

Surviving Change—When Your Client Hires a New GC

Any major change involves risk, and risk is always accompanied by the possibility of reward. When your client hires a new GC, your firm is at a crossroads. You can lose the client, lose a share of the client's budget, or seize the opportunity to stand out. You won't have a second chance to make a good first impression.

Research and prepare as carefully as you would for a high-stakes proposal. That's what the situation entails, implicitly. Use all the available research tools and avenues at your disposal, including JDSupra[®], Manzama[®], Lexis-Nexis[®], Martindale-Hubbell[®], Thomson Reuters[®] products, Google, LinkedIn, Facebook and Twitter. Use your contact management system, and all internal (firm) contacts, being careful to include staff and trusted vendors and service providers. Who went to the same school as the incoming GC? Who worked at the same firm or belongs to the same organizations or served on the same committees? Who knows someone at the GC's former company? You are looking for background information—what has he or she written about working with

outside counsel or preferences for value billing, for example? Did the GC use guidelines for outside counsel previously? If so, look for a repeat of those guidelines. What is his or her communication style? For example, if he or she graduated with a degree in engineering or finance prior to law school and eventually landed an in-house role at a company with a small or solo legal department, he or she is probably left-brained, linear and deliberative. He or she will want all communications to be logically organized and detailed. If the new GC has served as the head of a larger legal department, they are more likely to be a bottom-line oriented, “cut to the chase,” player. Communications should be to the point and focused on the end game.

Once you have gathered all the intelligence you can harvest, the next steps are to strategize about how your firm can *demonstrate* (not talk about) value and helpfulness. Prepare a briefing book containing the status of all recent, important, and/or ongoing matters—without waiting to be asked. Think about how to present the information so that it quickly reveals not just what your firm has done, but also the value of the outcome. Think, “show” not “tell” in order to impress. Consider—or

ask—whether he or she would like bullet points or “all the details.” What else will in the incoming GC need in order to be able to immediately gain traction? At a recent LMA Annual Conference, one of the speakers on the panel of in-house counsel spoke about a firm that distinguished itself by preparing a briefing book on a substantive issue on which he was not yet completely up to speed. He appreciated that approach and contrasted it with the approaches of other firms who sent brochures or tried to open the door to sell him their services. The firm that impressed him looked for a way to give before asking to get; they positioned themselves as a source of valuable assistance without regard to any immediate payback.

The first days and weeks are your firm’s trial period—be on your absolute best behavior. The smallest details can be telling. Your firm should be extra vigilant about invoices—no surprises, and no typos. All documents and e-materials should be impeccable. This is not the time to bump up against deadlines. Regardless of how secure your firm believes its ties to the client may be, you should act as if the new general counsel has complete authority to cut ties with your firm. This is the time for your firm to redouble its efforts to provide value as the client defines it.

Make certain your attorneys don't attempt to secure their position with the client by chest-beating, one-upsmanship, or any other power displays. They should strive to appear as cordially competent colleagues.

Ask to meet in person; if travel is involved, consider having your firm travel at its own expense as an investment in the relationship.

Position the meeting as a way for your firm to learn the incoming GC's style, preferences and goals. "We'd like to learn your preferences for working with outside counsel and the initiatives you'll be focusing on as quickly as possible, so that we can be well-aligned colleagues." Your firm will need to know how he or she prefers to communicate, as well as how frequently. How will your firm and the GC signal to one another when something is urgent? Should reports be brief or detailed? How much input does he or she want to have? How much time do they want to review a brief or contract—that is, how long before a deadline do they want a draft?

At the meeting, your attorneys should stay alert for clues about style and preferences. Is the GC signaling that they would welcome a warm and friendly relationship or do they appear to be all business? Do

they talk quickly and expressively or more deliberately and dispassionately? What does their “packaging” say about them? Crisp and buttoned up or relaxed and casual? Your attorneys should ask what he or she liked about firms they’ve worked with previously. What would they like firms to have done differently? Can they offer examples of exemplary service or conversely, the things that annoy them? You aren’t looking for dirty laundry or gossip; you are looking for best practices and pitfalls to avoid.

After the meeting, prepare micro-customized client service standards for this client and communicate those standards to every member of the team. You must tailor your service standards, because, as in the words of the GC of Clorox, “one size fits one.”

After the GC has been in place for a month or two, consider conducting a client feedback interview. These interviews are best preformed by someone other than the responsible attorney. The goal is to make sure you are on the right track and to catch small irritations before they fester.

It can be a tense situation when a key client of the firm makes a change at the top, whether in its GC ranks or other C-Suite positions. With strategic effort, the relationship can improve to the next level. Think positively and don't let your firm rest on its laurels.



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