



Role Models for Building a Litigation Practice

**Three case studies of what the best
are doing to build a thriving practice in litigation.**

- **Juan Morillo, Clifford Chance**
- **Sharla Frost, Powers & Frost**
- **Thomas Goldstein, Akin, Gump, Strauss, Hauer & Feld**

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Best Practices of Business Development for Litigators

*A Profile of **Juan Morillo, Partner, Clifford Chance**: Learn How One Of The Top 50 Young Litigators Is Building A World Class Practice Through Entrepreneurial Zeal and Pro-active Business Creation*

By Michael Cummings

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Most of our business development coaching and training clients call us because of their difficulties in growing their litigation practice. The litigators at these firms typically are facing one or more of the following challenges:!

- The firm rode a particular wave of litigation that is drying up
- The “one-shot” nature of litigation leads to big peaks and valleys of work
- Litigators were overly dependent on their corporate, industry and other practice partners to generate work (and not generating their own stream of work or cultivating ongoing relationships)
- Only a few, veteran litigators are big rainmakers and the rest of the practice services this work (and these litigators may be retiring or moving on in some fashion).
- More disputes are being resolved in alternative ways
- Too many of their litigators, especially younger attorneys, are not viewed as pro-active business advisors by their clients (instead they are pigeon-holed as narrow specialists)

Well, if you are a litigator who aspires to achieve superior results in business development in the face of these challenges, then read on.

In this newsletter, I am thrilled to profile a young litigator who is a true entrepreneur and builder of a world class practice: **Juan Morillo** of Clifford Chance. His story essentially provides a blueprint of the best practices in business development for litigators.

Here is some quick background. As part of some research I was doing, I recently re-read the January 2007 issue of *The American Lawyer*. This issue profiled the top 50 litigators in the US under the age of 45 (Mr. Morillo was 37 at the time).

I was naturally drawn to the section on entrepreneurs, where Mr. Morillo was profiled. And I could immediately see he was the prototype of a litigator that applied an entrepreneurial mindset, daily business development discipline and client relationship excellence to put his success under his own control. Everything we coached and trained litigators to do, Mr. Morillo was excelling at - taking the lessons we teach and applying them at the highest performance levels.

So, I called him up the other day. He agreed to be interviewed for this article and be the subject of our upcoming web seminar.

Here are the lessons that you can apply from Mr. Morillo to grow your own practice.

Lesson 1: Think and Act Like An Entrepreneur

Morillo didn't hesitate: "In my early days, I could see that there were a lot of talented people at the associate level at Sidley and Austin. I became determined to build my own practice since this was the fastest and surest way to make partner. I started developing my own clients early on and haven't slowed down since."!

In fact, his entrepreneurial ambitions led him and his team to join his current firm as a partner in 2007: He noted, "About 60% of my work is defending white collar clients from government investigations and conducting internal investigations, and 40% comes from defending clients from class actions often related to these investigations. At my previous firm, almost all of this work was US-based. And I had a strong desire to do this work on an international level because I find this cross border work to be fun and interesting. Also, there is a great need for this service among clients I serve; so it represents a strong practice-building opportunity. And there far less competition for this work; it is almost a vacuum."

"Since there were some obstacles to doing this international work at my previous firm, I decided to join Clifford Chance as a partner in 2007 (along with a team of 2 other partners). They were excited about the possibilities of this practice and committed to quickly integrating this capability into the firm. They also have a leading position in Europe, so it was a natural fit," Morillo said. "All of my clients followed me to my new firm. So, this expanded international service capability offered by Clifford Chance has been a big boost for me in terms of serving these clients on a cross border basis. We have a depth and breadth of international coverage that is hard to beat."!

Lesson 2: Avoid Being A One-Trick Pony In The Eyes Of Your Clients

Morillo said, "Most of my white collar competitors focus largely on the white collar defense from various government investigations or the internal investigations – since many are former prosecutors and not business lawyers. So, once these investigations are ended, they move on – and lose the benefit of both understanding the client's business and leveraging the personal connections at the client, as well as failing to take advantage of the goodwill created from a successful result.

