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## Another Weapon In The Midsize Firm Arsenal

*Law360, New York (April 09, 2010)* -- Since the downturn of late 2008, much has been written about unprecedented advantages for midsize law firms. The commentary has justifiably focused on the cost-efficiencies as well as the more personalized attention they ostensibly provide clients. Midsize firms are hoping that clients, having sampled the benefits, will continue to feel more secure about retaining them once the economy improves. There are two missing links in this equation.

First is marketing: how to deliver the message to clients while they still feel need for the benefits midsize firms provide. Second is business development: how to strike while the proverbial iron is hot. Put another way, how can midsize law firms become veritable selling machines with each lawyer — associates and partners — empowered to originate, develop and close new business?

The good news: Midsize firms enjoy salient advantages on the marketing and business development fronts as well.

### A Cultural Leg-Up

Many — not all, but many — midsize firms have more closely knit cultures than the behemoths. Their partners all know each other, associate retention is often high, and they don't need unending committee meetings to initiate and implement new projects.

Among such projects, midsize firms can effectively institutionalize business development training enriched by the closer relationships that may exist among the partners. Importantly, they can also involve the entire associate population in these programs, allowing the most junior attorneys to learn from partners, from each other, and from consultants who conduct the sessions. When all hands are on deck for biz/dev, the result is a sales culture in the truest sense.

The involvement of all associates particularly differentiates business development training at midsize firms. At bigger firms, the sheer number of associates makes it impracticable. Meanwhile, the pressure on associates to churn hours likewise discourages these highly leveraged Goliaths from engaging far-flung timekeepers in nonbillable exercises. (Actually, the same pressures likewise discourage full partner participation as well.)

Most important, though, firms that expect most associates to be viable partnership candidates are significantly more motivated to train them to develop business. A case in point is Zelle Hofmann Voelbel & Mason LLP, a national litigation firm with offices in five cities that has historically enjoyed extremely high retention rates.

While larger firms, consciously or not, are disinclined to train young lawyers when equally large percentages will move on to competing firms, retention numbers like Zelle Hofmann's often inspire robust biz/dev training initiatives.

The author's observation of, and experience with, Zelle Hofmann informs much of the discussion below, simply as a convenient roadmap to relevant best practices.

### **Vital Components**

Let's review a few particulars. What do programs need to include? How is the training integrated with other marketing and business development activities and how much of what is "taught" can be directly translated into action?

Here's some of what we've learned from experience:

- Curricula should be broad, including analysis of what "understanding the client/prospect" really means; how to initiate and grow relationships; dealing with rejection and turning rejection to future good use; the importance of substantive value in the business development process (i.e., providing worthwhile insights and strategy irrespective of whether you're retained); and closing skills, or how to actually ask for the work.

- Curricula should also be narrow. Successful programs can encompass many very specific activities. By training lawyers to follow up with audience members after a presentation, for example, you reinforce the whole relationship development ethos. Such small steps feed and implement the big selling concepts.

- Curricula should include concrete tasks that can be evaluated and improved. For example, Zelle Hofmann had five associates develop continuing legal education programs that are now being offered to their clients. The lawyers made verbal presentations and a sub-group of colleagues reviewed and assisted in completing the work.

- The training sessions should definitely involve real-time experience; i.e., the actual business development efforts of the attendees. At Zelle Hofmann's semi-monthly meetings, each session attendee is asked to provide updates on their initiatives. The corollary practical benefits of this approach are tangible. "Based on what they hear during the training, our senior attorneys actually recruit younger lawyers for meetings, pitches and other upcoming activities," says Dallas partner Richard Urquhart.

- Elevator speeches, cold call scenarios and talking points should be refined. Current legal, industry and community association events can be evaluated to determine if the potential contacts justify lawyers attending or presenting. Similarly, which publications are worth writing for and why?

- Use existing marketing collaterals as touch points. How can the firm's Web site be used to further engage clients and prospects? Can a new logo or electronic newsletter serve as pretext for potentially useful conversations with outside audiences? One example at Zelle Hofmann is the firm's women-only site, "Zealous Women." How can the female attorneys now use this resource to establish new female client contacts or advance relationships with clients or referral sources?

### **Key Steps**

Such training is obviously not cut-and-dry CLE. There are sensitivities to accommodate and trepidations to assuage. Badly managed programs are worse than no programs at all if they leave a residual distaste for such business-oriented (versus practice-oriented) mentoring and follow-through.

Here too, Zelle Hofmann's experience suggests best practices for concrete bottom-line benefit:

- Senior partners must be actively involved and present for all training and follow-up. We do not know of any firms where biz/dev training works absent this involvement. As a practical step, senior lawyers should make assurances of their commitment before program planners take a single step toward setting up agendas.

- Consider allocating a percentage of billable hours for effective business development. As we've noted, many midsize firms already benefit because the clock doesn't define their business. However, by taking the additional step of allocating billable hours, the firm reinforces the message that such training is an invaluable part of the whole service package.

- Cross-pollinate offices and practice groups. Partners and associates can participate in sessions anywhere, as well as share what transpired with everyone else. For example, Zelle Hofmann uses the Closers Lead Tracker, which allows attorneys to update their efforts as well as to track what all their colleagues are doing. "When new leads arise, every partner can immediately volunteer whatever intelligence and tips they have to help land the new business," Urquhart reports.

We began by discussing the need for midsize law firms to exploit their currently advantageous position by developing sales cultures. As an index of how biz/dev training supports that goal, we'd only note that, since Zelle Hofmann launched its program just before the November 2008 downturn, leads increased 106 percent in the Dallas office alone.

"Importantly, business development training also results in equally tangible benefits for clients," Urquhart says. "We're training our lawyers to provide what clients clamor for: understanding of their business; value-added (not just promotional) collaterals, client-friendly marketing activities, and so forth."

Remember too, midsize firms are well-positioned to institutionalize such training because they are smaller, their partnerships are often closely knit, and they have more billable time flexibility. These are the very attributes and values that attracted legal service buyers in the first place. In other words, when midsize firms effectively train their lawyers to develop business, they're simply reinforcing those attributes and values.

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