

LSSO's 2014 RainDance Conference

General Counsel Panel Questions

ROUND ONE

Word Association: Each panelist will be asked to “free associate” with just one or two random words/concepts tossed at them having to do with legal practice/marketing.

Words to associate: (to be delivered on the spot)

Multiple Choice (MC): One of your valued outside counsel offers you free annual visits solely for the purpose of learning more about your business to serve you better. You are: 1. Favorably impressed; 2. Either Indifferent or Ambivalent; or 3. Bothered about why this person wants to know more about my business.

True or False (T/F): If someone is **not** a super lawyer then I hesitate to hire them – something must be wrong w/them.

T/F: **Generally** speaking, the work of 1st year associates is not worth paying for

T/F: **Generally** speaking, 1st and 2d year associates are NOT adequately trained

T/F: In some or all matters, I have instructed law firms that I won't pay for 1st year work

T/F: I **prefer** to like the person I am hiring.

T/F: I **must** like the person I am hiring.

MC: You don't like a lawyer's work product or their attitude or their service. Do you **most often**: a. speak to them about improving; or b. just stop working with them and find a better lawyer?

MC: With regard to lawyer profiles, law firm Websites generally have: a. too much information; b. too little information; c. about the right amount of information; or d. I don't care about the total amount of information - just whether I can find the relevant information I want.

MC: With regard to practice group descriptions, law firm Websites generally have: a. too much information; b. too little information; c. about the right amount of information; or d. I don't care about the amount of information – just whether I can find the information I want.

MC: Law firm leave-behinds should generally be: a. two pages or less; b. 4 to 6 pages; c. more than 6 pages; or d. I don't care about length as long as the information is relevant and helpful.

T/F: Generally speaking, I am or would be receptive when my legal providers ask me how they are doing and how they can improve.

MC For a service survey, I would generally prefer: a. filling out a written form; or b. getting an in-person interview (assuming that both take equal time).

Yes or No (Y/N): A lawyer you rate highly comes to you and says: “I have a partner who is great at X. I would love it if you would allow me to introduce them to you at lunch or dinner”... would you bite?

Content marketing:

T/F: I regularly read one or more law firm newsletters or client alerts.

T/F: I regularly read one of more law firm blogs.

T/F: Law firm brochures and leave-behinds **generally** offer little or no value

T/F: I have hired someone or asked them for more services as a result of content they published.

Efficiency and Value:

T/F: the billable hour model creates perverse incentives

T/F: the billable hour model will be replaced by project billing and other alternative billing methods

T/F: associates sometimes do work that could be delegated to paralegals

Understanding the client's business:

T/F: outside lawyers **generally** make strong efforts to learn about a client's business and industry

T/F: outside counsel **generally** understands the importance of industry context to legal strategy & decision-making.

Following the client's instructions:

T/F: I often or always use an engagement letter with my own instructions to law firms about how they are to bill me and provide services, spelling out what they can and can't do.

T/F: I have audited law firm invoices to check bills for compliance with hiring instructions

T/F: I have used e-billing software to check bills for compliance with hiring instructions electronically.

T/F: I have fired or stopped working with outside counsel because they ignored my hiring instructions.

ROUND TWO

One sentence answer: What is the service issue most likely to get a lawyer fired or dropped from your outside counsel list? Ask for at least 2 panelists to volunteer an answer.

One sentence answer: Name one real life, actual service issue that caused you to fire a lawyer or simply stop sending work to them? Anyone? Volunteers only.

One sentence answer: What is the single biggest thing most often missing from RFPs or request for work submissions? Anyone? Volunteers only.

One sentence answer: What do you wish to hear in sales pitches that you NEVER or RARELY hear? Anyone?

One sentence answer: You need a new lawyer in an area you have never or rarely handled – how do you find them?

One sentence: Someone who has never met you thinks that they can serve you well and would love to have you as a client. Honestly, what is the best way for that someone to get through your door?

One sentence: Other than by watching their bills, how do you assess outside counsel, either formally or informally, and how do you decide whether to send them more business, less business or no more business?

MC: Rank from 1 to 3 the importance of the following in an outside lawyer (**assuming all other things being equal**): A. industry knowledge and understanding; B. Super Lawyer status **and** high ratings by Chambers; 3. materially lower hourly rates.

Y/N: With regard to hiring a law firm, I would be interested to know how the firm uses technology to improve their product quality, cost or delivery speed to clients

Y/N: With regard to hiring a law firm, I would be interested to know whether a firm has systemic associate training for service and performance, and what the training consists of

Y/N: I would give plus points to a law firm that has a service pledge if that pledge addressed concerns I have, such as returning all calls within X hrs or doing project-based billing, etc.

