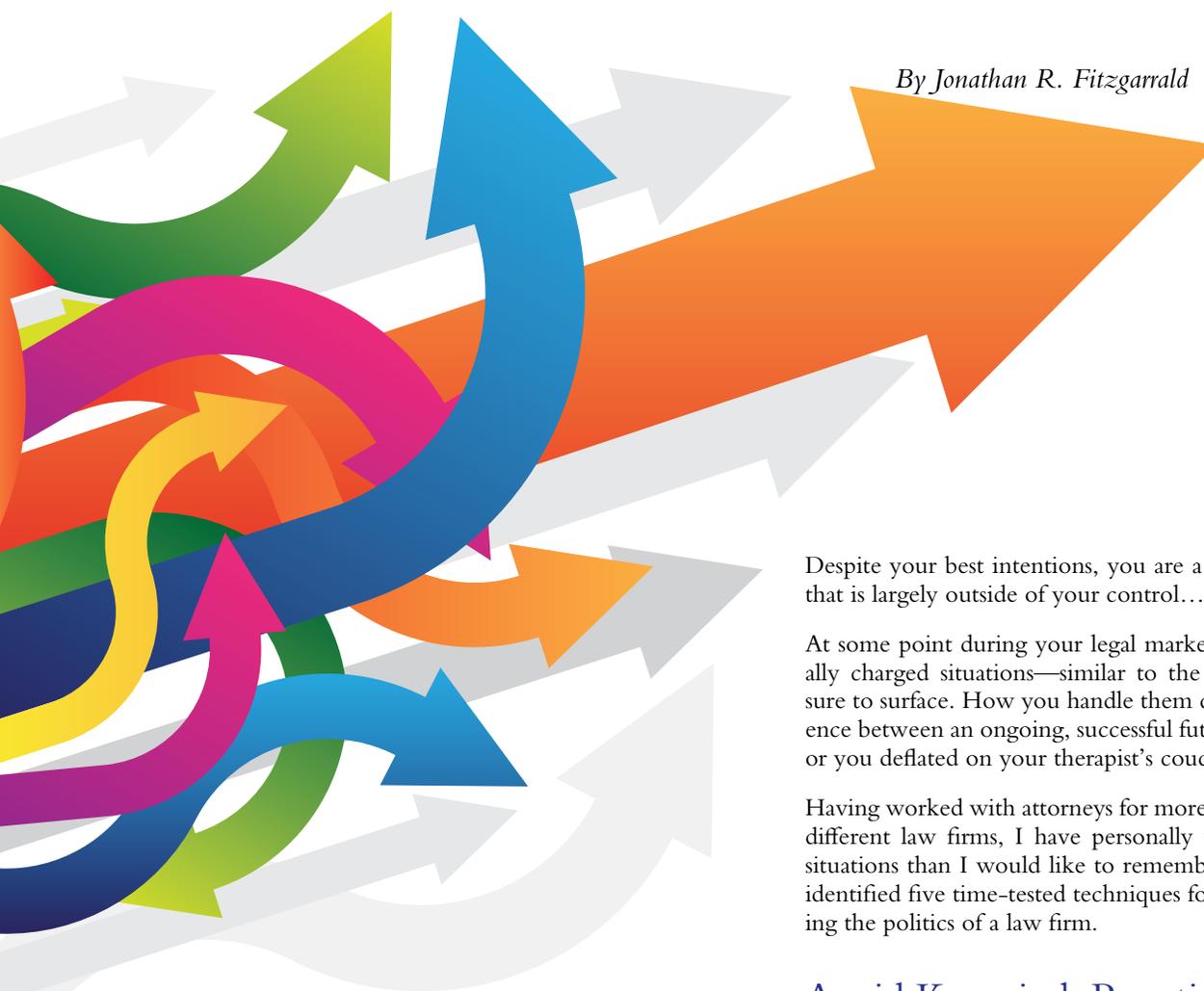


Who's Holding You Hostage?

Five Techniques for Successfully Navigating Law Firm Politics



By Jonathan R. Fitzgarrald



Perfect scenario: Your state's legal publication is accepting nominations for its annual "Attorney of the Year" issue. In hopes of being included, you work with three of the attorneys in your office on their individual submissions. Upon publication, you are elated to find out that Joseph Young, who recently made partner, was chosen. You hear through the grapevine that an attorney more senior to Joseph, Harry Robbins, who was also submitted for the award, is perplexed by this apparent oversight, and he wants a meeting with you to discuss why the publication passed him over. He subjects you to 20 questions that imply you forgot to mention important matters or did not represent Harry well in the nomination process. Harry asks for a copy of the submission and your correspondence on his behalf.

