



Marketing & Business Development

The Managing Partner's Perspective

A Webinar presented in affiliation with The Managing Partner Forum

Moderated by:

John Remsen, Jr.

President, TheRemsenGroup

President & CEO, The Managing Partner Forum

November 2, 2016

TheRemsenGroup

1020 Rosedale Road - Atlanta, GA - 30306
404.885.9100 - www.TheRemsenGroup.com

LMA WEBINAR

November 2, 2016 - 1:00pm ET, 12 Noon CT

Title: Marketing and Business Development: The Managing Partner's Perspective

Description: According to recent MPF surveys, marketing and business development are top of mind among managing partners of smaller and mid-size law firms. More and more firms are hiring in-house marketing professionals, increasing their marketing and business development budgets and shifting resources toward business development, including sales training for lawyers young and old.

In this fast-paced session, we'll present highlights of recent MPF surveys and invite two managing partners to lend their insights and perspectives on law firm marketing and business development. The primary learning objectives are:

- Learn where smaller and mid-size law firms are investing their marketing and business development time and money
- Learn what marketing and business development initiatives achieve the highest return on investment
- Understand what managing partners expect of in-house marketing directors

Speakers: John Remsen, Jr. (Moderator)
President and CEO, Managing Partner Forum

James A. Dressman, III, Esq.
Managing Partner, Dressman Benzinger LaVelle

Francis H. Sheppard, Esq.
Managing Partner; Rumberger, Kirk & Caldwell

Raymond J. Werner, Esq.
Past Managing Partner, Arnstein & Lehr

Domain: Business development
Marketing management and leadership

Level: Essential

Firm Size: Small, Medium

Media Links: Websites: www.TheRemsenGroup.com
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REV: Oct 18, 2016

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James A. Dressman, III, Esq.
Dressman Benzinger LaVelle

- Managing Partner
- Corporate, real estate, estate planning
- Founded 1957
- 35 lawyers
- Three office locations in Kentucky and Ohio
- www.dblaw.com



Francis H. Sheppard, Esq.
Rumberger Kirk & Caldwell

- Managing Partner
- Professional liability, employment, litigation
- Founded 1978
- 95 lawyers
- Five office locations in Florida and Alabama
- www.rumberger.com




Raymond J. Werner, Esq.
Arnstein & Lehr, LLP

- Former Managing Partner
- Commercial real estate lawyer
- Founded 1893
- 130 lawyers
- Six office locations in Illinois and Florida
- www.arnstein.com

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Please Ask Questions

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A Marketing Director?

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Marketing vs.
Business Development?

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Prioritizing Priorities

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Promoting Teamwork

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Investing in Young Lawyers

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Measuring The Return

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Earning a Seat at the Table

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Thanks to Our Panel

- Jim Dressman – jdressman@dbllaw.com
- Frank Sheppard – fsheppard@rumberger.com
- Ray Werner – rjwerner@arnstein.com



BUILDING AND SUSTAINING A MARKETING AND SALES CULTURE AT YOUR LAW FIRM (Or, How to Make Marketing Really Matter)

By John Remsen, Jr.

Getting lawyers and law firms do things differently is not an easy task and instilling a marketing mindset among lawyers is a major effort for most firms, resembling the proverbial challenge of “herding cats.”

A national consulting firm recently examined personalities of lawyers from around the country using the Caliper personality index and was able to quality what many of us have known for years. Compared to the rest of us, lawyers

- Hate change, respecting precedent because it was drilled into them at law school;
- Are highly skeptical of new ideas and concepts, demanding proof that change will work;
- Love autonomy, preferring their own judgment over that of any hierarchy or policy; and
- Have a high sense of urgency, expecting immediate results on even complex efforts.

It's not surprising, then, that most law firms (especially smaller and mid-size firms) operate much like fraternities. Governance and decision-making are often difficult and time-consuming, because everyone wants a voice in the process. However, the most profitable firms are moving closer to a corporate model of governance, with institutional goals, strong leadership and streamlined governance. They are also starting to embrace marketing, recognizing the need to get closer to existing clients and invest time and resources on focused, proactive strategies to go after new ones.

