

Client Interviews . . .

A Case for Boosting Revenues by Seeking Feedback

It seems strange that law firms seek more work from their existing clients, but won't seek feedback on how they are doing on current work or if they performed well on previous matters. By contrast, the corporate world has been conducting surveys and focus groups for many, many years, seeking input from their customers on what they want, as well as their reaction to the company's products and services.

Some law firms over the years have surveyed their clients, mostly in the form of written questionnaires, which, in my experience, have limited value. Face-to-face interviewing is the preferred and most effective venue for getting feedback. There are firms that do just that, and they are the leaders in this area of marketing.

As early as 1990, one such firm with which I was affiliated interviewed its top clients and obtained feedback. We even videotaped five clients so that they could make the point "directly" to our lawyers about what they expect from outside counsel. The results were amazing in many ways. One important, angry client was salvaged after we resolved concerns about which the law firm had been totally clueless prior to the interview.

What's really amazing is that so many law firms in this day and age still do not have a program in place to regularly visit and seek feedback as to how they are doing as a legal service provider.

Why Is It Important to Seek Client Feedback?

Simply put, because clients want it. Moreover, it just makes good sense because it leads to better and longer-term client relationships. Yes, and more legal business!

There are two basic types of client interviews. Both rank among the top five marketing tips

enumerated on my *LegalMarketingBlog.com*. They are:

- No. 1: *Visit Your Clients* and do so off the clock and in the clients' workplace if you really want to learn more about their businesses and generally enhance the client relationship; and
- No. 3: *Seek Client Feedback Often*, again, off the clock and with an eye toward obtaining feedback on how the firm/lawyer has performed or is performing in meeting client expectations.

The focus of this article is on client feedback, but both of these outreach activities can lead to more client work in the short term simply because clients like the idea so much and really appreciate the attention shown them by their law firms. However, a great deal of care needs to be exercised in how one goes about soliciting feedback. A firm does not want to come across, under the guise of seeking client comments, as actually making a sales pitch for more work, which would totally deplete the goodwill that you're trying to build. Of course, any firm that considers engaging in this process must really care about its clients and be committed to addressing the concerns that the clients raise.

Surveys, including the most recent 2007 ACC/Serengeti Managing Outside Counsel Survey presented at the 15th Annual Marketing Partner Forum earlier this year, pointed out how unhappy in-house counsel really are with their outside law firms. The president of the Association of Corporate Counsel (ACC) noted that:

half of the survey respondents terminated relationships with some of their outside counsel during the prior year, citing failure to perform according to client expectations, high costs, and poor work product or results. (Emphasis mine.)

Further, all three of the general counsel who participated on the GC panel at that Forum, after sharing their views on a number of issues related to outside counsel, concurred that they were in favor of law firms' seeking client feedback, according to an article in the April issue of ACC's *Hands On*.

Another survey, The BTI Consulting Group's *Power Elite 2008*, focused on the top "elite group of law firms" and what sets them apart. The factors that make them elite include delivering "higher client satisfaction" and exceeding "client expectations more often," according to the survey.

How can a law firm possibly know how they are doing without talking with its clients on a regular basis about its own performance?

Who Should Conduct the Interviews?

At the majority of firms that engage in client interviews, the managing partner is most often the individual making the visit. The problem, though, is that, with all that is on the managing partner's plate, such visits are pretty much hit and miss.

It should not be the lawyer working on the client's matters, since the client is less likely to be candid with the person they work with regularly, particularly if there is actually an issue that needs to be addressed. If the client hasn't said anything prior to a feedback interview, the client is not likely to talk about it when interviewed by the lawyer handling the matter, which defeats the whole purpose of the interview.

Other candidates for conducting the interviews might include the marketing partner, executive director, or CMO/marketing director. Here, too, none of these representatives are the best choice, due to the time demanded by their other duties and responsibilities.

Many firms opt to hire consultants to interview their clients. But, a consultant is not necessarily the best choice either (look how I shoot myself in the foot), although some firms might indeed be better off with a consultant due to his or her experience, the potential delicacy of the

firm's situation, and the administrative costs of investing billable time in what can be a protracted event.

All things considered, the best approach is to dedicate someone at the firm—an experienced interviewer, whether staff or a lawyer—to the job of conducting client feedback interviews. He or she will be in a better position to know the firm and its culture, to have the opportunity to regularly interact with the lawyers and gain their trust, and to follow up on issues raised in the interviews.

Yes, it's a full-time job and fixed overhead. But, considering the new revenue that such a focused effort can generate, it's an investment that will pay for itself in short order.

Who Are the Firms That Get It?