"This is why I got into the class action defense arena - many of the white collar defense matters evolve into some form of class action matters".

"I also stay attentive for implications across all the areas I work on; so the client knows that I offer a broad scope of services. These areas include accounting, financial, securities, and tax fraud; bribery; antitrust, environmental, FCPA, OFAC, FCA, and immigration violations; Racketeer Influenced and Corrupt Organizations Act (RICO), fraud, tort, contract and other civil claims

"I also team up with partners who offer closely related services and cross market them intently to these clients, he said. For example, often corporate governance issues arise in the course of my work so I introduce corporate partners to address these issues. Also, the client often needs the help of partners who are expert in regulatory matters – or perhaps a fraud specialist.

"With this broader set of solutions for clients, I am better positioned to be a business advisor with ongoing value that I can provide to the client, rather than being pigeon-holed as solely a white collar defense guy. And it differentiates me from the other litigators trying to land and serve the client."

Lesson 3: The Purpose of The Current Matter Is To Find Follow On Opportunities And Launch An Ongoing Relationship

Morillo said, "When I am working on white collar defense or class action suits, these are crisis situations for my clients. And in these engagements I am often working with board members and a range of the senior executives at the client. While I am focused intently and solving the problem at hand, I am also reflecting on what I am learning and what the broader implications are for the client. I also think about what I learned about each of the individuals I met. As the matter progresses, I keep a running list of value-added ideas that I can leverage to benefit the client and extend the relationship. And, as the matter wraps up, I make sure that I have an action plan to immediately follow up with the right people at the client."

Lesson 4: Seek To Institutionalize Client Relationships

According to Morillo, "I see myself as being in the relationship building business. When I land a matter with a new client, my whole goal is to institutionalize the relationship – which means that we want to earn the right to have an ongoing and expanding working relationships with those clients. So, what does this look like?

"Let's look at a large insurance company I serve. I started off working with them on a high profile matter related to a hurricane claim in 2003. In a dispute with a customer, a criminal investigation was initiated against the company and senior executives in Mexico. After the matter was resolved successfully, I started to proactively expand the relationship by offering value-added ideas and made myself available for advice/counsel -- not all of which I charged them for."

"For example, I attended their internal legal retreats; found opportunities to meet the senior executives in a number of their business lines; and encouraged them to call me for informal consultations on internal investigations and other matters. I monitored their business and picked up the phone when I saw a business issue that I could address."

"When they engaged me for a small matter in a new area, I treated it like a big engagement (within reason). In other words, I invested in the relationship, proactively provided value added service (often free) and persisted in cultivating personal connections within the client's organization. As needed, I introduced my fellow partners to the right people at the client. Over the years, I have invested hundreds of hours in this fashion, but the payoff in terms of long-term, profitable and business advisor based relationships has been profound."

Lesson 5: Intensely Market Internally and Enthusiastically Cross Sell (and be at the right firm)

Morillo said, "My work basically comes from 3 sources. Most is generated from selling additional work to my existing clients. The second biggest source is from my fellow partners (and the rest from referrals from attorneys outside the firm).

"Since my fellow partners are so important to my practice, I basically treat them as if they were clients. This means that I market, sell and manage relationships with them just as I do with clients. I follow up enthusiastically on any opportunity they refer. I look for all opportunities to integrate my business development thrusts with other practice groups and client teams at the firm.

"Clifford Chance has been exceptional at integrating us into the firm. I was immediately introduced into 14 of our largest institutional clients and invited to speak/network at numerous firm-sponsored client conferences, as well as practice group and partner retreats. They have provided us with a generous budget to facilitate meeting with firm clients and meeting with partners to define mutual business development initiatives. In fact, I traveled more extensively international in the last year and a half that I did in my entire career previous to joining Clifford Chance.

