



What Is the Best Way to Develop Business?

[By A. Harrison Barnes]

When people are in law school, and even during their first few years out of law school, they come to believe that the most important components of a successful law firm career include 1) billing lots of hours (i.e., working hard) and 2) doing quality work. Very rapidly, however, young lawyers learn that generating business for their firms is just as important as doing first-rate work.

This article will examine the most effective methods attorneys can use to generate business. In many respects, this may be one of the most important articles you ever read. Your success in generating clients and business will in large part determine your eventual success as an attorney. More important than your success as an attorney, however, is your security as an attorney. Having a lot of business is essential to enjoying security because it ensures you will always have work to do. Moreover, having work to do will allow you to hire others to work for you, build your organization, and further your career. Ultimately, having a lot of work to do will lead to opportunities for success.

Remember That Every Person You Meet May Potentially Be in a Position to Become a Client.

One of the largest mistakes attorneys—and even law students—make is not realizing that every single person they ever meet is someone who is in or will be in a position to be a client. He or she might even be in a position to become a client right now. Many attorneys believe that they are being “smart” by sizing people up and trying to figure out whether they could be potential clients. They may assume, for example, that the janitors in their buildings could never be their clients. They may assume that people who sell them auto insurance could never be their clients. They may assume that those who were once their biggest enemies could never be their clients.

However, what if the janitor’s son went to Harvard Law School and is now the general counsel of a major publicly traded computer

software company in California? What if the auto insurance salesman is the 21-year-old son of the CEO of a major American insurance company? What if one’s former “biggest enemy” is the owner of a major company that does work for businesses in the pre-IPO stage?

When I was practicing law, I received hundreds of thousands of dollars in business from a client who I met in one of these ways, and I heard stories about people getting business from clients they met under similar circumstances. Each of these clients, if properly served, could have made the career of the attorney involved. Millions of dollars in fees could have been collected. All of these attorneys went on to high-paying, ultra-prestigious law firms based on their work for these clients.

No matter what you do or who you meet, you need to realize there are potential clients everywhere for you and/or your firm. It does not matter whether you are at an ultra-expensive and prestigious law firm, at a smaller law firm, or practicing on your own. Every time you meet someone, you should consider him or her a potential client. How you treat others will also determine whether they are likely to become your clients in the future. Take no one for granted.

- **Do not take any vendors you deal with for granted.**
Your dry cleaner, the person who mows your lawn, the mechanic who fixes your car—anyone you can imagine—is someone who is a potential source of business for you.
- **Do not take your peers or subordinates for granted.**

Some of the best sources of future business for most attorneys are the groups of people with whom they worked early in their careers, including groups of peers they met in college, at law school, and while working for various employers. Make sure you treat everyone you come into contact with as if he or she could be a future client.

- **Do not take your relatives for granted.**
Relatives can often be great sources of business. Relatives love to tell people you are a lawyer—or even hire you to do legal work. Always treat them well.
- **Do not take your former employers for granted.**
Your former employers (and all of the people working for them) will move to other employers and potentially be in positions to give you business. Your former employers may also come across cases and other work they do not want to handle that you can handle. Whatever the case, you need to realize that your former employers are people who are in positions to give you a great deal of work. *Do not* burn bridges. Make sure your former employers are always your advocates. They may one day send business your way, and they will talk about you to others who can also bring you business.
- **Do not take your superiors for granted.**
If you do a good enough job of impressing your superiors, they can be great sources of future business for the same reasons



your former employers can. Always go above and beyond the call of duty.

Take no one for granted. Treat everyone you encounter-both at work and elsewhere-as a good source of business.

Talk about Your Work.

About 10 years ago, I was in Charlottesville, VA, in a hotel ballroom watching an attorney from a large, very prestigious Southern law firm give a three-hour PowerPoint presentation entitled "Developments in Franchising Law." Every local owner of a Burger King, McDonald's, Subway, or other franchise had apparently turned out for this bizarre event. (I was required to attend the presentation to fulfill a requirement for a class on franchising law that I happened to be taking at the time.)

I call the event "bizarre" because it was very funny. The speaker was in his mid-60s-an older, Southern-gentleman type of lawyer wearing a bowtie. His lecture was so boring and his material so dry and irrelevant I could scarcely believe I was alive as I sat there listening to him. The lawyer also seemed very bored by the subject matter he was delivering. In fact, there were several points at which I had to hold myself back from laughing because I was so bored. Other members of my class reached a point where they were afraid to make eye contact with one another for fear they, too, would break into hysterics.