So why try to roll the marketing boulder uphill? Simply because any firm that wants to survive in today's increasingly competitive marketplace must support a marketing and sales culture. Mergers, acquisitions and consolidations, rising associate salaries and operating costs, and client cost-cutting are making lawyers run their firms more like a business, and less like a profession. Failure to market brings red ink, irrelevance and an “out of business” sign on your door. Marketing is what enables a firm to attract and retain desirable clients, and it puts the firm in a position to fire the ones it no longer wants.

That said, a marketing culture can't be implemented overnight - it must be slowly, gradually fostered through basic, focused, step-by-step efforts. Overcome typical lawyer impatience and resistance by showcasing successful pilot programs. A communications effort that presents the proof, demonstrates a successful result and validates the judgment of the participants, will appeal to lawyers' lemming instinct: “If Jim can do it, so the hell can I!”

The key, then, is to create the initial success that will make everyone in the firm believe marketing matters. I mean *really* matters. As marketing consultant to thousands of lawyers at hundreds of firms, I've seen that ten key

elements are absolutely crucial to generate marketing momentum. Neglect even one of them and your legacy will be, “We tried *that* before, it didn’t work.”

1. Find a Passionate Leader. If a firm’s leaders - those lawyers who have the most clout and the greatest respect - aren’t committed to marketing, no one will be. Convince them that marketing is an investment in tomorrow, not just an expense for today. Cultivate a senior level marketing czar who is passionate about marketing and inspires others. Don’t waste your time on naysayers or junior associates. Convince an alpha male, and the herd will follow.

2. Apply Some Structure. Attorneys are the world’s worst visualizers. Vague generalizations about how marketing works won’t motivate them. Your marketing effort has to involve concrete, tangible benchmarks and requirements that show the firm is serious:

- Set clear expectations for non-billable time devoted to marketing. Set a target of 200 hours a year for partners and 100 hours per year for associates. Overcoming the billable hour fixation is crucial for marketing efforts, which often take years to generate results.
- Incorporate marketing into partnership requirements. Derail the partnership track of grinders who sit at their computers all day and don’t have a book of business.
- Create marketing plans at every level - attorney, industry or practice group, the entire firm. The marketing plans should be written, simple and focused, and should set short-term goals (have lunch with two media industry prospects per month) in the pursuit of long-term objectives (double billings with media clients).
- Communicate marketing successes by every tool at your command. Meetings, emails, newsletters, bulletin boards in the lounge, Intranet postings, monthly status reports, and more.
- Monitor marketing performance. Hold the laggards accountable and reward the performers. Most marketing initiatives must be repeated ten or more times over a period of two-plus years before they pay off. Rewarding only the ultimate result isn’t enough incentive. Peg some compensation to *efforts* that emphasize and support the marketing plan.
- Eliminate the time and expense wasters. Scrap “random acts of golf and lunch” and “powerful partner pet projects” that don’t support firm-wide marketing objectives.

3. Provide Training and Resources. Sales techniques aren’t taught in law school. There are, however, plenty of sales training programs for lawyers that emphasize the basics: if you’ve taken a prospect to lunch seven times, *ask* if you can handle their contract work. One-on-one coaching sessions can be supplemented by attendance at the Marketing Partner Forum and the Legal Marketing Association annual meeting, participation in the LawMarketing listserv, and circulation of marketing newsletters. Help lawyers overcome their marketing insecurities by exposing them to best practices.

4. Create a Forum of Accountability. The best way to generate marketing momentum is through face-to-face discussions - but *not* with marketing at the tail end of a long agenda. Create specific marketing forums where groups of 10 to 20 attorneys can report on their initiatives, share leads and ideas, and be held publicly accountable for their marketing efforts. Meetings should be held at least monthly, scheduled well in advance for a set time and place, with mandatory attendance and a leader committed to marketing in charge. Distribute minutes and make sure the results are publicized through reports, newsletters and retreat presentations. The only way to overcome resistance to these forums is to make clear that they are about results and accountability - and then use them to reinforce both.

5. Invest Time and Money. Every firm’s needs are different, but certain rules of thumb apply - for example, one in-house marketer for approximately every 40 lawyers, and a marketing budget roughly equal to 3% of gross revenues. Lawyers in their skepticism will ask, “Is this *really* necessary?” Appeal to the lemming instinct by demonstrating which other firms are doing at least as much.