"As I mentioned earlier, all of my clients followed me to my new firm – and these relationships are still very vital. However, 50% of my business comes from clients where this work was facilitated by one of my fellow Clifford Chance partners. In turn, I work very hard to reciprocate by introducing my partners to new contacts for them -- its an ideal situation that benefits the entire firm -- and importantly -- the clients we serve."

Some Parting Advice From Juan Morillo To Fellow Litigators

I wrapped up the interview by asking Mr. Morillo for the bottom line advice that he would have for fellow litigators, especially for younger attorneys looking to make their way in the profession. Here are the tips he provided:

- *Treat any introduction from your partners or colleagues outside the firm as high value:* "Since I consider these referral sources as clients, I follow through enthusiastically with their referrals; even though the payoff may be long term. In fact, maybe only 10-25% of these will be good opportunities, but I want to keep the referrals flowing."
- *Everything begins with producing good results for clients through excellent work and service:* "But the relationship building effort only starts there. Finding direct follow-on work, looking for business issues where you can add value and investing your time and attention on the client over time is equally important."
- *You have to earn your clients' business and ongoing loyalty.* "For example, I never market myself as a minority or diverse attorney. I earn their business on merit, hard work and pro-activity. If my international perspective, cultural knowledge or bi-lingual capability is an asset to a client, then it matters."

About the authors: Michael Cummings and Barry Schneider have worked with industry leading professional firms as trainers, coaches and business development consultants. They have built the entrepreneurial skills of thousands of professionals at hundreds of firms – including personal marketing, building a network of allies and cultivating relationships with customers. They are award winning instructors, best selling authors and world class public speakers for both associations and in-house. Write us at mcummings@sageprofessional.com or call 630-572-6798.

Rainmaking Lessons From a Top Woman Litigator

by Michael Cummings and Barry Schneider
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When Sharla Frost was graduating from her high school in a small town in Oklahoma, her high school guidance counselor advised her to become an administrative assistant because that was the best job that a woman could aspire to at the time.

Then fate intervened when a school teacher (who was a retired attorney) encouraged her to pursue the legal profession as a career. He told Sharla, "Instead of becoming an administrative assistant, you should have an administrative assistant working for you". Now, thanks in part to this man's advice, she is a successful attorney who co-founded her own firm.

Today, however, many women attorneys face a similar choice in the profession. You can have a nice job – and depend on others to feed you the work you need in your career. But, this leads to dependency and limited options.

Or you can decide to control your own future in the profession by 1) developing an entrepreneurial mindset and daily work habits and 2) building the skills you need to develop business effectively.

So, let us see how Sharla built her practice and what lessons that we can all apply from her experience.

The Starting Point

Today, Sharla Frost is the managing partner of a firm that she co-founded in 1994. She focuses her practice on products liability and mass tort litigation, including toxic exposure, pharmaceutical products, medical devices and industrial products allegations for Fortune 50 and 100 companies across the United States (including Pfizer and Georgia Pacific).

But, when she co-founded her firm in 1994, she personally only had one client that she had worked with as an associate at Fulbright and Jaworski that followed her to the fledgling firm. In addition, for years, she had been in court and handled important cases for significant clients. But, nobody that she targeted as a client really knew anything about her track record and capabilities.

So, she was co-founding a firm with essentially none of her own clients and a limited professional reputation? Guess what, this may sound familiar to a few of us. Many

attorneys embark on their business development journey with only a client or two and a limited reputation. It is certainly common for young attorneys to find themselves in this position early in their career. So, don't despair and let this hold you back. Just get to work like Sharla did and start to see similar results.

