

Is Law Firm Consulting For You?

by Susan Saltonstall Duncan

Do you sometimes feel frustrated when your great ideas do not reach fruition? Do you yearn for more control over your work priorities and fewer layers to make your endeavors more effective and more enjoyable? As more senior marketers reach a ceiling as in-house employees, many consider consulting as a natural alternative and one which affords benefits not always achievable in a firm. A growing number of current NALFMA members who previously were in-house marketing directors have chosen this course.

Those who enter consulting often assume that they will have greater control over their jobs and the implementation of ideas and plans, get more involved in more substantial and strategic issues, have more work/life style flexibility, command greater respect and make a lot of money. While few consultants could claim success in achieving all of these ideals, many have created very rewarding careers in which they have been able to enjoy some of these benefits. As you consider your options, however, remember that consulting is not always the ideal you envision and many marketers are not at all well-suited to the "business" of consulting. Consultants often are put in very demanding situations that test not only their technical expertise and facilitation skills, but also their own ethical practices and values.

Marketing most often affects or is affected by some core management policies or practices. As a consultant, you are often hired as the last resort or "the miracle cure", and may be hired to undertake difficult challenges the partners are often not willing or able to do themselves. Depending upon the client, the firm's culture and leadership, consulting can often be stimulating and challenging and at the same time stressful and very difficult. No day is "business as usual". You are on your own with tough decisions to make and demands to satisfy.

What are the pros and cons of being a law firm marketing consultant?

TOP 5 PROs

1. ***Independence and control.*** While you cannot always control your clients once you are engaged as a consultant, you can always decline a request to work with a firm or disengage yourself during the process if things go astray. Assuming you have a number of clients for whom you are doing work, you are not reliant on only one firm as you are while an employee. This gives you some freedom to attempt to choose the type of firm and work you are best suited to or enjoy most.
2. ***Challenge and stimulation.*** While some do not like working with lawyers most senior marketers who stay in the field do so in part because of the stimulation and challenge of working with very intelligent, motivated professionals. As a consultant, this can be even more rewarding because you are often given more leeway to delve into issues, address problems and create innovative solutions. Working with many firms at once on different issues usually takes you in several directions and involves you on many levels of management and marketing.
3. ***Satisfaction.*** As with in-house marketers, consultants achieve much satisfaction from helping and guiding clients. As a consultant, however, you may be the first marketing expert they have used and many of your observations are seen as insightful and your recommendations

innovative and creative, even if they are not! Ideal clients are firms that appreciate consultants and are not embarrassed or too

4. **“Close the door.”** One of the greatest advantages to consulting is that you often can avoid getting bogged down in internal politics, red tape and bureaucracy. When the day is done or your assignment is over, you can “close the door” and go home. Even if you have a very valued, long-standing and ongoing relationship with your client, a good consultant ultimately is effective if he/she is able to help a firm address issues, take advantage of opportunities, position themselves and within a reasonable time frame, institute policies, plans and strategies by which the firm can run its own marketing program. In most cases, consultants have several clients they are assisting in any given month and therefore rarely get caught up in one particular firm’s strife (beyond what is necessary to be successful in the consulting assignment.)
5. **Credibility.** For some reason, knowing they are paying you by the hour motivates (most) lawyers to pay attention to you. The fact that you have worked with other law firms (preferably other “status” firms) means you are credible and at least worthy of respect initially. You then have to prove yourself, of course, but even less credentialed consultants are able to get their foot in the door on the assumption they are experts in their field.

TOP 5 CONS

1. **Workload Unevenness and Instability.** Having listed control as a key “pro,” consulting actually only affords you control if you have a burgeoning practice and are in a position to be selective about the assignments you seek and are able to secure. Even for very seasoned and established consultants, there is still little predictability to work load and income. Many consultants have periods where they

egotistical to communicate their appreciation.

work 12-14 hours a day, for months on end, including weekend work required for retreats, then get nervous when they have a quiet month or two. While patterns seem to emerge, no two years are ever identical.

