

Online Reputation Management for Professionals and Their Organisations

By Sean Larkan



Online Reputation Management (ORM) has become one of the latest marketing and brand buzz-concepts. This is one every professional should be concerned about and should understand.

Much has already been written about ORM, as any search on the internet will show. I have found that much of what is available online does not explain where ORM fits in with other important brand concepts – thereby help readers understand why it is important, why it creates personal and organisational risk, and how to manage it. Ideally, your and your organisation's ORM should be a strong contributor to the strength of your brands.

In this short note, I will try to address this issue in the context of how I explain the concept of 'brand' to clients, as outlined in my book [Brand Strategy & Management for Law Firms](#).

Your 'Brand' and Your 'Brand Offer'

Your personal and organisational 'brands' (your brands) are *what other individuals think and feel about you or your law firm*. What people think is due in part to what brand offer you make to market, and whether you deliver on that and they experience it.

Your 'brand offer' in turn is what you put out to market as your offer to the market – what you offer or promise to do or can do or deliver on.

Your brand offer can comprise a number of important attributes – your technical, leadership or management expertise, experience, reputation and style, your ethical behaviour, whether you live up to what you promise to deliver, and your accessibility, responsiveness and reliability. It also includes how you interface with those who work for or with you and for whom you work, what you have written or said, your experience, expertise and reputation, your thought leadership, level of emotional intelligence (EQ), communication skills and style, personal values, etc.

The combination of all these aspects, and how other individuals experience these attributes and feel about you and your firm as a result, contributes directly to your brands.

However, keep in mind that your brand offer is generally not your brand as such. It is what you offer to market. Your brands are *what others think and feel* about your personal brand and your organisation's brands.

Online Components of 'Brand Offer'

What is published online by you or about you also becomes part of your 'brand offer' to market in the form of your online reputation, digital footprint or 'presence'. What is online about you can be a challenge because you will have authored or published some of it, while other pieces will come from others in the form of comments, complaints, reviews of something you have written or said, and so on. It all goes into that online melting pot.

Of course, whatever is out there is searchable and 'findable' and may influence what others think about you and your firm, which means that it influences your brands. So, it becomes part of your intended or maybe unintended or even unwanted brand offer and can in turn influence your personal and organisational brands. In this way, it also becomes part of your brands as such.

So, this cause-and-effect nature of your online presence and reputation means it is both part of your brand offer to market as well as being part of *what others think or feel about you* – i.e., your brands. It is for these reasons that it is particularly important to do all you can to manage your online reputation.

Brand Fusion

This in turn impacts what I term *Brand Fusion* (BF) – that is, whether what you offer is actually delivered on by you and experienced in that way by other individuals. BF is important as it directly impacts trust in your personal brand, and trust is the foundation stone of a strong brand.

Given the weight and attention given to what is online – written or published by or about you – and that many people do online research before making purchasing decisions or commitments, it is worth taking care to ensure that your online presence is as favourable as possible. It lives there for a long time and is not easy to alter or take down, particularly if you were not the author of it and have no control over the relevant media. This can create risk for individual professionals and their organisations, and even cause damage.

Managing Online Brand Risk

What can you do to manage this risk? For a start I suggest the following:

- Create awareness amongst professionals in your firm by having someone with expertise come in and explain the importance of ORM, where it fits into brand, the risks involved and how it can impact your or your organisation's brand;
- Research this topic thoroughly and have a clear policy for your firm around online publishing and even speaking engagements undertaken by any of your professionals, to ensure they are qualified to do this and will not mis-state or mis-speak;
- Consider using one of the many online tools which can virtually search the internet and then vet and report on anything it finds about the firm or its professionals. This becomes an ongoing due diligence of what is 'out there';
- If you don't take the latter step, at least do a manual search from time to time or have a qualified person do it for you; and
- Take active steps to manage what is online and try to have damaging material removed, corrected or responded to as soon as possible after it is published.

Do this and you will be better managing two important elements of your brands – your brand offers to market as well as what others think of you or your organisation – i.e. your actual brands.

A final word of caution on a subject beyond the scope of this short article: Where firms do create a formal or informal policy prescribing what staff can or cannot publish online, one enters a complex area in that a lot of the online activities of your staff members will be through private channels they belong to. How far can one realistically regulate that and dictate to staff what they should and should not be doing? This will also differ from jurisdiction to jurisdiction.