6. Identify Your A, B and C Clients. Law firms often fail to identify the clients and the business they want, making little differentiation in attorney time and effort between getting the \$5,000 real estate contract and the \$5 million IPO. You should identify your A-List clients, the frequent flyers you really want to encourage, and emphasize winning more business from *these* guys. Then target them: Go visit them at their place of business, solicit their feedback on your services and act on it, invite them to events and seminars, join their trade associations, wine and dine them. Showing that you really do care about them is the essential step to getting more work from them.

7. Focus on Industries, Not Area of Law. Too many law firms practice marketing by trying to market their practice. Clients don't think that way. They focus on their business and industry concerns, and want their law firm to do the same. Competent legal technicians are a dime a dozen; law firms that talk the language of the hospitality industry are valued much more highly. Focusing on industries targeted by your marketing plan prevents wasting time and effort by trying to be all things to all people. It also promotes cross-selling among practices, as you identify which real estate, corporate, tax and other services you can tailor to clients in specific industries.

8. Get an Identity. Emphasize that you're not just another law firm. Making an impression captures share of mind, then share of market. All the effective marketer's tools apply here: a logo, a short and memorable firm name (no more than two words), sharp web site, readable collateral materials that are not mind-numbing exercises in lawyer-ese, email templates with links back to your web site, promotional items that clients will want to use. Remember that a nice brochure or impressive web site constitute just a small part of a *total* marketing effort.

9. Hire "People People." Lawyers are trained to be good communicators before groups, whether juries or boards of directors. They typically aren't good at establishing interpersonal, one-on-one communication. Rather than trying to turn an introverted lawyer into a rainmaker, it makes sense to hire lawyers with a focus on personality as well as on grades and law journal experience. Look for outgoing types who are flexible and embrace change, and they can become missionaries for your marketing efforts. The same applies to everyone in the organization - receptionists, administrative assistants and (yes) marketers.

10. Manage Lawyer Expectations. All the steps that we've discussed here take time, and the marketing plan they support will continue to evolve. Make sure the lawyers at your firm know and understand this from the start. Set a limited number of priorities and don't try to move too far too fast. But make absolutely certain that you deliver everything that you promise - which, in the end, is a good definition of effective marketing.

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About the Author

John Remsen, Jr. is the principal of The Remsen Group, a marketing consulting firm that works exclusively with law firms. He is a Past President of the Southeastern chapter of the Legal Marketing Association and has served on its national Board of Directors. He can be reached at 404.885.9100 or jremsen@theremsegroup.com.

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April 16, 2001

WASTED TIME AND MONEY

The Top 10 Ways That Firms Squander Precious Marketing Resources

by John L. Remsen, Jr

At the conclusion of a recent presentation I gave to a local bar association, an attorney in the audience asked how law firms are wasting their marketing dollars. "After all," he said, "our firm only has a limited amount of money for marketing, and I want to make sure we are spending it wisely." I was honest, and told him that, in my opinion, many fine firms are squandering their marketing dollars by the bucketful. And it's often in the same familiar ways.

Let me begin with the assertion that, for most lawyers and law firms, effective marketing is all about personal relationships. It's not about brochures, advertising or other marketing gimmicks. It's especially about relationships with *existing* clients and referral sources. Consequently, I almost always recommend that a law firm begin "marketing" by making darn sure its clients are satisfied. If they are, they'll be loyal to the firm and come back when they need legal counsel. Beyond that, they'll tell their friends and business associates about you. Too often, firms get caught up chasing prospective clients, forgetting about solidifying and expanding relationships with the clients they already have.

After ten years of experience marketing legal services, I have developed some strong views on what firms are doing right and wrong. But before writing this article, I thought I'd post that attorney's question to the 1,000-member lawmarketing listserv, a cyber-community of law firm marketing directors and consultants. The responses came back fast and furious and I'd like to share our collective opinions with you.

So here we go - the "Top Ten Ways To Waste Money Marketing Your Practice," in David Lettermanesque ascending order of wastefulness.

#10 - Random Acts of Golf and Lunch

Golf and lunch are fine marketing activities, very conducive to relationship building. But playing golf with an endless array of acquaintances who don't have the ability to hire or refer you is hardly an effective use of your marketing time. Nor is that monthly "skins" match with your brother-in-law and his drinking buddies. The profession's top rainmakers have a plan -- even if only in their heads -- when they go on their boondoggles... er, I mean, marketing ventures. They have determined who they want to get to know better and, from there, they develop a systematic plan to go about building and enhancing relationships with them. The key word is *plan*.

