

## Cultivating The Four C's

By Sharon Berman

Motivating law firm associate attorneys to develop new and expanded business seems to be among the most pervasive and perplexing challenges law firms face. As yet, no one has found the “magic bullet” that instantly transforms associates into rain-makers.

Some firms have been more successful than others in motivating their associates to market. Those firms that successfully motivate associates share four distinct attributes: commitment, culture, compensation and cultivation.

### Commitment

Emphasizing the importance of business development and motivating associates to market is a long-term initiative. It requires a commitment from firm management and supervising partners for the long haul. Seasoned professionals know how long it takes to see marketing initiatives take hold like seeds and grow to fruition. This effort is no different, and takes a farmer's patience and perseverance, and the recognition that not all crops will grow to their full potential.

Embarking on a new associate marketing program with a half-hearted commitment is worse than maintaining the status quo. Your associates may see it as one in a line of programs that have sizzle but no substance, and they won't take it seriously.

But it's just as important to remain uncommitted to a new associate marketing program until you know what you're committing



to. Investigate what it will really take to see change. What kind of investment will you have to make in terms of time, training, program funding and compensation? Time means not only yours and the firm management's, but also the associates'. What kind of investment might be required to hire consultants, coaches or business development specialists? Are you willing to examine your compensation structure, and adjust it if necessary to produce a greater return?

Realistically, plan for a minimum of 18-24 months to grow results, although you may see results in less time. For example, if you commit today to begin motivating associates to market, you are actually laying the foundation to take advantage of the upturn in the economy, as inevitability that will occur.

### Culture

The importance of business development has to permeate the firm's culture, and an influential member of the firm's top management has to assume the mantle of “champion” for the initiative. The expectation that it is part of an associate's job to contrib-

ute to the development of new business — and additional business from existing clients — has to be clearly and uniformly stated, and it is best stated by the champion.

While the firm's culture as a whole may need to change, motivating your associates to develop business has to be more individualized because different people are motivated by different “carrots.” Involving your attorneys goes a long way toward cultural change and people are more motivated if they feel they have a stake in the program. Consider creating a business development committee or an associate marketing committee with some decision-making authority. Include those who might be fence-sitters, as well as those who are highly motivated.

Most law firms have a small core of attorneys who are chomping at the bit to develop business. They don't need to be motivated, just given the right tools and pointed in the right direction.

Other associates instinctively “get it.” They realize that without the skill to bring in business, and lacking a practice niche, they are fungible. If they were to lose their job in this economy, they would be just one among the hordes of others looking for a new “home.”

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## **Cultivating** *(continued)*

They will recognize that a book of business, or a demonstrated ability to develop business (especially in a valuable niche practice area), will assure them of a much stronger place in the partnership line than those who have always had the work handed to them.

Then there will always be that group of associates who simply doesn't care what price they pay for not contributing to business development. The problem may merely be that they don't have a good grasp on what marketing does — and does not — entail. Perhaps they equate marketing with selling and find that idea distasteful. Still others will pay lip service to their interest in business development, but ultimately won't take action.

Recognize and accept that you cannot motivate all of your associates (or all of your partners, for that matter) to market. You can only make the tools available to them, such as business development training, coaching, etc.

When it comes to motivators, no one size fits all. You'll have more success by tailoring the motivator to a person or group motivated by the same thing. For some, additional compensation may be a driver, although money by itself does not usually get people off the couch. Some individuals are less motivated by money than by sincere praise, greater opportunities and recognition in front of their peers and the firm's management. Still others are motivated by a firm mentor/role model who has the ability to engender loyalty and aspiration. Many want to make partner and realize that business development is among the firm's criteria for advancement. Attempts to motivate will fail when expectations are unrealistic and don't consider the individual's skill set, experience and personality.

A new attorney may be totally discouraged if she believes that the only acceptable measure of success is to bring in a client that

really could only be landed by a partner. A realistic expectation for associates may be to have them strategically network with key members and influencers of a certain industry group to get the firm's name out and begin to build or strengthen relationships.

Everyone's ultimate motivator is self-interest. Firms often overlook the fact that any training they provide is a gift from the firm to the associate.

Associates who take advantage of it can take the newly acquired knowledge and leverage it to more expanded roles in larger cases. The same goes for building a book of business. In the short term, it may seem to benefit the firm more than the associates, but in reality the associates are the ones who benefit because their ability to bring in business differentiates them, gives them visibility and provides a smoother and faster track to the hallowed title of shareholder.

### **How to Demonstrate Commitment**

Associates won't pay attention to half-hearted reminders to "get out there and bring in business." They will just keep their heads low and wait until it goes away — after all, it did last time. People will only take the matter seriously if it stays on their radar screen with a clear message that the firm means business.

Commitment is demonstrated through an investment of time and money. Start by developing a focused plan that defines the target populations and industries and identifies the type of work associates should focus on pursuing. Then share the plan with them and outline their role so they know how they personally fit into the firm's big picture.

You can also demonstrate your commitment and seriousness about business development by providing specific marketing train-

ing, and charging that time against an in-house account that does not penalize them from a productivity standpoint. Sending associates to networking events every night will simply exhaust and discourage them if they don't know what to look for, what questions to ask or how to do long-term follow-up with prospects.

When offering internal training, think twice before using your top rainmakers as the trainers. Associates may benefit from hearing what tactics work for different colleagues, but unfortunately, the best "salesperson" is often not the best teacher.

Bringing in professional coaches, consultants and trainers is an investment, demonstrates the firm's commitment and can generate buy-in.

Monetary incentives also show that you're serious about business development. Clearly define who will be paid for what. For instance, are you going to give a fee or percentage to an associate who brings in major billable work, as well as to an associate who gets a prospect to your table, but then the prospect ultimately hires another firm?

How flexible is your firm willing to be in supporting associates who are just learning how to market? For example, if someone introduces a new client with work that might be smaller than your "sweet spot," are you willing to take on the work rather than rebuff the attorney's attempt at business development? Clearly, the individual has to be made to understand that this is not the type of work the firm is looking for, but at the same time, to what extent are you willing to support your attorneys in building on small successes?

Accountability is also part of making a commitment. Associates won't be motivated to change their behavior if they know that no one is watching. Consider having monthly

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marketing meetings where someone is closing the loop, as by saying, “John, you said you were going to follow up with three prospects. Can you tell us how those contacts went?”

Firms that proclaim they take business development into consideration in salary increases, promotions and partnership track don’t demonstrate good accountability if doing no business development has no negative consequences for the associate.

### **Don't Wait Too Long: The Other 4 Cs**

Often, a firm’s management doesn’t realize it needs the associates to develop business

until some crisis arises. This is usually when business slows down considerably, but can also be when succession becomes an issue. The firm has had a decade or two of success, and now its senior partners plan to retire in five to ten years and realize that there won’t be anyone around to develop new business to fund their retirement shares. They have always expected their dedicated and talented attorneys to keep their nose to the grindstone while the partners — or just one partner — did the rain-making. At such a crisis point, a culture change will be difficult to accomplish. Proactive firms recognize the opportunity of a

slow economy to begin motivating their associates to market and providing them with business development tools.

Considered this way, associate marketing’s other 4 Cs are: continuity, current cash flow, confidence in retirement income, and capacity to grow the firm. Every partner will know how to value those 4 Cs! ■

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For more information on law firm and attorney marketing, contact Berbay Corp:

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