Y/N: I would give plus points to a firm for alternative fee flexibility

Y/N: I would give minus pts for lack of willingness to do alternative fee arrangements

Y/N: Generally speaking, I would give a lawyer bidding for my business plus points for being in a firm that has undergone a process improvement program, such as six sigma training

Y/N: I would give a lawyer plus points for being in a firm that has undergone systematic project management training

Let's talk about diversity as a hiring issue. One word or one sentence answers: Should firms pitch their diversity commitments and diversity performance when seeking your business, or should they just quietly walk the walk and you'll notice?

ROUND THREE

Briefly describe a legal service experience that "wowed" you in a positive sense, such as better than expected results on a major assignment that came in ahead of schedule and under budget. Any volunteers?

Briefly, without naming firms, describe a legal service experience that ticked you off and/or got the lawyer fired? Any volunteers?

In less than 30 seconds, describe a law firm newsletter, blog or client alert you like and tell us why? Anyone?

Can anyone name a specific content publication of a law firm that you like and briefly tell us why?

Can anyone describe a sales visit or RFP that really blew you away and caused you to hire counsel?

Can anyone describe a sales visit or RFP that you immediately rejected in your mind because it was so repugnant & briefly tell us why?

Can anyone give us an example of a non-legal service that you love (your auto mechanic, your dry cleaner, whatever) and tell us why you love that service?

ROUND FOUR

A law firm you work with a lot has been in the news lately, and not in a good way. Either partners were caught "misbehaving" in the workplace, or the firm was sued by clients for conflict of interest or overbilling, or some of the lawyers made stupid statements in social media. Generally speaking, whatever it is, do you want your relationship partner to proactively ask you if you have any questions or concerns related to the bad news, and address them with you, or is that too negative and defensive?

MC: If a lawyer list their hobbies, passions or personal interests on their profile, I consider that: a. nice to know; b. irrelevant to me; or c. a negative factor

Y/N: I would like to see some quantification of a lawyer's experience? i.e., number of cases tried to verdict, number of transactions closed by kind, or number/percentage of times they have come in under budget or projection

Y/N: I would like to see specific industry experience on a lawyer's profile

For those who would like to see industry-specific experience, how do you respond to a lawyer who says, "But if I don't put your industry down, you won't consider me?"

An outside lawyer you like asks you to help him or her to write a better profile for the web or for a brochure... he or she has all the usual stuff, such as practice areas, years of experience, schools, awards, publications they have done... What else do you want to see that is often missing?

What innovations have YOU come up with for improving efficiency and service in-house?

How do YOU "sell" yourself to in-house business managers who need to trust you to let you into their departments and share their forward-looking plans with you?

On average, do you think the associate or the partner will deliver more value for the price?

In general, for routine transactional work, do you prefer: a. hourly billing; b. flat fee project billing; or c. hourly billing with a pre-determined cap based on the transaction

T/F: I would consider paying a bonus to a law firm for satisfactory legal work that closes a transaction or resolves a conflict ahead of schedule or ahead of expectations.

ROUND FIVE

Vicki: I understand that you are very concerned about budgets and estimates. Can you briefly tell us why, and tell us how some outside lawyers are falling short on providing budgets and estimates?

Lydia: Your enterprise is very visible to the public, and depends heavily on public support at the ticket gate and elsewhere. Can you tell us a little bit about the importance of your outside lawyers being good will ambassadors, as well as reliable counselors?

Tom: I know from our conversation that you have a hot button issue that relates to sales pitches and preparation for meeting with you. Can you tell us briefly how some law firms are failing in that regard?

Jason: Can you tell us your biggest legal *marketing or sales* issue that you experience with law firms?

Vicki: As a former business manager in charge of customer service, you have mentioned the importance of delivering a timely legal solution or answer when promised, or declining business if the bandwidth is overstretched. Can you elaborate on that for us?

Lydia: You have mentioned to me that too many law firms express discomfort with mere consideration of alternative fee arrangements. Can you tell us about some of the arrangements you sometimes seek, and why those arrangements are important to your enterprise?

Tom: You have held the office of president and CEO for a medical device company. Can you briefly tell us how that experience influenced your thinking about what CEOs want from lawyers as service providers?

Jason: You work for a company that deals with engineering, manufacturing, technology, patents, sales and marketing. What kinds of recurring legal service issues does that environment create for you which you might describe as “hot buttons”?

Vicki: I know that you particularly value lawyers who understand your business and your industry. Can you succinctly summarize why this is important to you and your company?

Lydia: You mentioned that lawyers can favorably impress you by looking at the ramifications of a legal issue beyond the narrow scope of their specialties. Can you briefly explain what you mean and how this helps you?

ROUND SIX

15 minutes of audience and/or panelist generated Q&A