

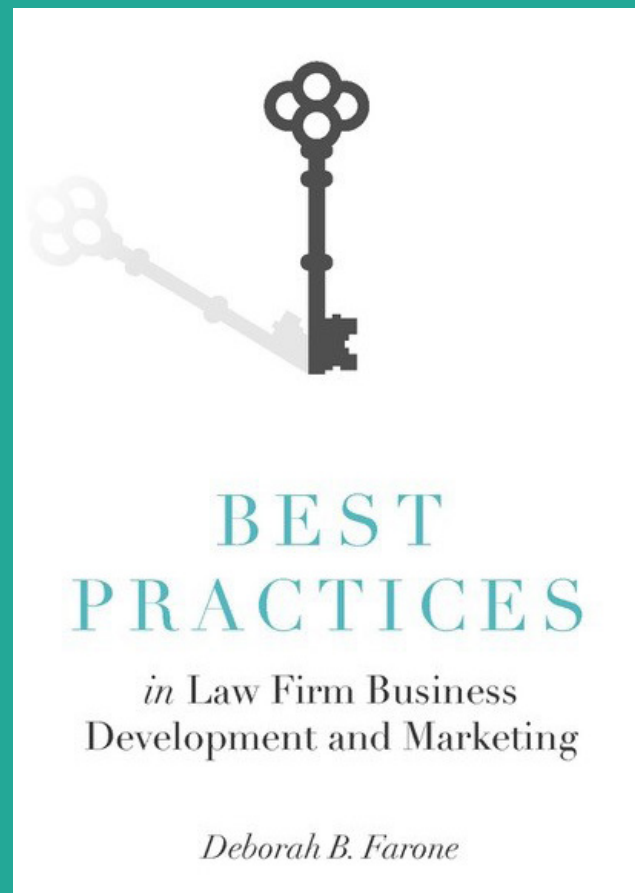


The secrets of law firm marketing

Deborah B. Farone, former Cravath, Swaine & Moore CMO, talks to *fivehundred* about her highly anticipated new book, the US rainmakers she admires, and why managing partners cannot totally delegate their marketing responsibilities

In your new book, *Best Practices in Law Firm Business Development and Marketing*, you write that you've seen a number of large-scale changes in the legal ecosystem that law firm leaders and marketers need to address. What are the most pressing changes you've seen that will impact legal marketers?

I think the most significant changes start with the buyer of legal services. Now more than ever, the general counsel is in the driver's seat. In recent past years, GCs were placed under the watch of corporate leadership and instructed to reduce or cap costs – but now something is new in that missive.





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Today, GCs have options that allow them to make the goal of cost reduction and efficiencies even more of a reality. They have access to new technologies and the additive abilities brought to them by recruiting a new generation of in-house professionals who have training in legal operations. The levers of who is in control between the client and the law firm lawyer, and who has the power, has shifted.

If you pair this with the fact that there are now other alternatives beyond the traditional law firm, the weight shifts even more on the side of GC. We now have legal service companies – some referred to as legal process outsourcers – and accounting firms, both of which are ready to service corporate legal departments. This, along with artificial intelligence and a host of new technologies allow GCs to have an even greater arsenal. This new tilt in balance, the technologies and the ability to use them, and the ability to curate the full legal operation, is impacting all law firms regardless of their size or prestige.

Marketers need to adjust to these changes and also think of new ways to market their firm’s services. They also need to have a voice in suggesting new paradigms for the firms they call home. Smart leaders will involve their marketers in how they face this new future.

Much of your work involves creating strategic plans and practice plans both for law firms and other professional service firms. What are the key mistakes firms make when they try to create these roadmaps?

There’s a belief that if you write a good marketing plan for a given practice, put it into your top desk drawer, and remove it once a year to read, that you are set up for success. Unfortunately, the writing of the plan, if you get that far, is just the first step. Left unattended in the drawer, these plans are not likely to sprout any growth. For the plan to be successful, several things must happen.

Involvement and communication are crucial. The lawyers who are involved in

preparing the plan must get buy-in from four groups: those who will be affected by and participate in the plan; those not immediately impacted by the plan who may be potential advocates; the naysayers of the plan who may have the potential of impeding the plan’s success; and the firm’s leadership. The plan needs to be socialised so that while the lawyers and marketers are working on execution and implementing the nuts and bolts of marketing, others in the firm are supportive of the efforts through cross-selling and keeping an eye out for other business opportunities.

It’s also imperative that the goals of the plan are concrete and measurable. They need to be actionable. And to accomplish these plans, of course, you need to have the right people in place who can help you implement them, and that usually means a well-staffed professional marketing department and, in certain firms, embedded non-practicing professionals in the practice groups. If a firm doesn’t staff these functions adequately, lawyers end up

with plans that can’t be implemented. It’s frustration, all-around.

In writing the book, you spoke with more than 60 managing partners, GCs, CMOs, and other experts. What were some of the most interesting interviews and why?

The leaders of law firms were fascinating, as they all have a passion for their firms and a common mission to see their firms succeed. These are people that I suspect never sleep. Mitch Zuklie (Orrick), Beth Wilkinson and Alexandra Walsh (Wilkinsen Walsh + Eskovitz), Bob Gunderson (Gunderson Dettmer), Henry Nassau (Dechert), and Barry Wolf (Weil Gotshal) were awe-inspiring.

Speaking with the incredible people at Pryor Cashman who run their women’s program and having the chance to sit in on one of their sessions was very special. Dyan Finguerra-DuCharme and her partners are role models for focusing on what matters. Charles Martin at Macfarlanes is one of the smartest most-thoughtful people



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managing a great law firm today. He was wonderful to interview.

