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Don't Be Scarlett O'Hara: Start Thinking About Business Development Now

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An Associate's View:

As a first-year associate, the thought of business development rarely crossed my mind. Although I knew the importance of building a book of business for a successful legal practice, I considered it something I would encounter years down the road.

With a to-do list that included learning to use the copier, the topic of business development caused a mixture of trepidation and self-consciousness. Should I already have a business development plan in place? Where do I find the time? And for that matter, what exactly does everyone mean by “business development?”

Frankly, I didn't know anything about developing business.

I began calling other associates to seek advice and secretly obtain a basis for comparison. I was relieved to hear that most other young lawyers in my circle didn't have a business development plan in place, and in fact, many shared my same concerns: “I'm a rookie. How can I market myself to a veteran? If I focus on business development, I will lose billable hours, and I am already overwhelmed with work. Even if I set aside time for business development, I'm not sure how to effectively use it.”

My initial confusion turned to curiosity. When should I implement a business development plan? How much time should I dedicate to it? What are the best ways to develop business early in a legal career? The research, advice, and guidelines presented in this chapter have changed the way I think about business development. I realize now that the need to build business will confront me much earlier than I anticipated.

A Partner's View:

Hopefully you've seen the movie *Gone with the Wind*, which is one of my favorites. In that movie, the lead female character, Scarlett O'Hara, famously announces her intention to avoid dealing with a daunting task by proclaiming, “I'll think about it tomorrow.”

I've thought about that line many times as I've worked with young lawyers over the years. While learning to be a lawyer is on the forefront of their minds, business development tends to be something that they think they won't have to worry about until “tomorrow.” The problem is that—just like other aspects of being a good lawyer—the skills and habits of it takes to develop business aren't instilled overnight. They take time and energy. They require planning and practice. But most of all, they require adopting good business development habits early.

Ask any rainmaker and they will tell you the same thing: they didn't wait until they became partners to start thinking about business development. They started thinking about it when they were still associates, and most of them from day one.

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So, as a young lawyer, there are lots of things that you do now that will lead to business generation later. And there are things that you should be thinking about now that will bring clients in down the road.

This chapter is designed to provide guidelines for young lawyers, and includes both the associate perspective (what young lawyers don't know that they need to know) and the partner's perspective (lessons learned and advice for what do to).

Getting Started: A Glimpse into the Mind of a Young Lawyer

Young lawyers are often overwhelmed by the idea of business development. For one thing, the term itself can be scary. "Business development" sounds intimidating. How can I possibly have enough time to think about developing business when I can barely keep my head above water? How do you even ask for work? It seems so awkward and unnatural. Why should I worry about developing business now when no one is going to send me any work until I'm a senior associate, of counsel, or a partner?

The best way to start thinking about business development is to change how you think about it. Rather than "rainmaking" or "business development," think of it as relationship building. It's less daunting and more palatable that way. After all, that's all it really is: making connections with people that can lead, directly or indirectly, to opportunities.

As for the other concerns, the good news is that relationship building is a skill. That means that you don't have to be born with a "rainmaker" personality in order to succeed at generating business. There are ways for almost everyone to use their strengths and gain the skills necessary to build a book of business. In fact, a must read for any young lawyer is the excellent study by Patricia Gillette and Lawyer Metrics called "[The Rainmaking Study: How Lawyers' Personality Traits and Behaviors Drive Successful Client Development.](#)"

The Rainmaking Study collected data from over 300 law firm partners across the country and compared core personality traits separating rainmakers from client service partners. Importantly, the study found that many of the key behaviors common to rainmakers are developmental, meaning that with reflection and effort anyone can strengthen and improve those traits and behaviors.

Rainmakers have the desire and focus to regularly engage in their work, easily take on leadership roles and exercise power over a team, freely delegate and empower members of their team, and question established methods to achieve higher performance. Cultivating these traits as a young lawyer can lead to startling results later in your career. The rainmakers interviewed for the study averaged over \$4 million in business a year, six times that of the client service partners.

