



**Monday, May 16**  
**2:00–3:00 pm**

## **302 Building & Motivating Your Legal Team** *New Manager Track*

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## **Questions to Answer as You Build and Motivate Your Legal Team**

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### **Initial Concerns When You Start Out**

- What purposes will in-house staff serve? Think about the purpose of the legal team—how will the team be deployed as consultants, advisors, or problem-solvers? The purpose will define who you recruit, what they do, why they stick around. Consider what your company needs as to legal advice and services, and how flexible it can be. Purposes change over time.
- Do you want attorneys or other professionals as part of the in-house staff? Attorneys fill one purpose, and other legal professionals satisfy other needs. Non-attorneys can do certain jobs better than attorneys can.
- Will attorneys have non-legal duties? Attorneys are trained in fact-gathering and risk assessment. Determine whether the legal team will also be doing assignments that are not strictly legal, such as investigations, insurance or risk management. Sometimes members of the legal team serve as executives or managers when there are more duties than bodies to go around, or when the legal team has the skills.
- Will the legal staff be responsible for other management roles? The company may ask legal team members to attend management meetings, lead management initiatives or conduct strategic planning, participate in financial and budgetary oversight, attend community events, or otherwise serve as management ambassadors.
- What will you outsource? Unless management says otherwise, you should always consider the ultimate: total outsourcing. You may rule

it out, but you should have a rationale. Figuring out why the function isn't outsourced—or what activities are outsourced—helps you know what the purpose of the team is.

- What is your budget and how will you manage it? If you don't feel comfortable managing a budget, get help from the finance department, or even take a course, especially if this is part of your management duties. Don't pretend you know what to do.
- Who determines your budget? Working closely with the manager or managers who determine your budget will do several things: help you understand what the company thinks it needs, help you see how sophisticated the company is about legal services and help you influence the final result.
- How will you justify your budget? Think hard about whether you are a profit center or a loss center. Will you be bringing in revenue, for example with a collections unit? Will you be spending money, for example by budgeting for settlements? How will you quantify the benefit of in-house legal representation to the rest of the company? In companies where administrative costs are closely monitored, learning to be hawkish on expenses is important.
- Does your company have a strong relationship with outside counsel? Your company may have a board member who is a prominent attorney. Or the company may have a long-standing relationship with an outside firm. Sometimes these facts play a prominent role—good or difficult—when you start an in-house function.
- How will you fit within the organization? How will you integrate the legal team within the organization? The rest of the organization will need to be informed of the role you play, how policies and procedures will change, or how procedures will be developed. You will need to learn the business and operations of the company. Customer service is crucial and you must demonstrate that you are value-added.
- What will your role be as to the board of directors? The board will look to you for guidance and counsel. Many times the corporate secretary role will be assumed by legal. You will need to gain the

trust of the board and retain the trust of others you report to or work with.

### **Recruiting**

- What channels will you use to recruit? There are online tools, internal company postings, professional associations, advertising outlets, and recruiters. Do you have a human resources department that will help with posting, screening, testing? You may want to hire some temporary employees if you view some projects as necessary for start-up or infrastructure building.
- How will you ensure that you recruit a diverse panel of candidates? There are valuable sources like the Minority Corporate Counsel Association, the National Bar Association and local minority and women's bar associations.
- Who will be involved in the hiring decision? You should consider who makes the final decision and who will be involved in reviewing the candidates or their credentials. Remember that involving people in the process may help get buy-in as well as start the winner off with built-in credibility.
- Do you want or need experienced staff or will less experienced staff that may need more training and more guidance be acceptable? There are advantages to both, and disadvantages to both, too.
- What legal practice areas do you personally need assistance with or does your company need expertise? If you have a number of management responsibilities you will need personnel who can be autonomous in performing the work.
- How important is personality, personal chemistry, sociability? In small offices, the ability to get along is extremely important.

### **Structuring the Team**

- Who will supervise the staff? Think about whether you want a democratic office, a partnership, or a hierarchy. Reporting relationships may be the result of political factors, subject matter specialization, or other things.

- Will attorneys supervise other staff? Some offices have an administrator to handle the non-professional staff. Other offices pair secretaries or clerks with attorneys or paralegals to manage.
- Will the team have formal staff meetings or training sessions? In large offices, employment details (for example, discussing upcoming performance evaluations), advanced education (such as concerning developments in the law), or compliance requirements (like HIPAA or other regulatory matters) are efficiently handled in regularly scheduled meetings. Even in small offices, formally scheduled meetings are useful ways to roundtable issues, discuss problems, and build morale.
- Will team members be assigned to specific functions or levels of management? Will the legal team members meet regularly with clients to whom they are assigned? These meetings will help the company and legal team to establish and build important working relationships. Such meetings are also an excellent way to identify legal risks that exist within the company.
- How will you tell if the team is successful? Consider whether your team can use metrics to determine success. Is customer satisfaction a big concern? If so, you can devise customer satisfaction surveys.

### **Motivating Your Team**

- What is the compensation? Sometimes lawyers at firms take cuts in pay in return for the joys of in-house practice. It can go the other way, too, when in-house counsel take law firm jobs. You should be conscious of how to judge market rates.
- Are there bonuses? Consider tying bonuses to overall company performance, line-management results, or other key elements that the clients have staked their rewards to.
- What intangible benefits do you offer? In-house staff has opportunities to do "experiential rotations" that most firm or government lawyers don't dream of. Consider the motivational impact of doing pro bono work, or of getting paid time off to teach or write. Consider what reputation you want your department to have in the greater legal or civic community.

- Can members of the team work at home? In our major cities, commuting is an enormous drain. Consider allowing people to work at home. Be ready for requests to pay for at-home work equipment or connections.
- What kind of professional development is possible or available? What does the advancement ladder look like? Just because you are in-house does not mean you do not have ambition. Remember that in-house staff has development needs, and may want to see a ladder for advancement. It could be inside the legal department, or elsewhere in the company. Part of your responsibility is to train managers to think in terms of the talent your staff has to offer.
- What is the structure of the company's performance management? What monetary and non-monetary rewards and recognition are available? Think about the legal team's eligibility for those programs.
- Will there be opportunities for the legal team to gather together informally so that team members get to know and trust one another? Many times regular team meetings or facilitated strategy sessions improve overall working relationships and productivity.
- Do you have a succession plan? Consider the right moment to put in place a succession plan for key members of the team, including the leader.
- Are you doing enough celebrating?

## Building & Motivating Your Legal Team

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