



BY HEATHER SUTTIE

How to Be a Valentine

Clients need to be shown some love. How do you demonstrate that you care all year round?



“YOU’VE COME A long way, baby” is usually meant as a compliment. However, this expression also has its share of infamy. In the 1980s, it was a tagline used by the cigarette brand Virginia Slims to appeal to impressionable young women. In 1998, English big beat musician Fatboy Slim released an album of the same name best known for a couple of tracks that each included the F-word over 100 times. The album earned a place in music notoriety, and a parental-advisory sticker.

During a recent Legal Marketing Association meeting, a panel of general counsel from a variety of corporate backgrounds provided their perspectives on law firm-client relationships and included an advisory of their own. Here’s what they had to say.

> IT’S ABOUT THEM

The resounding theme coming from general counsel revolved around the need for firms to pay attention to their business and industry, and how they want to conduct the relationship. Panelists agreed that, as long as this happens, there’s a very good chance that the client-firm relationship

will be long-term. Georgia Sievwright, Vice President, Law and Government Affairs for Hewlett-Packard (Canada), suggested, “Be a partner, not a third-party advisor. Learn about a client on your own dime.” Cheryl Foy, General Counsel, ViXS Systems Inc., added, “Make sure you know what your client does. Dossiers should be provided to all lawyers on the client’s team.”

Understanding how in-house counsel wants to conduct the relationship includes a number of factors, most of which pertain to work style. For example, it’s important for firms to determine which format of communication a general counsel prefers. Av Maharaj, Vice President and Chief Counsel, International, Kellogg Co., said he doesn’t have time to read a 20-page memo when a short e-mail will do, “and if you need to reach me, phone.”

> FEES, BILLING AND FINANCE

It should come as no surprise that money was a hot button with one in-house counsel, who said they were appalled by billing practices that grind clients. Another chimed in with an opinion that there seems to be a proclivity for firms to bill as much as possible at the highest rate.

Alternative fee arrangements that are not tied to hourly rates are more than a trend — they’re an expectation. Flat fees are even better. Howie Wong, General Counsel of Toronto Community Housing, said, “Commit to a number and we’ll pay it. It’s that simple.”

The panel agreed there are financial advantages to using a junior lawyer to do the heavy lifting on a file, provided a senior lawyer does a review. Project reports explaining how costs are and will be managed help negate unpleasant surprises and build trust. And it is appreciated when a firm understands that their in-house counter-

part must report on budgets monthly and receives information helpful to the process.

> HOW THEY HIRE

These panelists don’t hire from a brochure, directory or law list, but instead rely on networking, referrals and word of mouth. Should they need to go the RFP route, they seek responses that are short and customized to them and their business. The point was also made that diversity is critical, and law firms would be well advised to mirror the makeup of their clients.

> SURVEY YOUR CLIENTS

The panel expressed keen interest in providing formal feedback on the client-firm relationship. A caveat was provided by Sievwright, who said, “Client surveys are key to getting feedback, provided it’s acted upon.” Sadly, taking stock of a client relationship is still being ignored. A *Canadian Lawyer* 2011 survey of 137 corporate counsel found that 81 per cent had not been asked to participate in a client-satisfaction survey. It should be noted that in 2009 this number was 72 per cent. So while this finding was dismal two years ago, almost unbelievably, it’s even worse now.

The pessimism, concerns and suggestions conveyed by this group of corporate counsel would indicate that “You’ve come a long way, baby” doesn’t apply to many client-firm relationships. This can change. Consistent and continuous communication is key. So just do it and maybe your in-house client will sing another famous (and F-word-free) song from the notorious Fatboy Slim album — an anthem of celebration called “Praise You.”

Heather Suttie is a legal business development and law marketing consultant. She consults to a wide range of firms — global, national, mid-size and boutique. Reach her at (416) 964-9607, heather@heathersuttie.ca or heathersuttie.ca.