Edge Principal Sean Larkan is a former corporate/tax lawyer with extensive experience in conference and retreat presentation and facilitation. As an Accredited Practitioner of [Human Synergistics International](#) and a certified Master Coach, he offers Edge clients knowledge and experience in such areas as leader, group and organisational behavioural and cultural diagnostics and coaching, and serves as a critical adjunct to firms' strategy implementation. He is the author of [Brand Strategy & Management for Law Firms](#).

Legal Project Management: If your Client Is Interested, Shouldn't You

Be Too?

By Aileen Leventon



CLOC LPM Framework

General Counsel have been expected to manage the legal function (both inside and outside counsel) for over 25 years. Pressure to control legal spending and staffing has accelerated since 2008. Cost management of external legal services is here to stay.

Two organizations have developed approaches to help in-house lawyers and legal operations managers address accelerating costs that impact the corporate bottom line:

- In 2009, the Association of Corporate Counsel (ACC) launched its [Value Challenge](#), which sought to promote conversations between buyers and sellers of legal services to reconnect the skyrocketing costs to the perceived value of the work.
- By 2015, a critical mass of operations professionals serving legal departments came together to form a new organization, [Corporate Legal Operations Consortium, or CLOC](#). ACC has followed suit with a legal operations interest group.

Legal Project Management (LPM) has been touted as a means of more tightly and thoughtfully managing matters. It is the adaptation of the well-established project management discipline to legal work and the unique personalities of lawyers and the culture and standards of the legal profession. Over the past ten years, leading law firms have begun to improve their budgeting and matter-management skills through LPM and process-improvement techniques.

With some exceptions, corporate legal departments have lagged in their adoption of project management practices. When presented with LPM concepts by law firms, many legal operations professionals and in-house lawyers have not been able to maximize the benefits of LPM for work that is handled exclusively in-house, nor for better collaboration with law firms. And even when a company's RFPs for legal work have solicited information about LPM, and in some cases even prescribed its use, there is still a great deal of opportunity for improvement.

ACC has provided resources and training programs relating to LPM for many years. [A CLOC Initiative](#) that focuses on LPM as a practical way to further augment the value of a legal department was launched in 2017, and is now a significant area of interest for CLOC members.

The CLOC Initiative focuses on the following situations:

- managing business clients' expectations regarding the work lawyers should and do perform;
- handling projects relating to legal operations;
- participating in corporate projects in which the legal department plays a supporting role (such as new product

development); and

- managing external service providers, ranging from law firms to e-discovery vendors.

The initiative created a practical [Legal Project Management \(LPM\) Guide](#), based on a framework that breaks projects into four stages:

- Intake,
- Planning,
- Execution; and
- Review

Each stage has activities, results, and success criteria, as well as roles and responsibilities. An LPM program or pilot can be developed from the Initiative's [business case and action plan](#) that outlines the why, what, how, and who of LPM.

Participants in the CLOC Initiative involved over 30 volunteers from law firm, CLOC member companies and volunteers like me. A five-part webinar series has had hundreds of participants, and LPM will be well-represented at the CLOC Institute in the US in May.

If your client is interested in Legal Project Management, shouldn't you be too?

Edge Principal Aileen Leventon is a graduate of Columbia Business School and Cornell Law School. Prior to joining Edge International, she led QLex Consulting Inc., was a partner in the legal management consulting practices at PricewaterhouseCoopers LLP and Blaqwell Inc., and practiced law in New York City. She advises on value creation, beneficial economic results, efficiency, client satisfaction and risk management with a focus on effecting change organically and successfully.

Cultivating Connectors from a “Standing Start”

By Mike White



Force multipliers or “connectors” are often easier to cultivate than are prospects. It can be easier to build a history and therefore trust because the relationship is not weighed down by the “heaviness” of a retention goal. At the same time, it can be hard to build trust if you are viewed to be merely a “transactor” who cobbles together as many conversations as possible to create as many introductions as possible. At a process level, of course, that is exactly what you want to accomplish – you just don't want your business colleagues to feel they are party to that process.

