

## The Top 10 Things You Should Know About A Client Or Prospective Client

Ideally, you should have the equivalent of a dossier on both existing and prospective clients. There is no such thing as too much information. Remember, “To guess is cheap, to guess wrong is expensive.” The information gathering is of little value, however, if you do not apply strategic, creative thinking in the planning process.

To develop a sound strategy for capturing a new client or growing an existing client, here is what you should know:

1. In what arena is the company principally competing for business, and what is happening in that industry? (For example: Who are its competitors and customers? Are there significant industry trends, such as consolidation, price pressure, class action threats, technology advances, etc.? What strategic business opportunities does the client have? What resources or contacts do they need?)
2. What are the company’s specific short-term business goals and strategies?
3. What is the company’s long-term strategy or vision - where does it want to end up? (For example: to grow through a series of mergers and acquisitions, to go public or get acquired, to diversify product lines, to become more global, to dominate a market, etc.)
4. What are the primary personal business goals and concerns of the individuals who hire the lawyers?
5. What is most important to the people at the client organization who actually work with, or will be working with and interacting with, the attorneys? (These are not necessarily the same people who ultimately hire the outside attorneys.)

6. How are the people who work with the lawyers, and the people who hire the lawyers, judged and rewarded? What makes them successful?
7. What is the firm's total legal budget, and with which law firms and lawyers does the company currently work?
8. What type of legal work does the company have? (In other words: What expertise do they need?) How is the work divided between inside and outside counsel?
9. What, if any, special billing or partnering arrangements does the prospect have with other law firms or professional service providers? If none, what types of arrangements has it discussed internally or tried and rejected?
10. [For an Existing Client] How satisfied are they with the service and quality of the lawyers who do their work? What do they know about the rest of the firm? Is our billing timely and are our invoices understandable?
11. [For a Prospective Client] Are there fundamental obstacles that will get in the way of a relationship with the prospect, such as a perceived business conflict with other firm clients, serious problems with past firm work, a personal conflict between key client people and firm people, a mismatch between the firm's image and the client's image (i.e. Is the firm new and aggressive, while the client old and stodgy? Is the firm a "safe" choice?).

**Note:** This last question regarding prospects is the "Do we have a chance in hell of getting work?" test. There is nothing worse than doing well that which should not be done at all! Also, the law firm needs to ask itself an important question: What are its short-term and long-term goals relative to this client? I have interviewed a number of firm's clients who might give another firm a chance to be heard, but it would take a disaster of global proportions to replace the 2 or 3 key firms already doing their work. Strategy: Get known to them in case of conflict, disaster or major personnel changes, but do not invest an enormous amount of effort, since the short-term goal is not "to get their business."

On the other hand, I have interviewed clients who have said they will consider engaging any law firm that is capable of providing increased value for the legal dollars they are spending. Some would hire a new firm in a heartbeat (for at least some work), if the firm can demonstrate clearly a value-added business proposition (equal or higher competence, equal or better service, lower cost

or additional value to the client for working together – e.g. free training, electronic invoices, detailed budgets, special staffing).

Finally, there is information you can obtain, in many instances, from publicly-available sources or through networking about: the client or prospect's financial strength; accountants, underwriters, bankers, etc.; who at the firm knows whom in the client or prospect's organization; how often, if at all, has the client or prospect changed counsel historically. Have there been any recent major changes, deals, threats or litigation?

Whatever you learn must be the focus of your strategy – remember this is about “them,” not you.