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Tough times force firms to re-evaluate

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BY ANNEMARIE FRAN CZYK

The law traditionally has lagged behind other industries in terms of risk-taking, flexibility and providing services.

Not anymore.

The droopy economy is forcing law firms to adopt a more business-minded, client-focused approach to their organizations, experts say.

Successful firms will be those that "proactively monitor their markets and pay close attention to client signals," according to Altman Weil Inc., a legal services management consultant based in Pennsylvania.

Indeed, the economy has been a game-changer for law-firm leaders, says Susan Saltonstall Duncan, president of RainMaking Oasis Inc., in Connecticut.

"I believe that the firms who will excel will continue to push for new ways of doing things and will be in direct dialogue with their clients for making improvements on an ongoing basis," Duncan says.

Managers of some firms in the Buffalo market, meanwhile, say the economy has prompted them to put greater effort into anticipating clients' needs.

At Cohen & Lombardo PC, for example, a general practice of 16 attorneys. President Rocco Lucente says clients are minimizing exposure for now but are bullish on the future and planning for expansion. His firm wants to cultivate its clients' opportunities by being part of that growth - a strategy borne of a poor economy.

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"In a robust economy, we're so busy, we just try to put out fires," Lucente says.

The Buffalo office of Bond Schoeneck & King PLLC has represented employers in labor issues exclusively but is moving forward with an expansion to general corporate work, says Managing Partner Robert Doren. It's a preferable way of building business in a sour economy. Stealing or exchanging clients with competitors is not a plan for growth, he says.

Lipsitz Green Scime Cambria LLP, the fifth largest area firm with 54 attorneys, stepped up marketing to offset rising business expenses.

"We paid a little bit more attention to it when the economy was in a downswing," says Paul Cambria, partner. "We got a little sharper than what we were doing."

A "fair amount of advertising" has helped the Kenmore firm Pusatier Sherman Abbott & Sugarman build business to maintain employment of five attorneys and support staff, says Richard Abbott, a partner.

That's not to say that there haven't been some typical reactions to the poor economy.

Managing partners say they've absorbed losses and their firms shifted personnel from losing departments such as real estate to the environment and other promising practice areas. Attorney staffing at the five largest law firms is down 6 percent through attrition and layoffs. And Laura Szychowski, president of the WNY Paralegals Association, said the group has lost 34 members, many after their employers stopped footing the annual \$65 dues. Others lost their jobs and left the profession, she says.

Work force reductions were common at law firms across the country last year, with 64 percent of them cutting mostly support staff and associates, according to Altman Weil's "Law Firms in Transition" 2010 national survey, released in June. Personnel cuts will be more limited but are expected to continue this year, the survey indicated.

Duncan says before resorting to layoffs, firms should look at the skill sets of each individual for opportunities for retooling into new areas where demand is higher. Try to engage underutilized personnel in marketing and business-development initiatives.

Also from Duncan:

- Clients want firms to think creatively about how they price services, do a better job of staffing and using technology and, in some cases, share the risk of outcomes or results.
- Firms should have training and accountability for partners who manage client relationships. Institute a robust system for soliciting and responding to ongoing and formal client feedback.
- In response to demand for greater project management, some big firms have hired consultants with Six Sigma expertise.
- Some law firms have developed software and retainer services to help clients stay out of litigation by better managing the aspects of their business that lead to litigation.



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- Several firms have put in place internship programs for new associates along the lines of the medical profession. New associates make half the salary they used to in their first year, and for the first six months are not billed out to clients but attend client meetings and shadow a senior lawyer.

- Others have done away with hourly billing altogether and bill clients using flat or contingency fees, or a combination. They've instituted a "value guarantee" in their billing whereby clients pay the amount due if they agree they received the commensurate value. They can even increase the amount they pay the firm if they believe the value was greater than what was billed.

Overall, more than 75 percent of firms in Altman Weil's survey indicated that price competition, more non-hourly billing and improved efficiency and service delivery through project management have permanently changed the legal landscape.

Early adopters will do well, according to Altman Weil, but firms that wait to incorporate new strategies may be outpaced by their competitors.

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