#9 - The "Really Big Show"

Reminiscent of Mickey Rooney and Judy Garland deciding to "put on a show," your firm decides to present the mother of all seminars. Over 300 people spend a half-day listening to you and your partners talk about the latest changes in state law. It was great. Problem is, there was very little follow up. When it comes to seminars and similar events, we suggest that you consider smaller, less formal and more interactive sessions. Think about a seminar *series*, focused on a particular industry, where participants get together repeatedly. This way, the follow-up is built-in.

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Wasted Time and Money

Legal Times

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#8 - Other One-Shot Wonders

Come to think of it, forget about any marketing activity that does not include follow-up. All the marketing events that your firm sponsors -- seminars, open houses, holiday parties, and the like -- should be looked upon as relationship building platforms. And personal follow is the key to making them work. All participating attorneys should follow up with at least two or three people at each event, focusing on folks who can help them achieve their objectives.

#7 - Brochures and Newsletters That Cure Insomnia

Good brochures and newsletters have their place among effective marketing tools. But who wants to read mind-numbing tomes about the history of your firm and its 14 practice areas? Not me, and not your prospective clients either. Keep the copy concise and easy-to-read. Use bullet points whenever possible. Hire a talented graphic designer who will produce sharp, attention-grabbing marketing material.

#6 - Invisible Advertising

No doubt, print and broadcast advertising works for attorneys with consumer-oriented practices (like family and personal injury law) and I'd recommend an ad in the Yellow Pages in a heartbeat. But things like traditional "tombstone" ads and "one-time" ads in a newspaper or magazine are practically worthless. Studies show that it takes 7-11 impressions before somebody will recall seeing your ad. Consistency and frequency are essential. Here again, hire a good graphic designer and stay light on copy to make sure your ads are noticed. If you want to advertise, do it right.

#5 - Holiday Tchotchkes

Ahhh, the holidays. Talk about getting lost in the shuffle! Effective marketing strategies get noticed and stand apart from the crowd. The holidays are far too busy a time for your cards, parties, and gifts to be fully appreciated. However, if you must send holiday cards, by all means, sign them personally!

#4 - Directories, Directories and More Directories!

Over the past ten years, law firm directories have sprouted like cattails in the Everglades. Unfortunately, most have little marketing value. Decision-makers simply don't use them very much. In fact, our friends on the listserv think that only a few directories, such as LawOffice.com, Martindale-Hubbell and Best's (for insurance defense counsel), are worth the money. Bottom line....hold on to your cash.

#3 - Vanity Letterhead

We're talking about the kind that features every lawyer's name on the masthead. Every letter becomes two-pages long, and each time a lawyer joins or leaves the firm the old supply gets chucked and a new supply is ordered. Often, the new letterhead is out of date even before it comes back from the printer! Most firms have abandoned this practice and yours should, too. Consider adding a snappy firm logo and/or a splash of color. Don't worry, it's OK.

#2 - PPPPs (Powerful Partner's Pet Projects)

Our #2 money waster was sent in by Bev Davis, chief operating officer for a well-known Oregon law firm....and you know exactly what she's talking about! The firm's \$5,000 contribution for a table at the "Belles of the Confederacy" Dinner Dance, for example. Powerful Partner Jim thinks it's a great idea. (So happens his wife is on the Board of Directors.) PPPPs are rarely budgeted and are hardly ever consistent with firm-wide marketing objectives. They

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tend to consume vast quantities of money and staff time. A firm-wide marketing plan goes a long way toward reducing the number of PPPPs. Show Jim the plan and just say no!

#1 - Consultants Who Don't Know ** About Law Firms**

Law firms are a different kind of beast -- big egos, lots of democracy, convoluted compensation systems and, in many cases, a disdain toward marketing. Yet, I see it happen time and time again. "We hired Sally because we liked the work she did for our big banking client. But she never could manage to implement much of anything around here." When it comes to building consensus for a new idea or getting people to focus on non-billable activities, there is nothing quite like a law firm. It takes someone who's been there to make it happen. If you decide to hire a consultant, hire somebody who has a successful track record working with law firms like yours.

