



BY HEATHER SUTTIE

Embrace the Rebels

Law firms risk market erosion by ignoring the audacious in their ranks



A PHILOSOPHY EXAM (likely mythical) is said to have posed a one-word question: “Why?” While one answer might be “Because,” any rebel worth their salt will respond “Why not?” “Why not?” isn’t intended to be an argumentative retort; rather, it signals an independent mind and audacious spirit. Law firms need to embrace rebels if they want to thrive. Those that don’t will be lucky to merely survive.

Lately I’ve been hearing from lawyers who tell me they’re frustrated with the trappings of law firm life and want to trade it for something other than the traditional up-or-out formula. Instead, they seek opportunities where questioning the status quo is warmly welcomed.

These lawyers aren’t alone. An increasing number of senior legal marketing and business development professionals are chafing at being relegated to delivering tactical services rather than participating in the strategic direction of their firms.

What’s going on? Could this dissatisfaction be happening because traditional law firms operating under increasing financial pressure are clamping down, preferring that their talent march in lockstep, perhaps right off a cliff?

REBELS AMONG US

Whether operating covertly or with all flags flying, rebels have a passion for what they do and want to make an organization

better. They embrace diversity, challenge and change: all positive behaviours based on courage and risk.

One such “rebel” is Aly Hájí. Bright, personable and a top student, he’s taken a circuitous route to lawyer-dom. After graduating with honours from pharmacy school, he didn’t complete the licensing process. Then he declined acceptance to medical school, “which disappointed my parents, who wanted a doctor in the family.”

Craving further challenge, he’s now studying at McGill University, combining two law degrees with the MBA program, and expects to finish in December 2017. He recently applied to 14 traditional law firms for articling, got four interviews and zero offers (these firms probably wouldn’t know what to do with him). His triumph, though, is that his dream job will be realized in 2018, when he’ll go to clerk for the Honourable Justice Andromache Karakatsanis at the Supreme Court of Canada.

Another such individual is Geoff Wild, Chief Executive of the UK-based alternative business structure firm Invicta Law Ltd., hatched in July 2016. “An essential ingredient to what I and others like me require is freedom to create, express, nurture and explore,” Wild says. “And above all to follow my heart, and to close my ears and eyes to the inevitable criticism, ridicule and ostracism that comes from the establishment in response to what I am doing. That strikes fear in their own hearts, knowing that, like the dinosaurs they are, their days are surely numbered.”

JUST DO IT

Marketing and business development professionals are challenged to keep their lawyers happy while trying to advance a firm’s agenda. Yet happy lawyers and advancing an agenda often have nothing in common.

Results from an April 2016 Legal Marketing Association and Bloomberg Law study, entitled *Are We There Yet?*, indicated that, to be blunt, no, we’re not. It found that the top three tasks for which lawyers relied on marketing and business development professionals were: gathering company information; responding to RFPs; and coordinating directory rankings and award submission materials.

The 2017 survey responses weren’t much different, with respondents at firms of two to 300-plus lawyers reporting that the top tasks are client meetings and pitch preparations, responding to RFPs, and content development. A full 97 per cent of respondents reported that marketing and business development staff were highly or somewhat involved in supporting and implementing their firm’s strategic priorities, while only 36 per cent participated in setting them.

Marketing and business development professionals would do well to assert themselves in setting firm priorities (but with care so as not to be drummed out of the lodge). Frustration over not having a say could well be a factor in continuing legal marketing and BD talent churn.

GET UNCLENCHED

A popular definition of insanity is doing the same thing repeatedly while expecting a different result. Accordingly, savvy law firms will favour the square-peg folks who can jump-start change or, as Hájí says, “do business as unusual.”

What’s the worst that could happen? As Groucho Marx famously quipped: “I refuse to join any club that would have me as a member.” He also said, “Blessed are the cracked, for they shall let in the light.” ☛

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