Reaching out to Steven Brill was the only interview for which I was somewhat intimidated, just because I felt it would be impossible to find him and I doubted that even if I did, he would remember meeting me years ago. It was like a hunt for JD Salinger. Brill represents the battery that started the modern legal profession. He was the founder of *The American Lawyer* and in my mind, the person who most embodied taking the profession and recognising and reported on it as a business. He had a demanding reputation with reporters and I didn't know what to expect. Once he agreed to be interviewed, he did not disappoint. He was brilliant and insightful and told me a few great stories, including some about the early days of *The American Lawyer*. It was great fun to write about it.

You wrote quite a bit about how firms approach innovation. Is technology something in which you have an interest?

I am interested in technology when it comes to how we can make businesses run more smoothly and employ greater efficiencies. I have always been interested in innovation from my days of working with management consultants. There are several firms, such as Orrick and Allen & Overy, with whom I spoke, where they have set aside a significant investment in technology allowing them to find ways to do things better, faster or at a more reasonable cost. The bottom line for them is how to create systems or products that make a difference for their clients. They are not thinking of innovating for innovation's sake.

There are still so many people who know much more about this than I ever will, so I enjoyed speaking with and getting to know David Perla and Sanjay

Kamlani who started one of the first legal processing outsourcers, Pangea3, Dr Mark Greene, who helps firms address their technology needs, and Bill Carter, the CEO of ALM. Michael Mills at Neota Logic was also fantastic. His interview with me was done by email as we conducted it during the horrific California wildfires.

How did you even start to write a book, had you ever done it before?

I've always enjoyed writing, whether it was writing short stories on a notepad and sending them to my friends in high school or the recent pieces on marketing that I have been writing for Forbes. I had in the back of my mind, along with everyone else, that I might like to write a book, but it was pure happenstance that Ellen Siegel, a vice president of the Practising Law Institute (PLI), called and asked if I would be interested in writing one for PLI Books, PLI's book division.

Having loved worked on big complex projects like building websites and conducting rebranding projects, I have always found the planning process to be important. I needed to think of this with the same mindset as one would any large project with components and deadlines that I needed to address in pieces.

What was it like shifting gears from leaving a firm, noted as one of the world's most prestigious where you have all types of services, an office with river views and a large staff to starting your own practice, all alone, and writing a book?

While I loved my work at Cravath, I worked the very long hours that anyone at a large law firm works; however my hours have not changed very much since leaving. You learn that you have more capability than you ever thought you might. I quickly created my LLC, took a lease on an office, and found great executive administrative support. While

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there isn't a messenger service on-call to deliver packages around the city any longer, there is a service called TaskRabbit that will help take care of that.

If a project is not the type of thing where I can add value or I think there is someone who can do it better, I have no hesitation to send it to someone I think is the best person for the job. And when an element of the project is beyond my range, I enjoy picking up the phone and partnering with someone I know is expert in the field.

How difficult was it to build a practice and get clients?

I was fortunate. The day that I announced I was leaving Cravath and started talking about what I had planned, I received a number of calls from law firms in need of help. One of them, an excellent firm where I knew I could make a difference, wanted to come by to meet me. I quickly leased an office (I am in the same building as King and Spalding). In my first year, I've had clients in New York, California, and Texas. I've also done work in London. As it is just me at

this point, I plan to only work with a few clients at a time. My goal is to do outstanding work that will make a difference for my clients.

Are there rainmakers you admire and what about the way they operate do you admire?

Jeff Klein heads the employment litigation practice group at Weil Gotshal. He is a true rainmaker both because his clients love him and because I have seen his approach in developing more junior lawyers. As he says in the book, he thinks about business development as a muscle that needs to be used on a consistent basis. He believes that with practice, lawyers really can get better at it. But at the very core of Jeff's success is the fact that he is simply an outstanding lawyer. I also admire Beth Wilkinson and Alexandra Walsh for their approach. They are so incredibly targeted, working solely on high-stakes litigation. They are smart and very focused. I'm sure they say no to a lot of business, but the business they say yes to, they truly excel at handling.

David Bernstein is the chair of Debevoise's intellectual property

litigation group. Not only is he a fantastic lawyer handling clients for well-known brands and companies, he has a great way of connecting with his clients. He is always going the extra mile for his clients, getting to know them as individuals and truly making a difference in their company's survival.

Evan Chesler, of course, is the gold standard. I've never seen anyone prepare for trial in the same hyper-focused way as Evan, and his track record for winning difficult cases is unparalleled. But in addition to his talent, he is very attuned to his clients as people, and cares about their wellbeing as well as their success in business. In his case, it's a combination of rare talent, intuition and very hard work that add up to lawyer who clients adore.

You've run two successful marketing department at two demanding firms. Are there any secrets to operating a marketing department that has an impact in the marketplace?

I think the most important thing that the CMO needs to do is to identify with the culture of the firm and know what it is that the firm needs to do to succeed. Much of that is in the hands of the CMO, but a greater part of that is in the hands of firm management. If the firm is led by someone with vision who can help create and communicate a business strategy, the CMO is five steps

ahead of the game. If the firm leadership tries to delegate these important steps lower down the totem pole, it will not be as effective.

Once the CMO learns what it is that the firm needs, they can create a blueprint of shared objectives and agreement on the general tactics they will employ to get them there.

It also becomes a matter of hiring the right people. This is tough because although there are now more people with good talent in various marketing disciplines, you need to find people that have the right skill set, are a good match for the firm, but most important, you can trust and who are of the highest ethical standard. I've seen departments with the right people do incredible things, but I've also seen departments where there's one or two bad seeds, and that can be ruinous. CMOs need to take their time to hire and train the right people. If done properly, you will end up with people who create good relationships between marketing and the partners and within the marketing department.

You need people who set an example by how they work and garner relationships. The value that good marketers can provide is exponential. ●