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Why Should I Care About Relationship Building at this Point in My Career?

Law firms want people to make partner who have the potential to bring in business, plain and simple. So, if being a partner in your firm is a goal of yours, then you have a lot of reasons to start thinking about it. But don't wait until you are up for partner to start letting people know that you are thinking about relationship building. Start letting the partners you work with know now that you are interested in business development and you want to learn how to do it. Tell a partner: "I'd really appreciate hearing about your experiences with developing business, and if there is an opportunity for you to take me on a pitch or work with me on some of your efforts, I think it would help me a lot." Partners want to know that up and coming lawyers are interested in the business of the firm and are committed to becoming a generator of that business. .

There is also a selfish reason for thinking about relationship building now. Having a "book of business" (which is lawyer-talk for the group of clients who are yours) gives you security and power, regardless of what your goals are.

So What Should You Be Doing Now?

Make sure your bio is interesting and up-to-date. You must review it regularly, update it as often as you can, and make sure that it fully represents your capabilities. It's a good idea to put it in your calendar to review your bio once a quarter. And, if you have a good result in a case, receive a promotion to a leadership position, write an article, or do something else of note, you should make sure to add that information to your bio. No one is impressed by a bio that only mentions where you went to law school, what your GPA was and that you litigate. Be interesting. Be authentic. Look at other lawyers' web bios and find ones that you think are really great, and then figure out what makes them so good and try to emulate them. There are two lawyers in our law firm who have tremendous bios. They're interesting, informative, and they actually tell you something about the lawyers and their practices. If you're looking for good examples, look at these: <http://lightfootlaw.com/alabama-lawyer/jackson-r-sharman> and <http://lightfootlaw.com/alabama-lawyer/terrence-w-mccarthy>.

Make your contacts meaningful. Buy some nice, professional personalized stationary, or at least get some from your firm that you can use. Then use it! In today's world of never-ending e-mail, when someone actually receives a real note in the mail it stands out. Send a note when someone makes partner, receives a leadership role in an organization, has a baby, or gets married. These kinds of thoughtful acts are meaningful and help create personal relationships. Make thoughtfulness a habit.

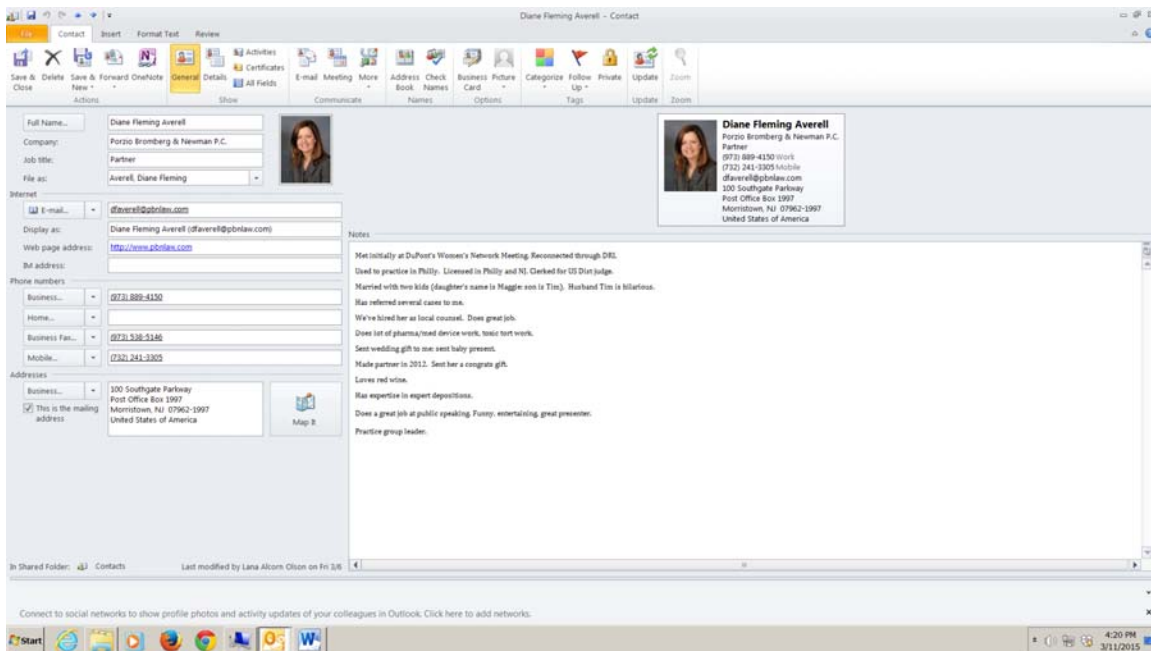
Remember that your contacts today can become your clients tomorrow. Make sure you have a good system for maintaining your list of contacts. Fortunately, you have at your disposal a tremendous tool: Outlook Contacts, or something similar. Outlook Contacts should become your "electronic rolodex." When you need to recommend someone for a case, go to it. When you meet new people, regardless of the occasion, add them to it. When it comes time to send out holiday cards, cross-reference it. You should

