

November 11, 2007 Los Angeles Daily Journal – Forum

Lawyers Can Expand Client Portfolio Through Use of a Detailed Business Plan

by K.C. Victor

There is a great divide between the ways that lawyers get, maintain and grow their business. Some do it by accident and good fortune; others do it with planning and strategy. One way for lawyers to maximize their chances of attracting, maintaining and adding clients is to have a written business plan which is regularly updated and consulted.

As a recruiter, I have noticed that when I attempt to move senior-level lawyers from one firm to another, the most important factor for the new firm is usually the nature of the lawyer's clients and the amount of their portable business. A business plan detailing the clients the lawyer believes will certainly move with him or her, the clients who will probably move and the clients who might move is always a good idea, regardless of whether a move is expected. That plan is easiest to execute when it is written.

The plan should include a listing of current clients and their current work; past clients and their likely or possible future work and potential clients and their possible work. It may also include some highly unlikely (but not fantastical) clients because, by forcing rumination about such possibilities, realistic scenarios for obtaining work from those clients may come to mind.

For all business dealings, in the law or otherwise, one's most likely sources of business are current clients and the possible referrals they may make.

Keeping current clients happy should be a first priority. Write down anything unusual, perhaps even irrational, that matters to your clients. To be quite crass about it, I once had a client who cared very much if he was taken to an absolutely top of the line restaurant when we met. You may be sure that we ate well together.

It may be the case that you are effectively, if not actually, unaware of all the work you have from a current client. For instance, there could be three pieces of work from that client, two of which feel important and are getting regular attention and one of which has been back-burnered. Without a written business plan (which should at least be glanced at twice a week), the piece of low-priority work for one of your best clients can become a forgotten last priority.

It is never a good idea to treat any project for an important client like an item that has no schedule. Your truly time-sensitive work may be as trivial as letting the client know that, because of his or her other needs, you do not expect to get to this item for a few weeks and then asking if that is OK. It may not be OK, and it is always better to ask and accommodate than to risk annoying an excellent client. Clients who are annoyed start to send less work.

Most lawyers have several clients that have sent them work in the past from whom they are no longer receiving work. Sometimes, there has been a true parting and more work should not be viewed as a possibility. Often, however, the client has simply drifted away or needed work of a type he or she believes you or your firm cannot handle.

It is tempting for most of us — especially lawyers, who are cautious by nature — to neglect business relationships that have started to fray. Visiting those relationships does come with the risk of feeling professionally rejected. In its neurotic form, the thoughts in a lawyer's head are something like this: "If that client thought I did great work, they would have kept sending me work. They probably don't like my work and I don't want to feel unappreciated."

Because these are unpleasant thoughts, many of these past clients will not be in the forefront of their former lawyer's mind. That is why it is crucial to have a written list of all your sources of business for at least the last several years, as well as written information about how that client originally came to you. Make it your business to reach out to older clients and older referral sources, even if those referral sources were never clients. There is no generic schedule as to how often to make these outreach calls, but never is not a plan.

If you can find a good reason to call a past client, use it. It is worth doing some research to show that you care. Law is a service business. Put the enterprise or individual into your search engine. Has something happened to that client, either good or bad? Call to extend your congratulations or condolences. Offering to visit an old client can be crucial. Minimally, you will reconnect. You might also trigger memories of other past business connections to revisit and get energized.

If the client is busy, a visit maybe a waste of time. In that case, you can at least have a phone call and reconnect. So long as it is truly in a spirit of service, any contact is better than none. Even when legal services are not currently needed, sincere offers to help are often appreciated.

Potential clients are the trickiest part of any lawyer's business plan. As with the rest of life, what's past is prologue. Many clients you have sought but not acquired before can be sought again. Circumstances may have changed. They may now need work formerly unnecessary to them. You may have expanded your legal repertoire to include work they need. Nothing is static. We are all unlikely to remember clients we have casually approached if nothing resulted. That is why it is best to write down the details of a failed encounter as soon thereafter as possible.

These encounters should then be categorized in at least two different ways. Were you unsuccessful because of the type of work needed by that client? Keep one list in your business plan that categorizes potential clients by the type of work they tend to need. In the future, you may have easier access to such expertise or perhaps have learned it yourself.

Have another list with your personal contacts. At some time, you probably have approached people who believed in your legal skills and wanted to give you work, but for some reason could

not. Clients as well as lawyers change jobs. Try to stay on top of your potential client's professional locations.

As we go through life, we meet countless people who are potential clients — other parents at our children's schools, people at parties, people at sports events or political functions, etc. I once began a client relationship with a major financial services provider because I sat next to their No. 2 lawyer at the theater. We began talking and one thing led to another.

It may feel awkward to call individuals met in a purely social setting about the possibility of becoming their lawyer, but if you believe you are offering an excellent product — your work — it could be a pleasure to combine a budding personal relationship with a budding professional relationship. It is at least important to remember to make these calls. That is where a business plan—with both names and categories of work — comes in.