The Lessons Sharla Learned

Right from the start, Sharla learned some lessons that we can all apply:

- *Find your driving motivation:* "Basically, I wanted to own my own work. And I was willing to take the risks needed to do so. And my business partner knew how to land clients and wanted to take his practice to the next level. So, we were both hungry and complemented each other well"

The Lesson: Business development is up to you and requires you to go the extra mile. What will motivate you to make the time and follow through? What does success look like to you? What type of clients and nature of work gets you stoked up? Why is it truly important to you as an individual? Without something personally fueling your desire to do business development, the other pressures you face will always get in the way. Also, team up with ambitious, entrepreneurial professionals and co-market with these allies.

- *Major in understanding clients:* "From my earliest times at Fulbright, I realized that we were only in business because clients hired us and paid us. So, I volunteered for any client-centered activities and responsibilities that I could find. I found that I related well to clients and prided myself on service, work planning, responsiveness and teaming"

The Lesson: Rainmakers see the world through the eyes of the client. As a result, they understand their client's business and personal priorities and drive their business development initiatives based on this understanding. Read the article from Charlie Miller, Deputy Managing Partner of Patton Boggs from the October 2007 issue of ***Originate!*** (www.pbdi.org/Originate) For example, he says that: "*We teach our attorneys to operate on the premises that the client's business is our business, its capital is our capital, its obligations are our obligations, its failures are our failures and its successes are our successes. We operate as though our livelihood depends on the success of our client's business. Because it does.*"

- *Ride the wave you are on:* "I was specializing in asbestos defense for Corning and pursuing other product liability cases opportunistically. Eventually, I was able to extend my practice into pharmaceutical products, medical devices and industrial products because clients realized that I brought my experience in planning the

strategy and work, as well as executing in a way to solve the problem".

The Lesson: Your goal in business development is to clone your best existing clients. Ask yourself, who do I have to meet and what do I have to do in order to land the next 2-3 ideal clients? Then, do it.

- *Plant seeds with big clients:* "It took me over 10 years to land Pfizer as a client. You need to be patient and persistent. Keep nudging things along until the right opportunity blossoms."

The Lesson: Business development requires a long term perspective. And the secret is to stay active each and every day by taking 2-3 actions that can lead to new business for you. But, realize that the payoff may take awhile for any individual client -- because you have to get to know the right people, explore their needs, make them comfortable with your expertise and wait for the right need to come along. But, staying at it demonstrates to the potential client that they are important to you. Keep building the personal relationships even if no immediate work is evident.

- *Find needs or move on:* "The whole key to selling is to find a business need that you can help the client solve. Too many attorneys confuse selling with self promotion. It is really about finding the need that creates a reason for you and the client to work together. Also, if you don't find a need that doesn't mean that you have failed. Instead, it means the client doesn't need your help right now."

The Lesson: In our business development training, we teach professionals to sell as if they are a business doctor. You are simply asking questions and listening until you identify points of business trauma. When you find out where it hurts, you then can prescribe a solution. To learn more about this approach, download the free chapter from the SAGE Sales Mastery System:

www.sagelawmarketing.com/salesmastery.

- *Your reputation must be built by you:* "Your professional reputation must be built a step at a time. I often hear attorneys say that they expect clients to call them based on the top notch work they do. Unfortunately, this really doesn't happen. I always ask myself who are the next 2-3 people that I must meet and figure out how to make that happen. And that is how the word of mouth advertising spreads."

The Lesson: Your reputation is built by the people who know you and what they say about you. And, unless you ask, clients won't tell others. So, you must have a reputation building plan to both a) activate the people you already know to

introduce you to potential clients and b)! find ways to showcase your skills as a business advisor to your prospective clients.

- *Always be cross marketing and cross selling:* "You always want to be a *go-to* resource for a client or prospective client, even if the immediate need is not something that you can do personally. This positions you as their business advisor and problem solver. You get the first call when they need an answer or require some help."

The Lesson: Don't be narrow or selfish in your business development. Ask your client what is at the top of their management agenda and why. What is keeping them from achieving these priorities? What kind of help do they need? Also, broaden your network of relationships within a client organization. Get to know all of the different ways that you or your firm can help.

