



## DELIVERING STRATEGIC SOLUTIONS ACCA'S 2000 ANNUAL MEETING

### MARKETING THE SMALL LAW DEPARTMENT — An Annotated Outline

What is marketing in the context of a small law department? It is the establishment and maintenance of a high quality legal department that provides service to the company. It is the communication of the capabilities of the department to your senior management and co-workers. Too often non-lawyers view the legal department as an obstacle to doing business, "the problem guys." Often you have to overcome entrenched resistance to use of and reliance on the legal department.

Before launching any major marketing effort you must have a well-defined and tangible product. In this case it is a well-conceived legal department that meets the needs of the Company that it serves.

Marketing the law department is a concern that all corporate counsel share in common. While there are many issues and approaches that are useful for all types of corporate counsel, there are others that are unique to the size of the legal department and the type of company. Many traditional approaches, suitable for larger and more formal companies, would be ineffective or even counterproductive in a small informal company.

This outline of issues is oriented toward solo or small department practitioners in a relatively informal company, and will be most valuable to an attorney new to in house practice.

#### A. First Steps: Background

##### 1. Learn the History.

- Various factors determine the best approach (office structure, relationship with supervisor, political considerations, "climate")
- New counsel or entirely new department?
- What has been past experience—what happened to your predecessor?
- How were legal problem handled before?
- Relationship with outside counsel (who selects, monitors, changes)
- Learning is a marketing opportunity—see below
- Review old files for work product examples (good and bad), procedures, who's who

##### 1. Define the Scope of the Department.

- Meet with superior
- What is the role of the department?
- Be prepared for legal and non-legal issues (see below)

##### 1. Get Support On Top

- Best chance for success is strong support at highest levels
- Identify potential allies and obstacles
- At a minimum a good relationship with whoever you report to

##### 1. Learn the Business

- Why to do it — understanding the issues, showing respect, displaying your "stuff"
- How to do it — tact, tact, tact
- Other possible ramifications—career development

- Basic questions: what is your product, how is it sold, what are the obstacles to greater success?
- Be as good at it as possible
- Loan yourself out to business units if time permits (work a trade show; assist on a sales call, at least attend a few internal and external sales meetings)
- Spend as much time as possible learning the nuts and bolts of the business, not just theory

### B. Establishing Goals

#### 1. Avoid pre-packaged definitions

- other solutions fit other companies
- advice (like this) is good, but draw your own conclusions

#### 1. Primary Goal: Become the "Problem Solving Department"

- Much line resistance to legal is from past experience, at this or other companies
- Avoid being "the department of No"
- Creative Solutions (actual business experience pays dividends here!)
- Introduce efficiencies and good systems

### B. How to Get There—Marketing

#### 1. A few ideas:

- "Interview" your clients (how have legal services been delivered, complaints, issues, suggestions, emphasize your service goals)
- Service dynamic: avoid saying "you can't" try "would it work for you if we did it THIS way?"
- Solicit feedback on completed and long term ongoing projects
- Demonstrate creative problem-solving abilities
- Give clear answers—no "reasonable likelihood of moderate risk of adverse consequences," but if there is no certain answer be prepared to say so
- Be willing to express your opinion
- Make your clients look good

#### 1. Other tactics.

- In House seminars: plusses and minuses (legal staff, non legal staff)
- Less formal training (cultivate attitude of educating others in small ways)
- Quick turnaround (as much as possible; prioritization important, but dangerous!)
- Honesty
- Practice tactfulness
- Demystify the legal process as it relates to the business, but don't downgrade importance
- Build bridges to other departments
- Open door—practice accessibility
- Time record keeping—might work for you, but no thanks
- Good internal organization
- Quick turnaround as much as possible
- Use past problems to launch new efforts
- Proximity/day to day contact
- Cultivate relationships beyond "the problem guy"
- Be visible and use positive engagement whenever possible
- Instilling fear is the last resort

#### 1. Publicity.

- Balance between bragging and self-effacement
- Communication of good results upstairs and to the company

- Intranets? Cost (time and money) benefit analysis
- Newsletters (who has the time; does anyone read them?)

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