In fact, a few firms already have such dedicated persons on board. These leaders include: Orrick (1,000+ lawyers)—Ombudsman; Duane Morris (650+ lawyers)—Client Services Manager; Ballard Spahr Andrews & Ingersoll (550+ lawyers)—Client Interviewer; Ward and Smith (80 lawyers)—full-time Client Relations Partner; Stanislaw Ashbaugh (19 lawyers)—Chief Results Officer; and Reed Smith (1,500+ Lawyers)—Director of General Counsel Relations.

These are the firms that get it.

At the same time, there might be a role for outside consultants. Prior to bringing on board Debra Nussbaum (with more than 30 years of experience as a journalist) as Client Interviewer, Ballard Spahr retained a consultant to interview clients as part of its strategic planning process. "The information was so helpful that it was decided that client interviewing should be a full-time program," says Nussbaum.

Further, by bringing a person on board to run the program, Ballard Spahr showed clients that the feedback program is "part of the permanent structure of the firm," not a passing fancy, and that the firm is very serious about the process. While reliance on a consultant is better than not seeking client feedback at all, clients could view the use of a consultant as a "project" rather than a long-term firm practice.

So, What's Happening?

Not surprisingly, the experience of law firms shows that, after clients talk to people who are dedicated to finding out what they think, they love the program. Meanwhile, the firm's attorneys have accepted it (albeit not without some initial skepticism), and it is resulting in more business.

Ward and Smith partner H.L. "Steve" Stephenson has been in his role since 2000 and full-time since 2003. Interestingly, he spends 50 percent of his time talking to clients (feedback) and prospects (no cold calls) and 50 percent of his time with other partners convincing them to visit their clients as a way to build on the relationships.

"I believe that personal visits are critical in identifying problems and in retaining the client's business," says Stephenson. He reports that one of his firm's top-tier clients (a foreign company) had "some dissatisfaction with our representation, but (he) was able to arrange some changes" that resolved the issue to the client's satisfaction.

Chief Results Officer Annie Lombroia at Stanislaw Ashbaugh says that her role is similar to that of an ombudsman. As part of her firm's service agreement with clients, she sends a personalized correspondence that goes out with each engagement letter, encouraging clients to call her about issues related to the firm's services. Not only does she take the calls, she goes a step further and solicits additional feedback from clients.

The clients "really appreciate" this extra "service" offered by the firm, according to Lombroia, because "they love to give feedback . . . it makes them feel important and part of the team." As she puts it, "I truly believe it has led to more business," both in the form of additional work from happy clients and referrals from those clients.

Lawyer and Client Reactions

From my experience in-house, it is clear that a program involving such client sensitivities requires strong leadership by the firm's management to garner buy-in from the lawyers, irrespective of who conducts the interviews. We

asked Debra Nussbaum how her firm's lawyers reacted to the program and her role. "Well, early on they were skeptical since it was a new process, but after awhile they could see the value and how it can improve their relationships with clients," she said.

Professionals like Nussbaum universally describe feedback programs as a huge success with clients. "They're thrilled," says Julie Meyers, formerly at Duane Morris. When I spoke to Meyers, she was on her way to Chicago to do a client interview. The client complimented the firm, citing its culture and collegial nature, remarking how "this program reflects that great culture." Another client "was so impressed with the program" that the general counsel asked Meyers if she "could help them set up such a program in their company." Yet another client told her: "I applaud the idea of client interviews . . . it's a terrific idea, and something more firms should do." The client concluded by saying that the program ought to be part of every firm's "best practices . . . it avoids problems, reduces tensions," and makes folks happy.

What Is the Bottom Line?

Based on my more than two decades in law firm marketing, it is clear to me that clients love it when they are asked for feedback. It makes them feel really important and appreciated.

And it leads to more work. That's the real bottom line.

Meyers confirms that, in these discussions with clients, she has uncovered opportunities for new work. There is "always something that comes up . . . future plans or goals." She "brings back the information and has the relationship attorney" follow up with the client.

Stephenson talks about one of his firm's managing directors who, while not working on a banking client's matters, visited that client for the "purpose of thanking the bank for its business and to determine the client's level of satisfaction." He discovered that this client was unaware of the firm's other practice areas. "The bank's CEO had not realized that we were interested in their (employment law and creditors' rights) work in addition to their corporate and securities

work.” He says that he “came away with both aspects of the bank’s legal business.”

So, to sum up:

- Clients want firms to seek feedback.
- Clients want to give feedback.
- Clients appreciate being asked.
- It is advantageous for the firm because it builds relationships, uncovers problems before the client leaves for another law firm, and presents opportunities to pick up new work.
- A law firm professional dedicated to, and in charge of, a client feedback program is in the best position to know the firm’s culture and clients, develop a rapport with the lawyers,

and demonstrate the firm’s commitment to client service.

The time and money involved in fully committing to a comprehensive client feedback program is a small price to pay, particularly when it enhances long-term client relationships and has a substantial bottom-line impact. ■

—Tom Kane

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