The secret here lies in the concept of “incrementalism” – sequencing together a series of “yeses” to give the relationship necessary momentum. Most people are very open to helping you get smarter about certain issues, particularly when they are viewed as a domain expert. “You're smart ([about a particular issue or area of content]. I'm dumb. I'd like you to help me be less dumb [about the particular subject] . . .” This approach appeals to their ego, and unless they are crazy busy, they will let

you pick their brain over a cup of coffee. On the strength of a warm introduction from another connector, you have a great chance of getting this meeting. Let's call this the "**thought partner step**."

You are now at the meeting and your business guest has addressed your knowledge deficit and enlightened you about an area of interesting content; she/he has been a true thought partner! Your next step is to enlist your business guest as a "mentor" – someone who will help you make your own commercial agenda or business development agenda even better: "Because you know so much about the virtual payments industry and why it's interesting to me commercially, you have a sense for how I'm trying to find new virtual payments industry clients. If you don't mind, I'd like to share with you my plans to use my emerging knowledge of the virtual payments industry to acquire more clients. You'll no doubt be able to poke some holes in those plans and make them better . . ." Let's call this the "**mentor step**."

Once your business colleague helps you author and craft your own plan, it's not a big leap for her/him to serve as a connector. "Thank you for helping me bullet proof my go-to-market plan as it is a much-improved product. As you think about some of the types of people I should be meeting, do you know anyone who might be a good information source, connector or perhaps prospect in the ecosystem of virtual payments industry businesses?"

Voila! You now have cultivated a "**connector**"!

Edge Principal Mike White, an expert in the field of law firm growth, works with firms and practice groups in two primary areas: client experience innovation & differentiation, and strategic planning for growth. He also advises firms on business-development skills training/planning/coaching, law-firm succession planning, lateral-partner integration, and partner-compensation restructuring.

QNBT: Extracting Real Value from Non-Billable Time

By Gerry Riskin

The logo for QNBT features the letter 'Q' in a bold, red, sans-serif font, followed by the letters 'NBT' in a bold, blue, sans-serif font. The 'Q' is positioned to the left of the 'NBT', and the entire logo is centered horizontally.

future." – David Maister

"Your billable time is your income; your non-billable time is your

Non-billable time gets little respect

Many perceive non-billable time as something that can be conjured at will. Taking someone to dinner who may or may not be a qualified client prospect can be recorded as business development. Furthermore, that two-hour dinner can turn into three or four and, with travel time, five hours. Those who have spent many hours on gruelling and challenging legal work can easily resent the generation of these hours with so little effort.

The consequence: Non-billable time is often not tracked accurately

In fact, in many firms, it is seen as a sign of prestige *not* to record non-billable time.

Some firms have learned to break this cycle by making non-billable time less discretionary and harmonizing it with the objectives of the team or firm.

The nature of the “qualified non-billable hour” is pre-negotiated and pre-authorized.

Suppose a senior associate wants to join the ABA section relevant to her practice area. Furthermore, she'd like to attend the meetings of her subsection locally, regionally, and nationally. Her practice group leader wants to know why this will be a worthwhile investment for the firm and indeed what the return on investment might be. She argues that over the next several years, gaining prominence in the section will yield referrals from other parts of the country and thereby enhance the practice for her, her group and the firm.

Her practice group leader might wisely ask something like: “Do you think you can get on the ladder such that you will occupy a position of prominence in the section, perhaps leading to becoming a chair of the section within five years?” The senior associate may respond that she was successful in attaining elected offices in school and then university and is confident that she can do so in the section. The deal might be struck such that the approval to spend the non-billable time (and the travel expenses) will be conditionally approved based upon a monitoring of her progress over the course of the next two years. If that progress is promising, the firm will continue to support the effort.

In this instance, the non-billable time expended by the associate becomes qualified non-billable time (QNBT). It is not merely discretionary time, nor is it perceived to be something that can be conjured at will, but rather it is something that has been vetted and will be measured against a set of objectives.

Imagine a situation where most, if not all, of the lawyers create a plan – for approval – that will constitute QNBT. Aside from an improved perception and respect for the non-billable time that is being invested, there is also a much higher probability of a good return on that investment for the firm.

