

ASSOCIATES: AN UNTAPPED MARKETING RESOURCE

Charles A. Maddock
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Do associates play a role--any role-- in marketing your law firm? Do they know what's expected in marketing? Does the firm have expectations? Or is the expectation for associates to be hunched over their desks ten to twelve hours a day, cranking billable hours?

For most firms, knowing when to mainstream associates into the firm's marketing effort is a tough call at best. For most associates, the ability to manage and generate clients is the *sine qua non* of career success. For both, generating profitable billable time, investing in short- and long-term client management, honing substantive skills and having a life simultaneously is a balancing act worthy of the Flying Wallendas.

Talk to the partners in your firm and most will say that sound client management and finding new clients are the path to partnership. Associates know this. Some even know the steps to take. As with partners, some are naturally skilled in client acquisition and retention, even cross-selling. But--as with partners-- most associates aren't natural marketers. And the tension among associates to generate both "real" and "nonbillable but important" hours exists in most firms. No wonder 90% of associates have considered a career change before they turn thirty.

Ironically, some associates have had more academic training or interest in management, marketing and technology than partners. Law schools, the legal and business press and management consultants have all increased their awareness of the importance of marketing. In fact, partners charged with recruiting at law firms often report that associates have questions about marketing as a gateway to career success--and ask the firm what resources are available to provide support.

Is there a viable role for associates in marketing, one that can burnish their career while helping the firm to retain its best clients? Our experience in consulting with firms of all sizes suggests associates can play an important role in marketing-- but firms must carefully nurture associates and set realistic marketing expectations for them

To optimize this valuable resource, your firm can take the following steps:

- *Develop substantive legal skills first and marketing later.* Most associates take between two and four years to learn the fundamentals of their practice. At this point, they become more comfortable with substantive areas of the law and can focus on more specialized legal skills. By year four, they will have had contact with clients regularly, often backing up partners as the “relationship manager.” Many have acquired delegation skills and can manage younger associates, paralegals and staff. For most firms, the fourth to fifth year of practice is the threshold year for associates to participate in the firm’s marketing program.
- *Set guidelines.* Nothing is more frustrating to associates than being told to market and not knowing where to start. Associates need to know what the firm’s expectations for business retention and new business are. An associate who brings in DUI cases or a thousand dollar incorporation matter is meeting the spirit but not the letter of the law firm. The firm’s practice managers, associate committee or other partners should clearly identify the value of retaining and growing existing clients first. In addition, guidelines should be offered for the types of new business the firm can profitably handle.
- *Offer training in firm economics, human relations skills and client “binding.”* Few associates know the profitability factors involved in managing a law firm. The concepts of realization, utilization, margin, leverage and billing rates, the interdependency between each and the role each plays in client relations need to be carefully (and patiently) explained to associates. A partner, administrator or

outside consultant can help conduct such a seminar, using firm-specific examples and benchmark information based on national norms, if possible. Marketing training is also important, but only after associates have a firm grasp of economic ideas. An outsider should be used for this type of training because most partners who are skilled in marketing have difficulty explaining how to do it. While there is no shortage of experts in marketing training, many have little or no experience with law firms and the client/lawyer relationship is truly different from other professional service industries. *Caveat emptor*: ask for references and make sure the trainer's objective is in sync with their firm's.

- *Encourage younger rainmakers.* Some firms are blessed with associates who have a gift for attracting business. They've maintained networks of successful college and law school classmates, they're politically active, they play an important role in the social fabric of their community, they're "Type A" or "High I" personalities. Don't discourage them. Rather, have them commit their business goals to writing--in a formal plan, reviewed by partners who can offer mentoring advice--and challenge them to achieve their personal best. They're rare commodities in most law firms and need support, encouragement and guidance.
- *Identify support roles.* Most associates--as with partners--aren't natural business generators. Some never will be. But most can play a vital role in marketing the firm. For some, this will mean staging and participating in firm or client seminars, speaking engagements, client management and other visible, front-line marketing efforts. For others, maintaining client information databases, writing articles or newsletters, contributing to legal electronic news services and other support services are just as important, if less visible, to the firm. Again, each associate should write a formal plan, which should be reviewed and approved by the firm, so they can play the role that is most comfortable and productive for them.

- *Reward achievements.* In an ideal world, compensation would not be necessary to incent lawyers to market. In today's world, compensation is often the "stick" that is used to reward or sanction marketing performance. Many firms have developed equitable plans that include marketing performance as a compensable measure of success. This can include achievement of plans--including client retention and marketing support--as well as generation of new business. In other firms, recognition in terms of appointment to committees, playing a mentoring role for younger associates or other "management-in-training" steps are highly visible and valued rewards. Of course, marketing achievements, when combined with substantive lawyering and people management skills, are the building blocks in the path toward partnership, the most significant reward in a young lawyer's career.

How much marketing should an associate do--and how soon? Each firm and each associate is different, and each has different expectations for the other. As a rule of thumb, however, associates should get substantive skills first, then have a sound grasp of client relationship management and firm economics. At that point, the firm and the associate should outline plans and guidelines that will be beneficial to each and to the client. This assures the success of the associate as an individual and the firm as an institution.

Charles A. Maddock is a Principal at Altman Weil, Inc., a law firm management consulting firm headquartered in Newtown Square, PA.