performance will be the ones to thrive.

### The ‘Right Stuff’

Why should a practice group leader be

made responsible for all this? Because to get lawyers to behave in a new manner, leaders must be found who have their respect, who thoroughly understand the business, who are in regular contact with them, and who can relate to what they are going through. Who better for the job than the practice group leader?

There are seven elements of a successful sales management process:

#### 1. Senior leadership support.

Without buy-in at the most senior levels, most major initiatives shrivel and die. A sales management program must be introduced by senior leadership (the managing partner or management committee members) to ensure that action will be taken. These leaders must walk the talk — in the case of training initiatives, by rolling it out and attending the initial session — and prove through their continued actions its importance to the firm. Their support can come in other forms as well, like agreeing to have a portion of compensation tied to business development activities, or even just requiring a minimum number of hours per week of sales management from the practice leaders.

#### 2. Buy-in by the partners.

To get the partnership to accept a sales management process, they must truly understand the reasons for it, and should have a hand in creating it. A collaborative process that includes the partners in the design can provide the necessary education, while building a sense of ownership and accountability for achieving the desired results.

#### 3. A custom fit for the firm and the individual lawyers.

No off-the-shelf program can handle all the specific issues facing a firm. Every firm, as well as every department and practice group leader within it, has unique strategies and opportunities, and each leader is at a different point in development as a manager. For a program to be highly effective, it must fit each of those particular needs.

#### 4. Training.

Leaders need the right sales management skills to get the desired results. Important skills include:

- Establishing client focused strategies;
- Defining and communicating firm wide, department, and group strategy;

- Facilitating the development of individual business development plans;

- Setting goals and measures;

- Providing coaching and feedback;

- Imposing accountability and driving implementation;

- Maintaining focus and enthusiasm;

- Running effective marketing meetings;

and

- Maximizing cross-group effectiveness.

#### 5. Incentives.

Many firms provide no incentives for engaging in this type of behavior, which is why for the most part it is not occurring. If a firm truly understands the importance of helping their lawyers find and retain clients, it should provide the right incentives to motivate desired actions. One approach can be found in the “Balanced Scorecard,” a management system developed by Harvard University’s Robert Kaplan and David Norton and reportedly

---

*Those who master  
the art and science  
of sales management  
will own that elusive  
‘differentiator’ that  
so many law firms are  
desperately searching for.*

---

used by half the companies in the Fortune 500 and Global 1000. The “balanced scorecard” is a compensation system that recognizes and rewards the varied activities that contribute to achieving overall strategies. Another method for stimulating desired behaviors is reducing billable hour requirements so more time can be devoted to becoming an effective leader.

#### 6. Time to log billable hours.

Most practice group leaders still must bill a significant number of hours to receive their desired compensation. What limited energy they have remaining to devote to managing their groups must be the highest and best use of their time. Helping others bring in more business should be at the top of their list. Leaders, therefore, need to clearly distinguish between essential and non-essential activities, and must delegate the non-essentials

to support staff and others lawyers in the group (What better way to train the next generation of leaders?).

#### 7. Momentum.

Getting off to a fast start is crucial. The first few months of any new initiative can make or break its success. Lawyers will be carefully watching the actions of the leaders during the honeymoon period. Send the right message up front, and others will be motivated to jump on board. Send the wrong message, however, and they will jump ship. Sustained, consistent action demonstrates the firm’s resolve to follow through on its promises. Ongoing support is another critical factor that can sustain the success of this initiative. “Some level of coordination among lawyers is essential, and marketing and business development staff can provide a ‘glue’ function,” says Matthew Beckerman, director of practice development at Dallas-based Akin, Gump, Strauss, Hauer & Feld. Assistance from the firm’s marketing professionals can come in many forms, such as providing research, conducting training, tracking progress, formulating strategies, developing support materials, or creating seminars. Another effective support tool is communicating the ongoing successes that occur.

#### The Time Is Ripe

In the final analysis, success will come to those firms that do a superior job of finding and keeping desirable clients over the long term.

Those who master the art and science of sales management will own that elusive “differentiator” that so many law firms are desperately searching for. For many firms this might require a transformation from a small business mentality to operating like a professional organization.

Currently, the field is wide open, and tomorrow’s winners will be the forerunners who make sales management a top priority today.

This article is reprinted with permission from the February 4, 2003 edition of the NEW YORK LAW JOURNAL. © 2003 ALM Properties, Inc. All rights reserved. Further duplication without permission is prohibited. For information contact, American Lawyer Media, Reprint Department at 800-888-8300 x6111. #070-02-03-0008