- Turn down work and clients that are not a good fit: "Prospective clients are like shoes. When you run across one that doesn't fit, you let someone else have them. I recently met with a prospective client who had an immediate need for help. While we could do the work, it wasn't our strong suit. So, I connected her with another attorney I know who was better qualified to help and it was a win all the way around."

The Lesson: Sometimes turning down the wrong type of work for you is the best marketing that you can do. But, always look to help the client to find the right attorney.

What You Should Do

Sharla's firm is a woman owned business (5 of the 7 partners are women). So she actively coaches and reviews the business development efforts of the women at her firm. And she is a frequent speaker at business development conferences from women attorneys.

Based on this experience and her own successes, she suggests that attorneys take the following 4 steps:

- Do a self assessment and define your personal value proposition: Write down a statement of why you are valuable to the ideal clients that you are targeting. Make sure that you go beyond your knowledge of the legal subject matter. How do you help clients make decisions? Plan work? Communicate? Frame problems?
- Realize that your marketing plan is your to do list: You can have the best ideas and intentions to grow your practice, but your other work can always get in the

- way. You have to identify 2-3 business development actions on a daily basis and schedule the time on your calendar to do them. Track your business development time as if it were a client matter. Be accountable for the level and consistency of your business development effort.
- Learn how to market, network, sell and manage relationships: These are all skills that you can learn. So invest your time to become adept and comfortable. Get training and coaching. Find a mentor. Learn by trial and adjustment. Hang around entrepreneurial professionals in other fields. Take a rainmaker to lunch and pick their brain. Buy books and CD's.
 - Don't let yourself become over-eager or desperate Don't participate in events that make you uncomfortable or chase work that you don't really want. Find things that you like to that can lead to business.

Let us give Sharla the last word. "To put it as simply and plainly as I can, I believe that business development is now an essential professional skill for most attorneys who hope to practice law long term. And the good news is that most people can learn how to do it well".

About the authors: Michael Cummings, Allan Boress and Barry Schneider have worked with industry leading professional firms as trainers, coaches and business development consultants. They have built the entrepreneurial skills of thousands of professionals at hundreds of firms, including personal marketing, building a network of allies and cultivating relationships with customers. They are award winning instructors, best selling authors and world class public speakers for both associations and in-house or call 630-572-6798.

Thomas Goldstein: Your Personal Marketing Role Model

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Co-Author: Best Practices In Building Your Professional Network For Attorneys
http://www.sagelawmarketing.com/networking_book.html

In this article, our mission is to help attorneys to realize that marketing, selling and relationship management are now essential skills that you need to develop in order to succeed in today's legal profession.

If you master these skills, then you can choose the clients that you want to work with, do the kind of work that you desire and control your own career success.

But, don't believe us. Instead, believe the example of Thomas Goldstein. Who is he? I didn't know either until a couple of weeks ago.

I was reading the *Wall Street Journal* (March 3rd, 2006) and saw a brief blurb on his appointment to become the head of the Supreme Court practice group at the prestigious firm of Akin, Gump, Strauss, Hauer & Feld: at the age of 35 (Note: He has been an attorney for about a decade).

I assumed that he was a former member of the Solicitor General's office, a high ranking government official, member of a similarly prestigious law firm or a scholar at one of the top law schools

Instead, I found out that he was an entrepreneur who started and was running a 3 person law firm out of his home. From his earliest days as an associate, he basically marketed himself to become an industry leading Supreme Court practitioner. And he succeeded despite the fact that he didn't have the requisite legal pedigree. In fact, he is currently representing over 10% of the cases on the Supreme Court docket and nobody else is even close.