Well, that's it for now. I hope you enjoyed this round-up of marketing blunders. Perhaps you recognized one from your own firm's recent efforts on the list. My objective was to help you think about how you and your firm can more wisely spend your marketing dollars. After all, you have limited resources. My best advice....develop a proactive, firm-wide marketing plan. See you at the 19th hole!

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About the Author

John L. Remsen, Jr. is the principal of The Remsen Group, a Florida-based marketing consulting firm that works exclusively with law firms. He is the Immediate Past President of the Southeastern chapter of the Legal Marketing Association and has served on its national Board of Directors. He can be reached at 954.527.9111 or jremsen@theremsegroup.com.

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655 Sherwood Road NE - Atlanta, GA - 30324
404.885.9100 - FAX: 404.885.9111 - TheRemsenGroup.com

THE MPF LAW FIRM LEADERSHIP & GOVERNANCE SURVEY

May 5, 2016



THE
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LAW REVIEW



SURVEY OBJECTIVES, METHODOLOGY AND PARTICIPATING LAW FIRMS



THE
NATIONAL
LAW REVIEW



SURVEY OBJECTIVES

- Create the most comprehensive survey about leadership and governance models of smaller and mid-size US law firms
- Provide important bench-marking data to help firm leaders be more effective in their challenging, often ill-defined, roles
- Determine how firms select their leaders and what firm leaders do in their increasingly important roles
- Learn about the strategic priorities of smaller and mid-size US law firms, including their investments in marketing and technology



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LAW REVIEW



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SURVEY METHODOLOGY

- Confidential, online survey with 35 questions
- 147 law firm leaders participated
- Firms ranging in size from 10-200 lawyers
- Powered by Jaffe, *The National Law Review* and TheRemsenGroup
- Conducted in April 2016



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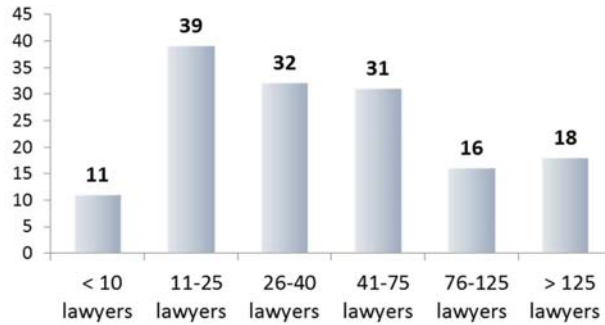
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HOW MANY LAWYERS PRACTICE AT YOUR FIRM?

(by number of lawyers)

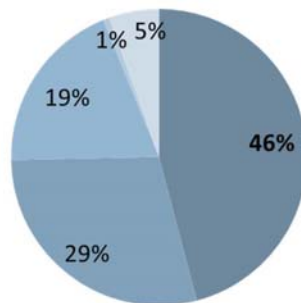


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WHICH TERM BEST DESCRIBES YOUR FIRM'S CURRENT PRACTICE?



- Full-Service Commercial Firm
- Several Recognized Practice Areas
- Single-Practice Boutique Firm
- Plaintiff's/Consumer Firm
- Insurance Defense Firm

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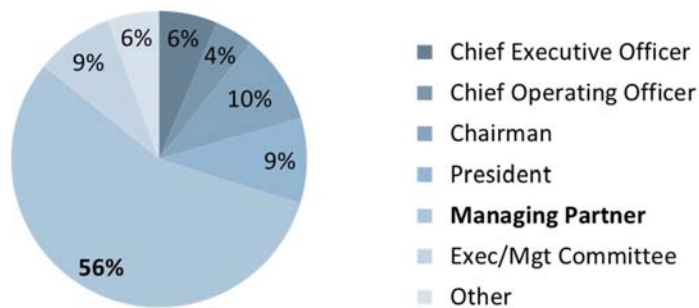
ABOUT YOU AND YOUR ROLE AS FIRM LEADER

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WHAT IS YOUR TITLE?

