



## DELIVERING STRATEGIC SOLUTIONS ACCA'S 2000 ANNUAL MEETING

### Marketing the Small In-House Law Department

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#### A. Basic principles to consider in marketing a law department:

- House counsel's principal function is adding value
- Marketing is about making clients recognize that value
- Marketing and success in adding value are inextricably intertwined; thus the best marketing result will result when you manage the house counsel function so added value is achieved and perceived by clients
- Clients are always in charge
- Clients' viewpoints are all that matters
- Getting client feedback is critical
- Feedback is only valuable if you implement what you learn in the process

#### B. Adding value

- Why was the house counsel function created in the first place?
  - What was the organizational need that was to be met?
  - What is the organization's attitude toward lawyers? Why?
  - Where are the supporters of the house counsel function?
  - Where are the detractors of that function?
  - How does the overall culture of the organization affect the relationship with house counsel?
- Consider any past problems in house counsel relationships
  - Within organization
  - With outside counsel

- With outside counsel
- With customers, suppliers, or others with important relationships with the organization
- Expectations regarding involvement of lawyers in organization's business decisions
- Develop house counsel's vision, mission or philosophy of adding value, and share that with clients
  - Consider the objectives of the house counsel function — does it:
    - Reduce cost?
    - Improve efficiency?
    - Improve speed of decision-making?
    - Provide comfort level for risk-taking on legal matters?
    - Provide business advice?
    - Manage outside counsel?
    - Do anything else?
  - Build a written statement of philosophy in adding value — call it anything you like; mission statement, philosophy, vision, etc., but make it clear that you mean it **[A sample statement of philosophy is attached]**
  - By all means involve other persons in in-house department in developing this statement — they must buy into the result or there will be no adherence to it
  - Get client input in formulating the statement of philosophy
  - Talk with clients about THEIR business objectives —
  - Get genuinely interested in their work (*Caution: don't intrude on their turf*)
  - Also talk with them about what they think ought to be your objectives — ask "What should I (my department) do that would in your opinion result in our adding value to what you do?"

### C. Getting clients to recognize the value you add

- Provide clients with the resulting statement of philosophy — this shows them that you are willing to let them judge
  - Consider posting it to the organization's intranet, if available
  - If no intranet, consider sending via e-mail or paper memo
  - Communicate this to clients even (especially!) if you are the only lawyer in the company
- "Walk the talk"
  - You and all around you must abide scrupulously by the stated philosophy in everything you say and do
  - Remember that the quickest way to undercut credibility is to act contrary to the expectations of the clients
- Seek periodic feedback from clients to track progress of department
  - Consider feedback on both department and individual lawyers — in a small department it may be impossible to separate the two **[See attached forms that can be used to evaluate individual lawyers]**
  - Devise means that assures anonymity of respondents — consider enlisting an outside consultant to perform the limited task of collecting the information and reporting it to you
  - Use these tools sparingly — evaluation forms used too frequently can be viewed as an unnecessary intrusion on the work of the clients

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D. Manage the house counsel function to provide the value which the statement of philosophy promises

- Provide accurate evaluation and management of legal risks
  - You must have a standard of risk tolerance that is workable for the client
  - The standard must also be consistently applied
  - It must be accurately conveyed to and understood by others in your department, who must also abide by this
- Show respect for and sensitivity to the function of clients
  - Your objective is to help them achieve their own objectives, not for you to impose your ways of doing things
  - Show restraint when clients show their thanks in less than perfect ways — harsh words cannot be taken back and may never be forgiven by clients
- Consider the importance of the hiring process
  - Every lawyer in your office is an ambassador for the office
  - Take the time to get the right person to meet the needs of the clients
  - Don't panic and take the first person who appears to be able to get the office out of a crisis
  - Think ahead and plan for meeting the future needs
  - Be creative in structuring relationships — many good part-time people available

D. Be responsive — make changes to implement what you learn from your interactions with clients and feedback from them

- Learn client quirks and be prepared to serve different clients different ways
- Be sure to let clients know of your efforts to make the changes that you suggest

D. The client is the one in charge — so use every client encounter to build client trust

- Practice listening to clients
- Trust is based on consistent honest behavior — never do anything that can be perceived as dishonest
- Avoid talking about client relationship problems with others in the company
- Remember that an unhappy client is one that will not only not use your services but will often seek ways to undercut you

**Sample Statement of Philosophy for House Counsel  
(Non-profit Corporation)**

*Our Mission:*

We seek to provide high quality, cost-efficient legal and related services to our client units to help the corporation achieve its mission of service to the public.

*Our Guiding Principles:*

We Are Practical: We work in partnership with our clients to anticipate, understand and

satisfy in practical ways their objectives. We provide prompt and innovative legal solutions to organizational and operating problems, while exposing the company's business activities only to responsible levels of legal risk.

We Are Counselors: We help our clients understand both the legal issues confronting a

proposed course of action and the legal risks associated with that action. As a partner

with the client in working to achieve the client's objective, we assess and advise regarding the legal consequences of different courses of action, while allowing the client to make decisions on business issues.

We Advocate Fairness: We assist the company in meeting its objectives of providing a fair and rich environment in which creativity and originality can grow and thrive, and persons making genuine contributions to the teams on which they work will be rewarded. To that end we assist management at all levels to meet its legal and equitable duties to the people serving the company.

We Provide Ethical Leadership: We take a leadership role in the company's commitment to ethical behavior and to foster honest and open management communications.

**National Public Radio**

**Office of the General Counsel**

**Attorney Evaluation Form (By Key Clients)**

Instructions: Please complete this form and return it to [Senior Clerical Person] in the blank envelope provided. Your response will be kept strictly confidential; neither the attorney evaluated nor their supervisor will see the completed form. Data from the form will be compiled by [Senior Clerical Person] and the completed form destroyed. The data, in the form of the compilation, will only then be made available to the General Counsel or a supervisor. The compiled data and retyped comments may then be shared with the attorney.

Circle the number that best represents your response to the question asked. Please note that the ten-point scale assumes that "5" is average in your experience. Please respond candidly, with a fair

Circle the number that best represents your response to the question asked. Please note that the ten-point scale assumes that "5" is average in your experience. Please respond candidly, with a fair assessment of the attorney. NPR can only improve itself if we review each other's performance honestly and fairly. The entire Office of General Counsel, including the attorney being evaluated, wishes to provide service at the highest standards. Please help us to do so.

Name of Attorney \_\_\_\_\_ Return by \_\_\_\_\_

1. How would you rate this attorney's ability to identify and understand business and legal issues involved in a project?

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

2. How clearly and concisely does this attorney orally communicate advice or explain legal positions?

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

3. How would you rate this attorney's courtesy and professionalism?.

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

4. How would you judge this attorney's ability to seek and find acceptable solutions to problems?

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

5. How would you judge this attorney's responsiveness to your needs for timely legal services?

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Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

6. How would you rate this attorney's ability to write clearly and concisely?

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

7. How would you rate this attorney's ability to get results through team effort?

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

8. How would you rate this attorney's willingness to take responsibility for his/her answers?

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

9. Describe your assessment of this lawyer's expertise in the legal areas affecting your work.

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_  
\_\_\_\_\_

10. How would you evaluate the overall quality of this attorney's work product?

Poor Average Excellent

Poor Average Excellent

0 1 2 3 4 5 6 7 8 9 10

Comments \_\_\_\_\_

\_\_\_\_\_

How can this attorney better serve your legal needs? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (continue on reverse)

We thank you for your cooperation!

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