



## **Branding and Internal Client Feedback Programs: Legal Departments Set Strategic Examples for Law Firms to Follow**

**By Merry Neitlich**

Should law firms think in terms of branding? Should law firms commit themselves to client feedback research? Should law firms do X or Y or Z?

What law firms should do is pay close attention to the needs of their legal department clients. They'd learn something for sure.

### **Invest in Brand Equity**

Richard (Dick) Mosher, former Associate General Counsel and Assistant Secretary of Maytag, has a thorough understanding of marketing and brand development, no less decisive a component of the professional services, including legal services, than of dishwashers or vacuum cleaners.

“Even though we don't give out large amounts of work to most of our outside law firms, they like working with us because we have a great brand—its 'quality.' We are a quality company and it feels good to many of our service providers to have us on their client list,” Dick told me proudly.

“Some large law firms do not understand that the brand essence they communicate to our legal department is, 'We do not return phone calls promptly.'”

“Large firms have tried to cross-market to me by telling me they have a great corporate department or litigation department, essentially saying, 'You have been using our litigation services for years; it's about time you started giving us your corporate work!' But how does that benefit Maytag or our legal department? Wouldn't it be more productive for both the law firm and Maytag if instead they *asked* what our corporate needs are?”

“Maytag's brand impacts our [legal] department a lot. Our brand essence proudly says, 'We are a 100 year old company — we are not the biggest or least expensive but we are quality — high-end.'”

“During the past fifteen years, we acquired Jenn Air, Hoover, Admiral, and Magic Chef. At first, we kept our name and brand away from these new products. Recently, we have had a cultural shift in our corporate thinking. We want our brand equity to rub off on them... ‘If it’s made by Maytag, it must be well built.’ We are now trying to leverage our brand.

“The connection to law firms is simple. What is their brand? Just because they provide good services to us in one practice area, why do they think that automatically equals a cross-referral to another practice group? Cross-marketing in a vacuum does not work. A law firm needs to have a distinction or brand essence that spills over into other practice areas. A firm should ask me how to prove its merits in another area based on our current needs.

“It’s fairly simple. Ask me what is important to me in the delivery of legal services in the new practice area. How can the firm deliver these new services to me in an innovative way? The firm needs to show me why and how they are different and better.

“What’s unique about this practice group that the firm is trying to cross-market to me? What is unique in regard to staffing, technology, service, pricing, value-added? Law firms need to dialogue with me about these issues. This is how a law firm or new practice area can ‘brand’ itself in my eyes.

“Financial analysts predicted record-breaking receipts for Maytag for a second consecutive year. Why? We keep expanding our brand of ‘quality’ and listening to our customers.

“We are selling a new washing machine offered by Hoover called Wind Tunnel. It is revolutionary. It uses about a tenth of the water and electricity of traditional washers. We recently put one in the home of every household in a small town in Kansas. We had the Department of Energy measure the water and energy savings. Now that is branding. We are continuing to demonstrate quality in unique ways to show why and how we are better in ways the customer wants it. We know because we ask them.

“I don’t think I am alone in saying that no law firm has ever come to me offering its brand essence this way while responding to my needs. This is what law firms should learn about branding and selling their services,” Dick concluded.

### **Implement Client Feedback Initiatives**

The legal department of a Fortune 500 company became quite introspective in 2001. Under the leadership of its Senior Vice President and General Counsel, this department of fifteen attorneys decided to ask their internal clients at the company how their services were being viewed and what the department could do to improve upon them.

During the first quarter of 2001, thirty Company executives and high-level managers were interviewed. The majority of the interviews were held in person in Chicago at corporate headquarters. The remainder of the interviews was conducted telephonically throughout February and March. All participants also filled out a short-answer, continuum-based questionnaire (fourteen questions). This combined information provided expository and individual data as well as trending and statistical metrics.

The overall feedback was quite positive as the interview process yielded an unusually high number of specific areas in which services were perceived as very strong. The results also highlighted areas that needed improvement or increased communication.