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constantly add to your contacts database, starting with day one of your law practice. “Wait,” you say, “I don’t know anyone yet. I just started practicing!” Oh, but you do. Think about your law school contacts. Put them in your database. One of these days, they may become in-house counsel and need to hire a lawyer. Have contacts from your community involvement? Put them in. Think about co-counsel who you worked with on cases. Put them in too. The important thing is to make a habit of doing this every time you meet someone. Get a business card, write down where you met the person, something to make you remember him or her, and then have your assistant add the person as a matter of course.

Every time you return from a seminar, hand over your stack of business cards or notes on attendee rosters and ask your assistant to add these contacts to your database. On each card, you should have written something about the person, whether it’s where you met him or her, such as “sat next to her at DRI dine-round dinner at WITL seminar 2013,” or something interesting you learned about the person, such as “her husband owns an art gallery,” or something substantive similar to “does securities work.” You can also cut and paste the person’s photo into the entry so that you can recall the person instantly. Here is an example:



Look for opportunities to meet new people and to reconnect with people you already know. The marketing rule of thumb generally is that it takes between six and nine “touches” with someone before the person feels that he or she knows enough about you to consider sending you work. Start offering those “touches” now so that they can grow over time. Start with people around your age. Make contacts with everyone you can at your own level or close to it. Don’t worry about trying to meet every general counsel at a seminar. While it’s a nice acquaintance if you can make it, it’s highly unlikely that the general counsel of a Fortune 500 company is going to send you a case as an associate.

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But lots of the lawyers that you know now will work in-house at some point later and may be willing to send a case to you. People your age now will also become partners in their law firms and will have the ability to recommend lawyers to their clients. So make sure that you keep in touch with them so that they can refer work to you when the time comes. So don't worry so much about the big fish. Start with the little fish and get to know them. The main thing is to keep up the communication so that it continues over time because one day, the people that you know now will be positions to hire or recommend you.

Do unto others as you would have them do unto you. Any time that you give someone's name out as a referral you should let the person know that you referred someone to them. Even if he or she doesn't get the case, he or she will appreciate it and remember what you did. And hopefully, that person will return the favor one day. Think strategically whenever you have a chance to give a referral to someone. Don't waste that chance. Make sure that you send the person to the right place, but make sure that the right place is somewhere likely to return the favor in some way. And if someone refers a case to you, you absolutely must thank him or her. If you don't get the case, a nice thank you note is fine. If you do get the case, consider sending a bottle of wine or something else, assuming that your state's ethics rules permit it, to make sure that he or she knows that you appreciate the referral.

Use "down time" to do something to raise your visibility and get your name out. Speak on something. Join a committee in an organization. Write an article. You have lots and lots of opportunities to publish, locally and nationally. But you can't publish if you don't write and submit your work.