Incredibly, all of the local owners of the franchises who had been invited to this event appeared to be paying attention the whole time and were the only ones (besides the law students) who made the effort to appear interested in what the speaker was saying. Over hors d'oeuvres during the break, I spoke with the owner of the local JaniClean franchise, as well as the owner of another local franchise, and realized that no one seemed to have any idea what this old lawyer was talking about. They all agreed, though, that he must really be on top of his material.

When the event ended, I watched as one audience member after another went up to the lawyer and told him that he or she enjoyed his talk, asked him for a business card, and expressed interest in discussing one issue or another related to his or her particular franchise with him. The lawyer must have picked up more than 10 clients that day. Right then and there, I realized that something very significant had occurred: everyone presumed the lawyer was good at what he did and was eager to hire him as an attorney simply because he had spoken so much about his work.

If you want to generate business, you need to talk about your work. People need to see you as an expert and believe you are very good at what you do. People need to believe they can turn to you for advice about what they are doing and also need to believe that you are enthusiastic about what you are doing.

When you think about it, the people you want to turn to for assistance are most likely those who seem the most enthusiastic about what they are doing. You need to realize that demonstrating enthusiasm is likely to attract people to you. Writing articles is one example of a good way to show enthusiasm. Giving public talks is another example.

Talking about your work goes deeper than simply writing articles or giving talks, however. Talking about your work means getting enthusiastic about your work with everyone you encounter. Talk about your work with people in your office. Talk about your work with clients-just keep talking!

The reason talking about your work is so important is that people remember those who are enthusiastic about their work. This applies to both potential clients and your peers. You want to be remembered by everyone you come into contact with as someone who enjoys talking about his or her work.

Remember the boring attorney I went to hear talk about franchising law a decade or more

ago? Consider what would have happened to this attorney had he really been interesting! Even after delivering a mind-numbing lecture, he got a lot of business. You need to speak to get business, too, and I urge you to speak a lot and often about what you do.

One of the most effective marketing lines I have ever heard is "You can build a better mousetrap, but if the world does not know about it, they will beat a path right around your door." People need to know what you do, and they need to believe you care about what you do. That is why businesses put up ads on giant billboards along the highway. Some even put up multiple billboard ads saying things like "Only 4 more exits until the best green pea soup in Ohio!!" and "Last exit before the best green pea soup in Ohio!!" People get enthusiastic about something as mundane as green pea soup because the restaurant selling it talks about it. You, too, should talk about your work in a way that gets people excited.

Set a Good Example.

Setting a good example means walking the walk and talking the talk of the sort of attorney people want to be represented by. This is exceptionally important. Others need to believe you are an attorney who will effectively represent them and always look out for their best interests.

At the outset, I should note that I have two qualifications that have prepared me to write this article: I have been an attorney with business, and I am now involved in hiring outside counsel for various companies. There are several issues clients are likely to be concerned about when hiring you.

One of the most important issues clients are likely to be concerned about is the level of honesty they perceive you to have. I know that I would never want to hire an attorney who seemed the least bit dishonest. You want to know that the person recording his or her hours spent working on your behalf is someone who tells the truth.



When I was practicing law, I knew of at least a couple of attorneys who fabricated hours, one of whom was a high-ranking partner in a law firm that I worked in (which will go unnamed). I remember an associate who worked all weekend, completed an assignment at 7:00 a.m. after being awake since Friday night, and then went to change and take a shower. When he returned a few hours later and went into the office of a partner to discuss the assignment he had put on his chair that evening, he saw a timesheet that indicated the partner had assisted with the brief all weekend, working some 25 hours. But the partner had not worked over the weekend at all. Would you want to hire a partner like this to do any work for you, ever?

And the issue goes much deeper than this. If, as an attorney, you are dishonest at all in your personal (or work life), the least that will happen is that word will get out. People want to deal with those who are honest. Your clients will ask those who know you whether you are honest—and they will usually get honest opinions.

Another example that comes to mind is the “partying” attorney who takes clients out for wild, substance-packed evenings. No one wants an attorney who is out of control or does not handle himself or herself in a respectable way at all times. Clients want attorneys who are likely to do the best work possible at all times.