Over 90 percent of the respondents offered complimentary comments such as, “The legal department...

- provides strong business advice with pragmatism.
- is very proactive.
- is hard working.
- is very responsive.
- adds great value.
- provides exceptional levels of service.
- is comprised of well-respected attorneys.

Almost to the individual, respondents reported that the attorneys in the department were caring, friendly, and concerned. The attorneys were also perceived as providing valuable information while being dedicated to their clients’ individual projects. Legal services were also viewed as having significantly improved over the last five years.

But most of those interviewed felt that the attorneys were stretched thinly to their limits. As such, some individuals requested the department to explore options for improving response time to better handle their questions and matters. There were numerous requests from individuals for more time with the attorneys to conduct planning and brainstorming sessions. There were a variety of responses that addressed the need to improve the department’s public relations and internal communications.

Though most respondents felt the attorneys worked to structure win-win solutions to legal problems, more than a few wished the attorneys would continue to expand their knowledge of their particular Operating Group’s legal needs. Some interviewees wished that the attorneys would increase their ability to help them achieve certain specific business goals as well.

Based on the feedback, the legal department identified the following areas in which they might improve upon the delivery of their services.

1. *Communication Strategies:* The legal department should consider mechanisms that will increase communication with all its clients. Strategies might include:
  - An electronic newsletter that provides updates on projects being worked on for the corporation.
  - Setting up a more formalized email response system to keep each client/Operating Group informed as to the status of specific projects.
  - Meeting with each Operating Group to develop specific strategies that will assist them in a more global, big-picture fashion.
  - Obtaining more feedback from each Operating Group to plan future services and budgets.
  - Creating a mechanism, such as a binder or a brochure, which will delineate the areas of expertise of each of the attorneys. This communication piece will also offer suggestions for streamlining services.
  - Making a presentation to each Operating Group to share the findings on how this client feedback process may affect each specific Operating Group.

2. *Workflow Options:* Many comments indicated that the attorneys were “very stretched” for time. While conscious of budgetary issues, the department might review the attorneys’ time allocations and usage, and explore options to provide more time for individual clients.
3. *Human Resources/Employee Issues:* The legal department should consider working with Human Resources to analyze the employee evaluation process. Comments from interviewees highlighted several instances where employees needed to be terminated. The current employee evaluation process made it cumbersome and, in some cases, actually very difficult to terminate employees. The department should consider exploring alternative processes.
4. *Outside Law Firms:* The department should consider examining, in greater detail, how it deals with a specific law firm. This process may include an evaluation and possible restructuring of the legal department service guidelines, alternative fee arrangements, and some discussion about the future use of outside law firms in general.
5. *Special Requests:* There were five specific requests including alternative fee arrangements from individuals requiring individual discussion and tailored solutions. Each situation was slated for discussion at an upcoming retreat.

One month after the interview, the legal department (staff, paralegals, and attorneys) all participated in this half-day in-person retreat. The results of the Client Feedback Assessment Program were evaluated and appropriate follow-up steps were planned.

All of the attendees participated in the “I-Speak” personality profile program. This profiling is meant to enhance individuals’ understanding of their own communication styles as well as the styles of their colleagues. That knowledge is then taken back to the workplace as a fillip to better and more efficient intramural communication.

After this half-day meeting, the attorneys decided to meet separately with each Operating Group to discuss the results of the Client Feedback Program. The most significant outcome of the retreat was the creation of a specific and measurable follow-up plan in each case. In some cases, plans were tailored for certain high-use clients. These plans allowed the legal department to continually review and improve service delivery.

In post-retreat evaluations, the corporate clients described these follow-up initiatives, as well as the feedback program, as extremely valuable. The effect was to more firmly reinforce perceptions of the legal department as a true value-added service to the corporation.

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Law firms are still grappling with major strategic alternatives like branding. Law firms are still grappling with tactical imperatives like client research surveys.

Here’s a hint to guide law firms through their perplexity: Watch what your clients do. Then do likewise.

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