A heretical principle: The non-billable hour is worth more than the billable hour

A Chicago firm I know which has had a meteoric rise in prosperity decided that a non-billable hour was worth more than a billable hour. Before you faint, this did not mean that spending eight non-billable hours and no billable hours in a day was considered more valuable for the firm. Not at all. Rather, the firm decided that those who spend ten billable hours and no non-billable hours are depriving the firm of the strong return that it would obtain on having at least one quality non-billable hour from that individual in a day.

Desirable non-billable minimums and billable maximums

For those firms that still bill exclusively by the hour, it is tough to persuade leadership that excessive billable hours are counterproductive. The truth is that the more senior people with the relationships should be spending at least a portion of their time attracting more work from existing clients and attracting new clients. Those who do exclusively billable work deprive the firm of that new work generation. Therefore, some enlightened firms actually place a maximum on the billable hours that a partner can spend, especially if that partner is a part of senior leadership or practice group leadership or industry group leadership or have a proven rainmaking capability.

I strongly recommend that the managing partner and executive team give some serious consideration to becoming QNBT-oriented.

Founding principal and chairman of Edge International, Gerry Riskin has a global reputation as an author, management consultant and pioneer in the field of professional firm economics and marketing.

Risk Insurance for Laterals

By David Cruickshank



Suppose your firm's longtime insurance advisor came to you and

said:

"You have a substantial investment that we know will have a one-in-four failure rate over three years and about one-in-two failure rate over five years.* Would you like to insure against the risk of that happening?"

We have all kinds of insurance for our legal businesses – beyond professional liability. We have business interruption insurance. We insure and back up our IT investment. Some firms hold life insurance on key revenue generators. But precious few insure against the loss of a recently hired lateral.

The risk is real. Look at this recent table of partners who were in the market to move or have moved in the period 2010-2017. If you're a firm leader in Atlanta or Chicago, look over your shoulder – over half the partners are looking to move!

Market	Number of Moves	% of Total Partners in Market
New York	4,445	35%
Washington	3,759	43
Chicago	1,926	53
Los Angeles	1,400	45
San Francisco	1,110	42
Boston	904	44
Houston	704	46
Dallas	760	48
Atlanta	629	52

Source: ALM Intelligence

And that insurance policy? You can't buy it from a broker. You have to build the insurance from within.

We advise firms regularly on lateral integration programs – to create the glue that will keep them keep their laterals. Here are some of the things we've learned (Note: Here I am only addressing keeping your acquired laterals, not the risk of other partners leaving):

- At the point of recruitment, make sure that the lateral's clients will be joining a practice and industry that you have established. (Moving in with a new self-contained practice also means they can depart easily.)
- At recruitment, have the lateral meet partners who will collaborate on business development.
- Check to see if this is the lateral's second or third lateral move.
- Consider client teams for the new clients, so that you can offer seamless legal services across your practices.
- Identify an "integration advocate," a partner who will shadow the lateral for at least six months and make sure that internal and external contacts are always growing.
- Don't stop integrating the lateral and the new clients after a month of orientation. Orientation is administrative care; integration is cultural care.
- Evaluate the lateral's success and areas for improvement every quarter for a year – on measures that go beyond the financial.

These practices, and many more, are the pieces of a "policy" that you need to insure against the significant risk of lateral departure. When we look at your integration practices, we may find ways to reduce risk – or we may advise you that the best lateral decision may be not to proceed.

Edge Principal David Cruickshank advises firms on growth strategies and lateral integration programs. In addition to being a lawyer with a master's from Harvard Law School and an LLB from the University of Western Ontario, he is a trained mediator who has taught at the Straus Institute for Dispute Resolution at Pepperdine Law School.

* ["It's Time to Overhaul the Lateral Hiring Process"](#) *The American Lawyer*, January 29, 2019

Storytelling Is an Effective Communication Strategy

By Bithika Anand



However, the increasing competition faced at home and abroad demands that lawyers make efforts to guide their teams to surpass expectations and discover new approaches, in order to stand out from the crowd.

Lawyers may think of themselves as legal scholars, as professionals, as persons having a gravitas of sorts; hence, they may prefer presenting facts and figures as opposed to telling stories. However, “thought leadership” is a unique differentiator. Lawyers need to create compelling content to engage their stakeholders. Storytelling is an excellent way to achieve this.