By doing some further research (i.e. Legal Times, March 6th, others), I learned that through focus and aggressive marketing, he leap-frogged to the top of his chosen field in record time:

- As an associate at Jones Day in his mid 20's, he decided to target Supreme Court cases as his area of specialty
- By analyzing some patterns, he was able to target the type of cases that were likely to end up in front of the Supreme Court
- He began to proactively, aggressively and directly market and sell to attorneys (and litigants) who were handling those cases

- He aligned himself with the Stanford and Harvard Law Schools and took on high profile pro-bono cases to build a track record
- He built a personal reputation that attracted clients through publicity, speaking and publishing his widely read Blog.

As a result of this marketing, he built the kind of professional reputation that we all desire. He argued his first Supreme Court case at the age of 29. And he served as second chair on the case of ***Bush vs. Gore*** after the 2000 presidential election. Over the past 6 years, he has argued over 16 Supreme Court (again, he is only 35). He has been recognized by numerous publications as a mover and a shaker. For example, American Lawyer named him as one of the top 45 attorneys under the age of 45 in the country.

And now, Atkins Gump just won out in a bidding war for his services. According to a press release, the chairman of the firm said, "Tom has argued more cases before the Supreme Court than all but a handful of senior practitioners and veterans of the solicitors general office. His experience is invaluable to our clients." In the Legal Times article, the chairman said, "This is an answer to our prayers".

Applying The Personal Marketing Lessons Of Thomas Goldstein In Your Own Practice

One lesson that we emphasize in our training is that the proven personal marketing success of rainmakers leaves clues for the rest of us. *Simply put, if you want to produce the same results as Thomas Goldstein then you have to start doing the same things he did.*

So, to become a marketing all star this year, apply the same 8 simple (but not easy) lessons that Mr. Goldstein used.

1) Find and focus on your niche

Supreme Court cases were Mr. Goldstein's passion even before he became an attorney. As a producer for National Public Radio, he followed the Supreme Court intently. Once he became an attorney he decided that this was the type of law he loved and was determined to practice it.

Decisions you must make in 2008

- a) Who are the ideal clients that you want to attract?
- b) What specific business "trauma" do you solve for these specific clients?

2) Define your value proposition for these specific clients

Mr. Goldstein became an expert in what it takes to successfully argue before the Supreme Court. Winning and losing in the Supreme Court comes down to providing detailed, bullet proof answers to very narrow legal questions. And the Court has a very

specific analytic approach that it requires. His approach was to offer other law firms the chance to resolve issues for their clients before the Supreme Court when they thought all was lost. And for no cost.

Decisions you must make in 2008

- a) What results do these ideal clients desire?
- b) What qualities, capabilities and experience are essential to delivering these results?
- c) What proof points can you point to as evidence of your personal capabilities?

3) Start NOW, even if you are an associate

Even as an associate at Jones Day, Mr. Goldstein was exploring how to build a Supreme Court practice. While he was working on other cases, he was researching who and how to target for potential Supreme Court cases. He didn't ask for permission from anybody to do this and put in the extra work on his own time. But, he was always working towards his precise goal.

Decisions you must make in 2008

- a) Who can be your mentor or coach in developing your personal marketing plan?
- b) What are reasonable steps that you can take this week and this month to get started?

4) Act like an entrepreneur

At each stage of his career, Mr. Goldstein was in eager pursuit of the resources and platform he needed to succeed. For example, he knew that pro bono cases could provide a quicker route to the Supreme Court until his track record and marketing efforts landed sufficient paying clients. So, he started his own small firm on a shoestring to be able to personally take on the pro-bono cases.

Decisions you must make in 2008

- a) What are the most immediate areas of success that you can pursue (e.g existing clients)?
- b) What are the right next steps you can take to land these matters?

5) Make marketing a personal contact sport

Essentially, Mr. Goldstein directly (and aggressively) courted clients with active cases heading towards an ultimate hearing with the Supreme Court. He marketed by calling or e-mailing the attorneys (or litigants); or finding a way to get introduced to them. His success proves three essential personal marketing rules. First, clients hire people not firms. Two, when clients have points of pain they look to experts. Three, you have to be aggressive and proactive in going after these matters by getting in front of the decision-makers either face to face or over the phone.