Have an "elevator speech" that you can deliver to anyone, any time, explaining what you do and what your firm does. If you cannot explain this to someone in two or three sentences and the person can't walk away actually knowing what you do, then you're not doing it right. This is harder than it seems. You will need to think about it and practice. After many years, Lana's current "elevator speech" goes something like this: "I try cases and I defend companies all over the country. Even though I live in Alabama, I've worked on everything from toxic torts to business disputes, from Florida to California and everywhere in between." Marianne Trost, a terrific business development coach to attorneys told me once that "an elevator pitch is less about reciting to someone all of your credentials and more about telling someone what you do in a way that makes him or her want to learn more."

Talk to people. Everywhere you go. Leave the office. Do things that you enjoy. Volunteer. Play organized sports. Become involved in a trade organization. The point is that you never, ever, know who or what will lead to picking up business.

Join LinkedIn and Use it. But wisely. Remember that this is not Facebook. LinkedIn has a professional focus, so make sure that whatever you post is business appropriate. So, no pictures of you snow skiing in Utah or partying in New Orleans. Then, once you have a profile, make sure that it's updated and interesting, similar to your firm bio. When you

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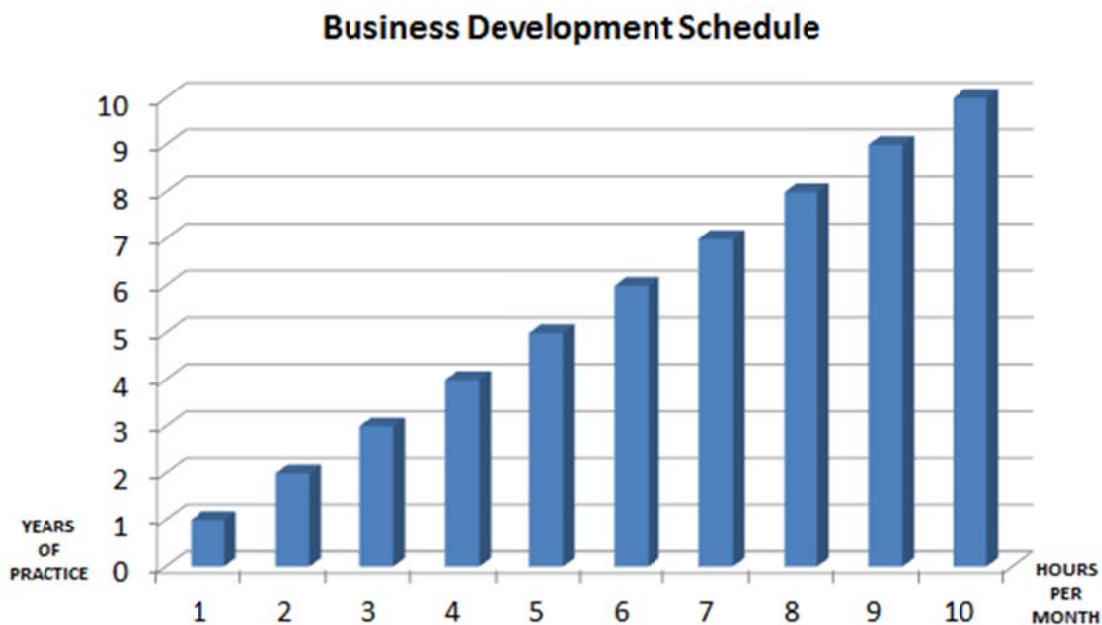
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meet someone professionally, ask him or her to connect with you on LinkedIn while you are fresh in the person's mind, meaning as soon as you return from a seminar or from wherever else you returned. It's a great way to keep up with people and let them know about your professional achievements.

How Much Time Should I Be Spending?

How much time you spend on business development will grow over the years. As a first-year lawyer, get started and get used to developing good habits, but spend most of your time learning to be a lawyer. As the years go on, you will meet more people and have more experience, and your opportunities will increase. The longer that you practice, the more time you should devote to this.

