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## Attorney Buy-In

# Grab Them by the Budget

By Michael Webb



**L**aw firms can spend millions of dollars each year on marketing — be it advertising, PR, sponsorships, networking, or any number of other ways to develop business and increase revenue. While well-targeted marketing money can pay significant dividends, it's the personal investment of individual lawyers that is the make-or-break factor in the success of every marketing effort.

Gaining rank-and-file attorney buy-in is crucial to the success of marketing and business development initiatives. Achieving that buy-in is the job of the marketing leadership, comprised of the firm's marketing director or CMO and its business development committee or marketing partners.

### Let the Force Be With You

Our firm, Dallas-based Gardere Wynne Sewell, provides an interesting example of what works — and what doesn't — in the area of marketing leadership. In 2005, our business development committee (BDC) morphed from a 12-member group with little financial responsibility to a five-member committee (of which the marketing director and the firm's managing partner are ex officio members) with substantial authority over a seven-figure budget. At the same time, the firm's business development efforts were refocused into industry-specific teams, such as energy, private equity, and retail. This marked a move away from traditional practice area groupings such as tax, litigation, and corporate.

The changeover came almost organically as we began our last fiscal year, once it became apparent that the old, large committee structure was too unwieldy, lacked teeth, and was frequently hampered by analysis paralysis. There was difficulty getting consistent attendance by so many committee members, and decisions still had to be re-pitched to the partners' board for final approval. The BDC was reduced in size by the managing partner initially on an ad hoc basis, to keep marketing efforts moving forward. Management saw increased effectiveness from the temporary configuration in the form of faster turnaround and less time debating minutiae. As a result, the committee was permanently restructured.

The makeup of any committee influences

its potential for success. Our firm's executive management chose senior partners with a proven track record of business development. This gave them credibility and a less tangible — but arguably powerful — authority in the eyes of their colleagues. And, not to put too fine a point on it, they selected a leader who, when faced with tough budgetary decisions, could face down Darth Vader without breaking a sweat.

The reconstituted BDC has been more successful at achieving attorney buy-in by striking a successful balance between force and finesse. Because it controls the marketing dollars, lawyers have no choice but to work within the BDC's guidelines, if they want to receive funding for their initiatives.

One key element to ensure that partners

are personally invested in their business development plan is to require that they use a portion of their partners' individual business development account to finance broader marketing initiatives. Each partner's individual account consists of discretionary funds (based on a fixed percentage of their annual compensation) for CLE and business development activities. Their willingness to put some of their own account money into an activity helps maintain the strategic use of the firm's marketing money.

For instance, if the partner requests funds beyond the scope of his or her partner's account, say \$10,000 to sponsor a conference, the BDC would request that a significant portion be funded from that partner's account. In addition, the BDC seeks assurances that the attorney cross-markets with other attorneys and practice areas in the particular initiative. Partners not willing to involve other attorneys or practice teams lose justification for additional firm dollars, not to mention the benefits of shared costs with included attorneys.

To track effectiveness, the BDC meets with industry team leaders quarterly to monitor each team's business development efforts. Among the criteria for continued support of a marketing initiative is past success and consistent follow-up with marketing targets. Success is not always gauged by initial ROI, but also by indirect benefits such as new relationships, real potential for new business, and positive exposure for the firm.

### **Increasing the Value of Marketing Staff**

Under the new BDC, the increase in effectiveness, efficiency, and level of attorney buy-in has been palpable. More importantly, attorneys are now utilizing services they hadn't before, such as pitch development, competitive intelligence and coaching, resulting in better utilization of the firm's nine-member, non-lawyer marketing team. Because attorneys are accountable for the results of their efforts to the BDC, the same

attorneys who couldn't pick a marketing team member out of a lineup are now calling on them as a strategic resource.

One of the biggest benefits of having a more effective BDC is that it allows the non-lawyer marketing team to be more proactive than reactive. From committee-level involvement on the front end, to clearer tactical assignments on the back end, the marketing staff is able to be more helpful in guiding individual and team business development activities.

Attorneys have long viewed marketing as a modified form of witchcraft. And beyond random acts of lunch and golf, most didn't quite understand the importance of having a strategy for identifying, courting, and winning over new clients. Now that attorneys play a more active role in their own marketing efforts — and the firm has made it clear that business development is a priority through the development of industry-focused teams and guideline for marketing funds — their mindset has changed, and without question, it is a more proactive one.

For example, our firm's marketing professionals are implementing (and getting positive response and participation from) run-throughs, scripting, and role playing as lawyers prepare for big pitches.

Having a more motivated customer base has also helped our marketing professionals evolve from being merely "providers" to "advisors," while balancing this increased demand for services with the continued delivery of essential marketing functions, such as client/matter data and biography maintenance, proposals, and event management.

### **Many Hats, One Goal**

An important role of the marketing director or CMO is identifying the attorneys who are most motivated to participate in business development efforts. We call it "hitching our wagons to the horses that want to run." CMOs must be part Svengali, part headhunter, and part motivational speaker

in order to identify, recruit, and coach the candidates who are willing and able to build and implement business development endeavors.

At Gardere, working with attorneys to develop group strategies has become easier with the onset of industry-focused initiatives. As the director of marketing, I work with each industry group to develop appropriate strategies and assign a marketing representative to assist them. This ensures relevant historic information about previous successes and challenges is available and avoids duplication of efforts and the silo effect. What's more, as a single source of industry, market, and firm information, we also help to keep the planning on track and steer groups clear of analysis paralysis.

Gardere is apparently not unique in finding that, as attorney buy-in has expanded, so have the roles of the non-lawyer marketing professionals, according to Erin Corbin Meszaros, president of Southeast Chapter of the Legal Marketing Association and director of marketing at Powell Goldstein in Atlanta.

"In LMA we have seen a distinct relationship between attorney buy-in and expanding roles for legal marketing professionals," she says. "These newly defined roles allow the marketing department to become a true strategic partner with focused and effective business development initiatives — resulting in increased revenue for the firm."

The combination of a more nimble BDC with budgetary control and industry-focused attorney teams, has not only helped our firm make better use of its marketing dollars, but has also made better use of the talents of the marketing professionals within the firm. **LFI**

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