Reorienting Lawyer Professional Development: What If the Clients Come First?

by Tracy LaLonde

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In my humble opinion, there are very few companies or firms that are truly customer- or client-oriented. A lot of companies or firms say they are customer- or client-centric, but their nice company slogans aren't backed up by their actual operations. That said, I think being client-centric, while sounding fairly simple, is actually quite difficult. Law firms, in particular, often have a wide range of clients, all with very different needs. So how can we ever truly understand what clients really want and need and then deliver to those needs?

Some research firms in the legal industry, with great effort and effectiveness, have led the charge by engaging clients to help law firms understand what a client wants and needs. Wicker Park, BTI, and Altman Weil, for example, have started to narrow down the fundamental areas of a client's needs, and law firms have really started to pay attention. In many cases, firms have even engaged these companies to seek feedback from their clients about their performance and then have compared that feedback to their research. There are some common categories of needs that clients say they are interested in:

- High-quality legal services
- Understanding of the client's business
- Cost-effective solutions
- Efficient matter management
- Superior service

Again, on their surface, these categories sound simple, but defining what they mean and then delivering upon them consistently with all lawyers in your firm is a completely different thing.

Consider an example. As a consultant and road warrior, I pay close attention to the service I receive in hotels. In general, I would consider hospitality to be one of the sectors that tries to pay great attention to its customers. Like all sectors, some do it well and some not so well. There is one hotel, in particular, that I have stayed at once a year for five years. This hotel, which is part of a smaller, mid-market chain of hotels, continues to amaze me with their ability to somehow remember me each and every year. Given that I am not a frequent visitor to their hotel, I certainly do not expect the kind of service I receive. It begins with the doorman who welcomes me back each year when I arrive. Now, I realize he may just be saying this, but he engages in just enough chit-chat to make me feel like he actually remembers me. Then the front desk person does the same (and yes, I realize she has a computer screen that gives her knowledge of my past stays but she still has to acknowledge and communicate this understanding to me). This year the front desk person even went on to update me on the changes in the hotel since my last visit. Later when I called for room service, the same fellow from last year welcomed me back as if I were his long lost friend and recommended some specials based on what I had previously ordered through room service. Through all of these interactions, they continue to make me feel like I — and my comfort — come first. This hotel has clearly made guests a priority, has built the systems to support this priority, and has trained its entire staff to deliver service, even in the smallest of moments and interactions. In comparison, in law firms, we put being good lawyers first rather than the client.

What If Law Firms Put Clients First?

In professional development, we teach legal skills first. What if our priority were the client, with legal skills coming second? What if we taught legal skills in the context of the client's business and client service? How would that change the topics, the order, competencies, etc.? The Lawyer Development Institute (LDI) sponsored by NALP, ALI CLE, and West LegalEdcenter on October 2, 2012, in New York City, will attempt to make the case for this adjustment and offer ideas for how to do so. Also, it will look at ways that the professional development and marketing departments can collaborate to create a new system.

Let's think out of the box for a moment about what a "clients first" approach could mean for professional development. Many competency programs have a "client" or "client service" competency with various skills and knowledge falling within those domains. Other competency categories are typically oriented around legal skills, legal practice, people management, communication, etc. What if we flipped it upside down and looked at legal skills from the business perspective? Let's consider a few typical business activities and some of the legal skills that would be required to support each of these activities:

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- Opening a new manufacturing plant in a foreign country
  - Financing to support the effort
  - Real estate to help buy, build, or lease the facility
  - Environmental if the client buys or builds the facility
  - Employment to help with the additional labor
  - FCPA to assist with guidelines for doing business in another country or if issues arise
  - Contracting assistance for suppliers and customer
- Closing operations/offices
  - Employment to help with the workforce reduction
  - Real estate to assist with the disposition of the property
  - Contracting if they have to terminate contracts or relationships associated with this location
- Product development
  - IP to assist with protection of the new product
  - Contracting to help with sales of the product if it will be sold through a third party
  - Trade secrets to ensure the IP doesn't walk off with departing employees
  - Financing if they need money to develop and produce the new product

These are a few simple examples; there are many ways that PD could orient programs. I have a hunch that clients would find it difficult to complain that their lawyers don't understand their business. We would have completely reoriented our PD programs around our clients' most common business activities.

Once we tackle the topics and organization, we could then look at how we teach these topics. Although the lecture method is a heavily relied upon teaching technique, what if we incorporated more case studies or simulations to actually re-create what we want lawyers to do on the job? For example, we could teach contract drafting in a variety of contexts: supplier contract, licensing contract, acquisition contract, etc.

I will never forget a conversation I had with an M&A associate. When I asked him how the merger he was working on impacted the client's long-term strategic plan, his response was, "I have no idea. I just paper the deals. I don't need to know their strategic plans." To a degree that may be true, but if we truly want our lawyers (from partner all the way down to junior associate) to be "trusted advisors," then it is imperative they understand the long-term impact of each significant business activity and whether there are implications that need to be considered in each situation.

I challenge you to think outside the box about how you can reorient your professional development programs to truly put clients first. And, if you are unsure about how to do this, look to your marketing folks to help fill in some of the blanks for you.

How Can PD Professionals Put Their Clients First?

Finally, I challenge law firm PD professionals to examine how you and your department interface with your clients, the lawyers. Also, what is the experience that lawyers are having at every point of interaction with you and your department? Is it easy to access and interact with you? Do you meet their development needs how, when, and where they need it? Do we understand the businesses of the various practice groups and respond to their needs? Does every lawyer feel important and special, just as I did in the hotel example? Do they keep coming back for more because they find the time spent useful and helpful — and to have an impact on their ability to do their jobs and develop in their careers? Do lawyers consider *us* their "trusted advisors"?

Those of us on the planning committee for the LDI truly believe that this one-day conference will be only the very beginning of the conversation. Clients are demanding that their lawyers know their businesses and deliver service in a different way. We need many voices to contribute to the conversation as we try to define exactly how law firms can deliver service in a way that makes clients more willing to create long-lasting business partnerships with their lawyers. Unfortunately, too many of those relationships are still transactional, which means there is a lot of potential for PD professionals and programs to help create the needed changes. ■

Editor's note: For information on the Lawyer Development Institute see www.nalp.org/events. Law firm PD professionals are also encouraged to share information about this one-day conference with marketing professionals at their firms.