When you think about most successful organizations that have been around a long time, it is very easy to see that these organizations tend to look for reliable people who are not particularly mercurial and who seem very competent. Companies look for people with these qualities because they need them in order to run their businesses successfully.

Behave at all times as you would want your own attorney to behave.

Cultivate Interest in Others and Their Legal Issues.

People want to be assisted by those who care about their problems, which means you need to be interested in what you are working on. The more interested you are in the work you are doing, the better your work is likely to be.

If you are interested in the work you are doing, you will tend to seek out others and provide them with advice. People will also be more receptive to your advice because they will realize that you truly care about what you are saying.

When you cultivate interest in others and their legal issues, you will develop a mindset that will lead you to speak up when issues arise that you can assist with. You will also do your best to listen to what others have to say, taking the time to understand their issues.

Understanding other people’s problems is something very few attorneys are good at—or even know how to do. When you take the time to listen and ensure that you understand where people are coming from, they will be grateful. In addition, when you take the time to understand what others’ problems are, they will feel invested in you. When people feel invested in you, they want to work with you more closely.

Allow your clients (or potential clients) to speak at length. Doing so will pay off in the form of huge dividends.

A few years ago, I was speaking with a branding firm about doing some work for one of the Juriscape companies. At that point, I only had two bids, and both companies had quoted me roughly the same price: \$250,000. The company that was originally my first choice was invited to come by my office to meet with me. I had several concerns I wanted to speak about. I never really got the opportunity to speak, though, because the representative from this company spent the entire meeting speaking about what was important to his firm—the fact that it was a big company, the fact that it had done a

lot of work for others in the past, the fact that it had good people working for it—and telling me what I needed. He never gave me the opportunity to say a single thing about what was important to me. Based on this encounter, I ended up not using the company’s services.

The people we are most interested in and like the most are the people who are most interested in us. When you are interested in other people, you make them feel acknowledged and understood. Showing interest in other people also leads them to believe you are interesting. Being interested in other people is crucial to generating business effectively.

Attorneys exist to serve others. Learn everything you can about your clients and potential clients. The more you know, the more you can assist them with—or at least offer your assistance with—the potential work and business they have to offer.

Get Out! (And Form Relationships.)

If you do not start somewhere, you will be nowhere. In order to generate business as an attorney, you need to get out and meet people and push yourself beyond your comfort zone. You need to learn how to break down the boundaries of formality and form relationships with people beyond your immediate sphere of influence.

If you are a young associate, remember, it will be very difficult to ever build a book of business if the only people you know are those you have met through work. You must get out and meet people outside of work. This means going to events where attorneys are likely to be present, and it also means going to events where you are likely to stand out because you are an attorney.

There are millions of potential social situations you can inject yourself into. It is important that you get involved in as many social situations



outside of work as you possibly can. These social situations will give you opportunities to meet new people and make connections. The people you meet may have the ability to refer others to you—or they may not. However, if you do not get to know people, you simply will not get business. So get out and form relationships!

Specialize.

You need to specialize. An attorney with a specialty is likely to get more work related to his or her specialty when it becomes available. People will come to you because they consider you to be an expert.

There are many ways to specialize. If you specialize in litigation, that is a start. If you specialize in representing manufacturers of disposable lighters that are defective and injure people, that is probably even better.

As an attorney, you also need to put on your marketing hat. Being a good marketer means making yourself visible and easy to contact. If you are good at what you do and you are specialized, people will find you.

There was a period from around 1997 until roughly the middle of 2000 when seemingly anyone with a decent idea could make some money on the Internet. This time has been referred to as a period of Internet “land grabbing,” and people were making great sums of money. Notwithstanding, during this same period of time, most people were losing great sums of money. So what was so special about the people who were successful?

The few people who were making money were setting up small businesses on the Internet selling simple, specialized products. They were selling birdcages; they were selling replacement batteries for cell phones; they were selling cases for PalmPilots and other similar knick-knacks. The people selling these kinds of things were making money in the early days of the Internet because they were the ones whose names popped up

when consumers queried search engines for information about specific products. Think about it. If you need a birdcage and search for a birdcage supplier, you will want to go with the business that specializes in birdcages. In fact, this might be the only business you need to contact.