Decisions you must make in 2008

- 1) Who can introduce you to your ideal potential clients?
- 2) What other ways can you get in face to face contact with your ideal client base?

6) Ally with others to enhance your credibility

Mr. Goldstein first joined the law firm of David Boies to get exposure to Supreme Court work. Later, he teamed up with both the Stanford and Harvard Law Schools to teach Supreme Court law. These alliances provided the prestige and professional affiliations that qualified him as a true expert.

Decisions you must make in 2008

- a) Who should you be working with as an ally?
- b) How can you help each other?

7) Become a celebrated expert in your niche

As a former journalist, Mr. Goldstein leveraged all forms of media to get his value proposition in front of the right people (litigants, general counsels). He also committed to a steady schedule of high profile speeches and joined the right organizations. He made sure that people knew his story and unique value that he provided.

Decisions you must make in 2008

- a) What marketing channels can get you noticed by your niche?
- b) What one or two selling points do you want to focus on in your speeches, articles and word of mouth advertising?

8) Use web-based marketing to attract clients

One of the most important marketing tools that Mr. Goldstein leveraged was his Web Blog.: ScottUS. It has become the most widely read source for news on the Supreme Court and one of the prime ways that a small, start up boutique firm of 3 people was able to position their firm as top experts.

Decisions you must make in 2008

- a) How can e-mailing, buzz marketing, Blogs, podcasts and web-seminars be incorporated into your personal marketing plan.

Jumping To The Top Of Your Chosen Field

On the one hand, you can look at Thomas Goldstein's story and say that it is a fluke. And many attorneys will choose to do so. And continue to produce the kind of results that they are producing today. For many attorneys, this approach is just fine.

But, I believe that Thomas Goldstein's approach is not a fluke. In fact, I think it increasingly represents the future of the profession. Personally, I have seen dozens of attorneys produce similar results in the same way. Like Mr. Goldstein, through a combination of niche focus, an entrepreneurial mindset and dedication to ongoing, aggressive marketing, these attorneys have realized the promises of:

- 1) Working with the clients they want to
- 2) Doing the type of legal work they enjoy
- 3) Controlling their own career success
- 4) Building the kind of reputation that attracts the best clients

Its up to you. Learn how to market and sell, put in the work and leap frog to the top of your chosen field. Please realize that taking the long, slow path to (hopefully) get to the same destination will be increasingly risky. More and more, attorneys, like Thomas Goldstein, may have already beaten you to the top.

In 2008, Stop ...

- 1) Being generic:** many attorneys look, act and sound just like their competitors
- 2) Being invisible:** your ideal clients need to know who you are and why they should work with you
- 3) Being irrelevant:** Be crystal clear about the qualities that make you the best choice for your ideal prospective client.
- 4) Networking and marketing in the wrong places:** Don't end up marketing yourself in places where there are few of your ideal clients
- 5) Failing to develop a team of professional allies:** your best leads should come from a team of allies that act as your marketing and sales force.
- 6) Networking randomly:** most attorneys waste time networking in the wrong places and in the wrong way
- 7) Focusing on low quality opportunities:** Don't chase business that is not interested, not qualified or pre-disposed to work with somebody else.
- 8) Selling instead of interviewing:** Don't spend your time talking, pitching and

convincing - instead of doing what customers want: interviewing, listening and consulting.

About the authors: Michael Cummings and Barry Schneider have worked with industry leading professional firms as trainers, coaches and business development consultants. They have built the entrepreneurial skills of thousands of professionals at hundreds of firms – including personal marketing, building a network of allies and cultivating relationships with customers. They are award winning instructors, best selling authors and world class public speakers for both associations and in-house. Write us at mcummings@sageprofessional.com or call 630-572-6798.

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