

Structuring an Efficient Business Development/Marketing Department

There is a professional roaming the corridors of law firms today with the amorphous name of “Business Development Specialist” or something like it. As law firms grow in size and sophistication, so too are marketing departments expanding to serve them. Many firms are hiring business development (“BD”) specialists to assist attorneys and practice groups attract and land new clients.

The role of business development staff varies from firm to firm. In some firms, the role is similar to a salesperson. The business developer is actively networking among prospective clients, develops and qualifies leads, participates in an initial meeting to ascertain the client’s needs, wants and preferences, and, at the appropriate time, introduces an attorney to the process to make a proposal, advance the discussion, or close the deal. In these firms, business development professionals are often paid a base salary and a bonus based on the volume of new business they generate. While quite the buzz a few years ago, only a handful of firms have actually found a way to make this system work today.

Business development is a consultative role

Most business development professionals play a consultative role to attorneys, providing a range of services that help attorneys fulfill their business development obligations and opportunities. A typical **business development** job description would include:

- Individual and group business development training and coaching.
- Assistance with writing individual and group business development plans.
- Research on prospective and current clients, as well as industries and markets.
- Creating prospective client lists and relationship tracking systems.
- Proposal and presentation preparation.
- Marketing and business development strategy.

Traditionally, law firm **marketing** departments are focused on activities aimed at increasing awareness and brand positioning, including:

- Branding through advertising, web sites and direct mail.
- Public and media relations.
- Events and sponsorships.
- Direct mail and email newsletters.
- CRM and database management.
- Brochures.

Law firm marketing directors are finding they need to re-tool and re-structure their marketing and business development teams to serve their attorneys better and manage an ever-increasing demand for services.

Structuring an efficient BD/marketing team

At Holland & Hart, we developed an in-house agency model. Initially we created the role of the “account representative” to coordinate the various traditional marketing activities for each of our internal “clients” – the attorneys and industry/practice groups of the firm. The account representative position (also called a marketing or business development manager) has evolved from being a coordinator of services, such as seminars, sponsorships, advertising, media relations and micro-web sites, to becoming an internal business development consultant responsible for creating business development plans, coordinating coaching and training, and assisting with competitive intelligence, custom proposals and presentations.

Our account representatives are aligned with practice and industry groups so that they can be intimately knowledgeable about the firm’s clients, the services we provide and opportunities for cross-serving clients. They are responsible for providing competitive intelligence and client research as well.

Like many firms, we created a centralized functional marketing team that provides services such as graphic design, web design, events, sponsorships, media relations, internal communications and proposal development. While some of our lawyers work directly with the functional team, the account reps are usually the single point of contact responsible for coordinating the services.

We’ve found that attorneys expect business development specialists to:

- Understand the industry and its key issues.
- Understand the communication channels and flow of information used by the clients in the industry, and develop ways to participate in that channel.
- Build partnerships with industry associations, informal networks and other organizations.
- Attend industry association events and get to know the key players.
- Seek out targeted and innovative marketing and business development opportunities.
- Use industry knowledge to target prospective clients.
- Coordinate with the in-house functional marketing experts to best support the group’s marketing and business development goals.
- Provide appropriate research and competitive intelligence on clients, prospects and markets.
- Coach them through the sales process, from the initial interview through proposal, follow-up, advance and closing stages.
- Know about the other clients of the firm to suggest and facilitate cross-serving opportunities.

Tips for business development professionals

1. **Treat your lawyers like clients.** Lawyers and practice groups vary widely in their need for BD and marketing services. Get to know your internal customer and understand their needs and expectations for marketing and business development services. Some lawyers may need or want basic marketing services, and others may become intensive users of business development services. Memorialize expectations in a memo so that both parties agree on expectations.
2. **Learn their business, industry and clients.** Become a subject matter expert in your clients’ (internal and external) industry. Learn the market forces that cause legal and business conflicts.

Attend an industry association conference or trade show. Interview clients or prospective clients to understand their business. Set Google news alerts (or the like) to track news of key clients and issues.

3. **Business Development and Marketing Pros must act as a team.** Avoid the “us” and “them” mentality. Regardless of how your firm defines the roles of marketing and business development, both functions must act as a team to be effective.
4. **Consider using consultants if they bring value to the process.** Business development training and coaching is time-consuming and requires a high level of responsiveness, insight, experience and interpersonal skill. Consider using outside consultants for projects like training or coaching so that your business development professionals can focus on revenue-enhancing projects.

Titles, reporting and compensation

Titles for business development professionals vary from firm to firm. In some firms, phrases like marketing, business development and client service can and are interchangeable and are tied to the firm’s culture, history and expectations. In many firms, business development professionals claim a manager or coordinator title, often tied to a specific practice group, department or industry, such as “Energy Practice Group Business Development Manager.” Regardless of title, roles of BD and Marketing professionals must be clearly defined to avoid confusion and turf battles between team members.

In many firms, business development professionals are part of the marketing department, often reporting to the Chief Marketing Officer or Marketing Director. Large firms may have a separate group for business development operations, reporting to a Director-level manager.

When business development professionals act as salespeople, and compensation is based in part on origination credit, issues of compensation can get thorny. In most firms, however, BD professionals are compensated on a salary basis, some with bonus potential, like other marketing professionals.

Conclusion

In sum, there is a definite place for marketing as well as business development in law firms. Lawyers expect business developers to understand a client’s industry and issues, build partnerships with industry associations, and seek out new business opportunities.

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