Of course, a story is not merely made up of character, nor is it a recitation of facts: there has to be a storyline. Facts and figures are more amenable to being absorbed and recorded by computers. People hardly remember them unless they are effectively emotionalized and embedded in a story.

Decision-making involves persuasion, and persuasion requires emotions. Emotions require less effort than logic... hence decisions based on emotion are made more quickly than those based on logic. In court rooms, lawyers often build narratives naturally, weaving the chronology of events and acts in the form of a story to generate emotional responses and create a ground for empathy. This is true even in corporate practices. Clients are more interested to know how our solutions have impacted other clients than how we did it. The impact is very emotional, and can be best described in the form of a story.

Storytelling is an important strategy for growth. Through the use of storytelling, lawyers can foster the emotional connections that create a sense of meaning for the contributions made by them and their stakeholders.

Lawyers Have Stories to Tell

Newsletters are an important tool for client engagement and expressing thought leadership. Generally most newsletters sent out by lawyers and firms share articles on a topical issue, and report developments at the firm level. To capitalize on the strength of storytelling, they may also share case studies that relate how legal issues were impacting clients, how the problems were resolved, and how the solutions improved the client's situation.

While creating client collaterals, marketing content or blogs, lawyers can focus on the issue while also making their points more relevant, easier to understand and more interesting by creating dialogues, scenes, and characters as are found in movies / ads. This way audience re-call value becomes much higher.

Firms /lawyers can also talk about their pro-bono/CSR initiatives using success stories of real social heroes... and how it moved them to be part of these initiatives. Even failure stories generate emotions for the firm and enhance the image of the firm as a socially responsible entity.

In today's age of "word-of-mouth" marketing, client testimonials are also stories and, when effectively weaved and shared, can be of great value to firms and lawyers.

Creating the Story

For a story to be liked it has to be real and people should somehow relate to the values the story imparts.

Organisations – such as law firms – can also use stories to help their employees and clients understand the vision and purpose they want to create for themselves. Today, clients are more inclined to want to know what an organization does and why it matters, and how this will make a difference. The best way to communicate this message is not through flow charts or diagrams, but through the use of stories that evoke imagery of where the organisations have been, and where they want to go next.

There are numerous examples of how organisations have benefited by sharing stories about their contributions and how they have impacted not only the economy but society at large. In this way, they have been perceived as trusted and responsible organisations and have thereby been able to attract more commitment and respect from their stakeholders.

What Makes a Good Story?

The best structure, elements, techniques and characters completely depends on your audience. The same story can be presented in different ways to persuade different people to do a particular thing, or not do something, or to make a certain decision.

In order to be a good storyteller, one needs to listen to stories. There are many stories out there. Every individual has a story and, therefore, lawyers must ask for their stories – of course, within the limitations of professional conduct and related to issues they are facing. For instance, instead of asking "What happened?" one can ask why it went wrong, how matters got to this point.

As a strategy this could be the biggest differentiator, as every story can have a unique perspective and therefore can relay messages in a desired manner to the target audience. A strategically aligned story can not only help stakeholders visualize the change the lawyer, firm or organization intends to bring, but also can also solidify support and can make stakeholders comfortable about future outcomes and results.

To conclude, storytelling is a powerful tool, and a story with a well-crafted narrative does amplify whatever one wants to communicate.

March 8th, 2019-Aileen Leventon-Corporate Legal Project Management Webinar Series

By Gerry Riskin

CLOC WEBINAR SERIES – 5 dates
Session #1-Overview of the CLOC Framework and LPM Intake

[CLOC Overview and Schedule](#)

March 22nd, 2019- Aileen Leventon-Corporate Legal Project Management Webinar Series

By Gerry Riskin

CLOC WEBINAR SERIES – 5 dates
Session #2-LPM Planning

[CLOC Overview and Schedule](#)

March 29th, 2019-Aileen Leventon-Corporate Legal Project Management Webinar Series

By Gerry Riskin

CLOC WEBINAR SERIES – 5 dates
Session #3-LPM Executing

[CLOC Overview and Schedule](#)

April 12th, 2019-Aileen Leventon-Corporate Legal Operations Consortium-webinar series on Legal Project Management

By Gerry Riskin

CLOC WEBINAR SERIES – 5 dates
Session #4-LPM Review

[CLOC Overview and Schedule](#)