Despite your best intentions, you are a hostage of a situation that is largely outside of your control...or is it?

At some point during your legal marketing career, emotionally charged situations—similar to the aforementioned—are sure to surface. How you handle them could mean the difference between an ongoing, successful future in legal marketing or you deflated on your therapist's couch.

Having worked with attorneys for more than 10 years at three different law firms, I have personally witnessed more hairy situations than I would like to remember. As a result, I have identified five time-tested techniques for successfully navigating the politics of a law firm.

Avoid Knee-jerk Reactions

Working environments ripe with high achievers require preparedness and professionalism at all times. Heated situations typically involve someone above your pay grade staring you down (or barking at you over the phone), demanding answers to questions you may or may not be prepared to answer on the spot. Whenever possible, avoid becoming defensive by buying yourself some time.

Listen to individuals, let them know that resolving their concern is your priority, and ask if you can get back to them in a specified amount of time. Doing so will allow you to gather your thoughts and examine the facts of the situation before having to respond and/or propose an appropriate solution. Lapsed time also tends to reduce "heat of the moment" emotions.

Remember Role and Objective

Success in any given situation is significantly increased if you are perceived as unbiased and neutral. You can best demonstrate this position by assuming the role of moderator versus that of decision maker. As opportunities present themselves, you are the vehicle between the decision makers (e.g., management committee, practice group leader, marketing partner, etc.) and those attorneys best positioned for the specific opportunity.

In the above-mentioned “Attorney of the Year” example, it is reasonable to assume that the firm had more than three attorneys interested in being considered for the award. It is also not too far-fetched to anticipate hurt feelings by someone who the firm did not choose for consideration. By assuming the role of moderator, you are better positioned to appropriately deal with any recoil that may result from someone unhappy with the outcome.

Also, if spotlighting an attorney’s accomplishments was the original intent (as was the case for Harry Robbins), focus on upcoming opportunities. Jack Nicklaus once said, “Focus on remedies, not faults.” Brainstorm ways to distinguish Harry from his competitors. In his submission, include a client testimonial: Ask one of Harry’s esteemed contacts to make the recommendation, or concentrate on one of Harry’s unique characteristics that will separate him from the pack.

Focusing on your role and the overall objective of the initiative will demonstrate your ability to maintain the firm’s business objectives and reputation, while properly advocating on behalf of your attorneys to position them in the best possible light.

Position yourself as a trusted adviser by being prepared to share your professional opinion and/or solution when solicited.

Face the Facts

Situations perceived to have gone wrong typically are laced with emotion, ego and hype. In some cases, attorneys’ frustrations are amplified as a result of their reputation being on-the-line; they believe that the firm is not hearing or sufficiently considering their issues, or they anticipate embarrassment. Ultimately, their perception quickly becomes your reality.

It is imperative in any situation to identify and work only with the known facts. Stripping the situation of unnecessary emotion will allow a reasonable solution to surface.

As early in the process as possible, it is critical to properly communicate the aspects of the opportunity over which you have control (e.g., the content and timeliness of the attorney’s submission), as well as those aspects you do not (e.g., the final selection process). Proper expectation management dem-

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onstrates your ability to appropriately position the attorney, while diffusing any emotion that may result by the attorney not being chosen.

Maintain a Paper Trail

Partner “A” misses his shuttle to the airport = \$25. Partner “A” misses his international flight = \$1,500. Partner “A” misses the potential client meeting = \$500,000. The email paper trail from Partner “A” saying, “I’ll make my own travel arrangements” = priceless!

No one wants to get into a he said/she said situation that could potentially compromise your credibility and good standing with the firm. Whether you detect a problematic situation or not, consider it good practice management to summarize via email significant conversations and/or action items discussed. Doing so not only minimizes or eliminates the chance of you taking the heat for something you did not do, but more importantly it improves communication by ensuring all involved parties are on the same page.

Professional Opinion/Solution

Creative problem solvers are always in demand. Position yourself as a trusted adviser by being prepared to share your professional opinion and/or solution when solicited. Whether or not your proposal is employed, something you suggest may ultimately lead to the final course of action.

Frederick L. Collins wrote, “There are two types of people—those who come into a room and say, “Well, here I am!” and those who come in and say, “Ah, there you are.”

More than just a legal marketer, you are a crisis negotiator. Your success is predicated on your ability in any given situation to talk someone off the ledge. The stronger your relationship among those individuals you serve, the more persuasive and effective you can be. Strive to know your constituents on a more personal level. By doing so, you will gain a greater respect for them and a better understanding of how to serve them. In turn, they will see you coming and say, “Ah, there you are!” ■

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