If you need an attorney to help you with franchise law regulations, you are likely to use the one who appears to be an expert in franchising, especially if there is only one attorney in your area who specializes in this area.

The specialist usually gets the business. If you want to get work, figure out how to make yourself and your practice appear as specialized as possible.

Be Familiar.

In order to get people to choose you as their attorney and do business with you, you are going to need to be familiar—very familiar. This means making phone calls to people on their birthdays. This means sending frequent letters informing them of updates. This means forwarding them articles of interest. This means going out of your way to let people know you are available.

It does not take a ton of effort to let people know you are there for them, but in order to do so, it is important to make contact with them as often as possible.

When I was a young attorney, I was so eager to get clients and gain business that I sought out the motivational guru for attorneys looking to get business. His process involved nothing more than having people write down the names of everyone they knew and consistently make contact with them. It was believed that you could get lots of work by using this simple method. Making sure people know who you are is essential. Some years later, I read a book called *The Referral of a Lifetime*, which describes a similar sort of system. [This book is very good, and I recommend it highly—it will help you get clients.]

If you are going to generate business, you need to be familiar. Once you get clients, you need to stay familiar.

Study Marketing.

Read articles and books about marketing. Find marketing seminars that interest you and attend them. Get as interested in this subject matter as you can.

I always recommend that people study marketing in ways that suit them. Only read the information about marketing you are interested in. The more you study marketing, the better you will become at putting its principles into practice. Every form of marketing can translate into methods for acquiring legal clients. For instance, reading about copywriting may assist you with writing letters to potential clients. The effort you put into studying marketing will definitely pay off, and the benefits you receive will most likely far outweigh the time you put in.

Don't Quit.

One big client (or several) can change your life and your entire practice of law. You need to implement a strategy that keeps you resilient and always looking for clients. You may not think you are good at marketing, but chances are you can be. Some of the busiest attorneys out there are also the biggest nerds and/or social misfits you'll ever meet. Some of the busiest attorneys are also very introverted. In order to get business, however, you are going to need to start somewhere. And you cannot give up. Some relationships take years to develop. If you try one strategy and it does not work, then try another.

Conclusions

The attorneys who are the very best at generating business may hardly practice law at all. The illustrious retired senator or judge may be better known for maintaining an extensive and valuable name cache and demonstrating business-generating ability than for his or her desire or ability to practice law.



I want to bring up a final point that is pretty disturbing, and I hope it will change your life. When I first became a legal recruiter- and subsequently became known as a very good one-I started getting inordinate numbers of calls and requests for meetings with partners in law firms who wanted to move. In order for legal recruiters to place partners, the partners generally need to have enough business to sustain themselves (generally three to four times as much as their anticipated salaries) and long histories of having this much business. Therefore, a partner making \$300,000 a year will need to have \$1,000,000 in business, in most cases. This is just the way it is.

A lot of the calls I received were from partners who had no business or very little business. Most of these partners had children in school and had been practicing for more than 25 years. In many cases, I talked to partners in major AmLaw 100 law firms who were being paid less than first-year associates because

they had no business. Their houses were unkept, and they were in financial trouble. When I met them, I could clearly see that they lacked confidence and felt demoralized.

Every day, partners with no or very little business in law firms all across the United States call BCG Attorney Search looking for new jobs. The BCG Attorney Search recruiters know of many partners with no business working in firms throughout the cities in which they practice. In the majority of cases, these partners are eventually told they need to be out of their firms within specified periods of time. The consequences can be dramatic and painful. Because I have seen the results of this, and because it is so sad that it has affected me personally, I have started numerous companies besides BCG Attorney Search to help attorneys like this and others get jobs.

The point I want to make is that if you do not work hard to generate considerable amounts

of business, you will be at the mercy of your firm for your entire career. Your firm will be able to pay you what it wants to and will be able to let you go if it wants to. And when a firm lets a partner with no business go, that partner often has no place to turn because most firms only want to hire partners with business. Going in-house is not always easy, either.

You might as well know that the most important thing you can do as an attorney, in terms of your career, is develop a lot of business. Your life and happiness in your work will largely depend on how well you do this. If you do not do this, you will eventually, somewhere down the road, find yourself in very serious trouble-or simply exploited and at the mercy of your employer until you retire.

Follow the advice in this article. Go out and get business. The success of your career depends on it.