2. **Financial Stress and Business Origination.** Particularly if you go solo or work with only a few others, there is constant stress to develop new business and produce revenue. Networking and professional development now are at your expense and bringing in new business becomes more difficult as the number of law firm consultants continues to grow. Without a healthy benefits package, bonuses, perks and a retirement package, to say nothing of a steady pay check, even those who can command high billing rates are under constant stress to market and bill time.
3. **You’re “On” All the Time.** As a consultant, law firms hire you for your expertise, brilliant ideas, your fresh view and quantifiable results. Whether you are conducting partner interviews in the assessment phase or facilitating a retreat, you must be “on” all the time. You try to look at each client in a unique way and bring a level of confidence and optimism. While often perceived to be more credible than an in-house marketer (not a perception always well-deserved), lawyers are still skeptics and they will not pay a high hourly rate without getting instantaneous feedback and results. Unfortunately, since the majority of partners are still male, women consultants often have to far outperform their male competitors in order to be perceived as being competent and effective.
4. **Difficult Clients and Assignments.** As with the lack of control over work-flow, few consultants have uniformly good, solid relationships or stimulating engagements with all of their clients. Chemistry,

leadership, personal relationships, the law firm's client base, the firm's financial health and stability, and the impetus for retaining a consultant, all affect the consulting relationship. There are significant differences among law firms, in intellectual capacity and real expertise (as

5. **Loneliness.** Consulting can be lonely, particularly if you are doing it alone or with only a few employees. Many lawyers and in-house marketers don't fully understand or trust consultants. Unfortunately, some consultants have done a less than an effective job which gives the profession as a whole a bad reputation and leaves you with the arduous task of overcoming often well-founded resistance and "proving yourself." Consultants, for the most part, also take a competitive stance in their relationships with each other, even when they could/should logically be good referral sources and don't realistically compete in the same markets or have the same expertise. This means there are fewer people to bounce ideas off of and in-house marketers you had close relationships with before may or may not feel as comfortable maintaining close communication with you if you start consulting with their competitors.

opposed to "puffery"), in partnership cultures and ethics, and in the type of work consultants are asked or able to engage in. Some are very stimulating and rewarding, others are mundane, stifling or unpleasant.

in the consulting field, you have many resources available to you through the NALFMA membership. Explore your options carefully and try to get as much honest feedback as you can both from those who have remained consultants for a long time and those who have chosen to go from consulting into (or back into) in-house positions. Law firm consulting can be a wonderfully rewarding profession, but it is definitely not for everyone!

Susan Saltonstall Duncan, a founding member of NALFMA and one of the first in-house marketing directors in the country, founded Saltonstall & Associates -- originally based in Washington, D.C. and now in Madison, CT -- in 1987. She has consulted with over 100 law firms as well as individual attorneys on strategic planning, partnership, management, client development and marketing programs and issues and is currently serving as Vice President of the NALFMA New England Chapter.

While consulting to law firms can be very rewarding intellectually, professionally and financially, it may not be what you imagine it to be.

Before leaping into this world, consider carefully:

- What are your own personal strengths and weaknesses?
- What type of work are you best suited to handle?
- What are your personal, professional and financial goals?
- Is there still a need for your services or is the marketplace now saturated with consultants?
- If there still is room for you, what makes you distinctive or distinguishable from all those who have gone before you? Do you have a distinct product or expertise?

With a dozen or so former in-house marketers now

SIDEBAR

As a Marketing Consultant, What Would You Do in These Situations?

The Executive Director of a 350-lawyer firm interviews you and hires you to conduct a retreat for the 120 partners in the firm. You are to work with an eight-partner Retreat Committee to plan and facilitate a two-day retreat. The goal of the retreat is to help the firm set some new marketing and productivity standards for the firm. In addition to preparing and circulating a questionnaire, you interview twenty of the firm's most senior or successful partners and review key billing data. It becomes clear during your interviews that five of the firm's "power partners" have their own agenda -- they are trying to redefine the partnership standards in a way that will support a proposal to fire 40 of the 120 partners. While they play along with the Retreat Committee and your process, they sabotage you during the first two hours at the retreat, undermining your findings and proposed agenda. What do you do?

You are hired by a 70-lawyer firm that wants you to devise a mission statement and marketing plan for the firm. During the Situation Analysis interviews, you quickly find warring factions within the firm and uncover what appears to be unethical behaviors and work product that borders on malpractice. You raise these issues in your report and make recommendations that the firm focus on improving partner relations, team-building and total quality management in order to retain the clients it has and to avoid major defections in the partnership and associate ranks. The partners reject your recommendations, refuse to deal with any issues and instead insist that you develop strategies that focus only on getting them new clients. After all, you are a marketing consultant. What should you do?

You are hired by a firm based in a second-tier, Midwest city that is wrestling with what to do with several unproductive partners in different departments whose practices have dried up in markets that have been hit by the recession, consolidation and downsizing, never to return to the hay-day of the 80s. Your task is to identify individual strengths, devise individual plans to help these individuals retool and become fully productive and billable to the firm. You are the last option before eight partners are "outplaced." In meeting with these individuals, it becomes clear that the individuals not only do not seem to have distinguishable skills, they don't seem to have the motivation, contact base or market opportunity to retool or develop a new practice. What do you do?