As a general rule, if you can set a goal of an hour a month for every year you have been practicing, then that is a great start, as the diagram shows below.



And for a handy guide, below is a list of things you should consider doing over the years, although this is not an exhaustive list, but just some ideas:

Things You Should Do Every Year

Update your Outlook Contacts and include new information on them

Update your firm bio to include interesting cases/wins

Sign your firm holiday cards with a personal note

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Year 1

Create your Outlook Contacts database with law school classmates, fellow summer clerks, etc.

Set up a LinkedIn profile

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Work on you firm bio (and make it more than just “I went to law school and passed the bar!”)

Order professional stationary

Set up Outlook appointments for 15 minutes once a week where you will send a note to someone, read a business development article, etc.

Year 2

Investigate co-authoring an article with a partner at your firm

Ask someone at your firm (perhaps a partner you work with) about business development training, opportunities internally and express your interest in obtaining these skills

Start thinking about outside professional organizations you would like to get involved in

Set up Outlook appointments for 20 minutes once a week where you will do some sort of relationship building work (even if just posting something on LinkedIn, or inviting people you’ve met to join LinkedIn to connect with you

Year 3

Go to some outside professional organization event during the year

Ask about opportunities to co-author an article with someone in your firm or a client

Get involved (in some way) with a legal organization

Set up Outlook appointments for 30 minutes every other week where you will do some sort of relationship building work

Have a follow up meeting with someone at your firm (e.g, the partner you spoke with the previous year) about continuing with business development training, finding internal opportunities, and and your continued interest in building good business development skills

Get a copy of a legal business plan and start working on yours (see appendix A for an example)

Year 4

Go to some outside professional organization event during the year

Become more involved in your outside professional organization

Set up Outlook appointments for 30 minutes every other week where you will do some sort of relationship building work

Have a lunch meeting with the person at your firm that you have identified as someone who can really teach you about business development, continue to reiterate your interest in obtaining these skills, and volunteer for anything and everything related to business development (go to dinner with client while in town, ask to help review request for proposal, attend an in-person pitch, etc.)

Get a copy of a legal business plan and start working on yours, then discuss it with someone at your firm

Read a business development book (not necessarily one for lawyers, but for general business professionals)

If you travel for work, if you know someone in the city where you are going try and find time to have coffee, breakfast, lunch, dinner, drinks to reconnect

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Year 5

Seek leadership positions in your professional organization

Set up Outlook appointments for 45 minutes every other week where you will do some sort of relationship building work

Have a lunch meeting with your business development mentor and talk about how you can become more involved with business development opportunities

Have a 1 year business development plan that you actually review throughout the year

Read another business development book

Year 6

Seek leadership positions in your professional organization

Set up Outlook appointments for 1 hour every other week where you will do some sort of relationship building work

Revise your business development plan

Have a sit down meeting with your business development mentor and talk about your business development plan, how he/she can help, what training you think you need, etc.

Read another business development book

Look for an opportunity to write something for a legal publication

Year 7

Seek to continue to move up in leadership in your professional organization

Set up Outlook appointments for 1 hour every other week where you will do some sort of relationship building work

Revise your business development plan

Have a sit down meeting with your business development mentor and talk about your business development plan, how he/she can help, what training you think you need, etc.

Read another business development book

Look for an opportunity to write something for a legal publication, speak at a seminar, etc.

Years 8-10

Continue to add to what you are doing. Seek out leadership, speaking, and writing opportunities.

Conclusion

It's hard to think about giving up "billable time" to spend time on things that don't count toward this year's bonus when you are still learning how to be a lawyer. But aside from the fact that doing all these things will really help you in the long term, they really don't take that much time, and quite frankly, they can lead to some really great personal and professional friendships in addition to having business potential.

These things take time, often many years. But the things that you do now will lead to business later. So get started. It'll be worth it in the long run.

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