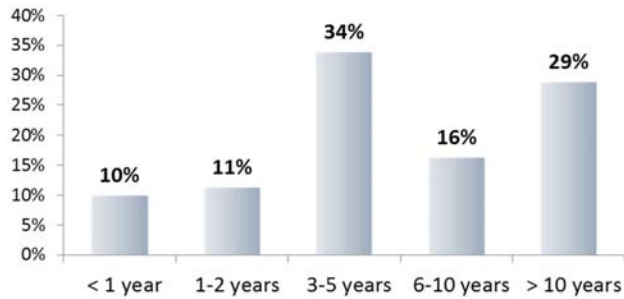


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HOW LONG HAVE YOU SERVED IN THE LEADERSHIP ROLE AT YOUR FIRM?

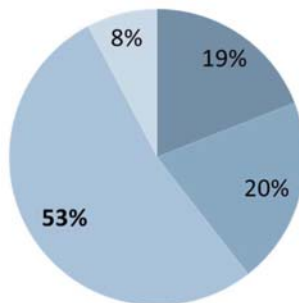


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DO YOU HAVE A FORMAL JOB DESCRIPTION?



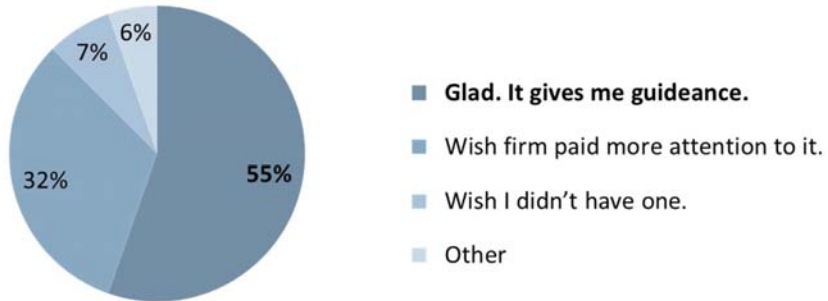
- Yes, in writing and we follow it
- Yes, but not closely followed
- No
- Work in progress

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IF YES, HOW DO YOU FEEL ABOUT IT?

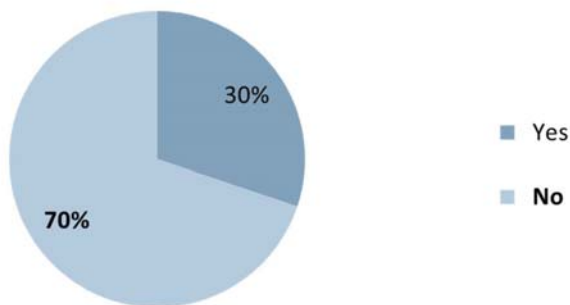


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IF NO, DO YOU WANT ONE?

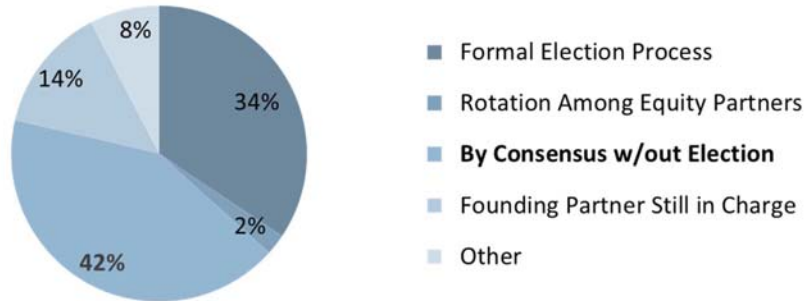


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HOW DOES YOUR FIRM SELECT ITS MANAGING PARTNER?

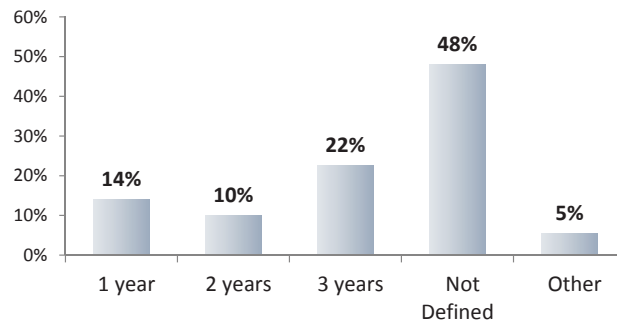


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WHAT IS THE LENGTH THE MANAGING PARTNER'S TERM?

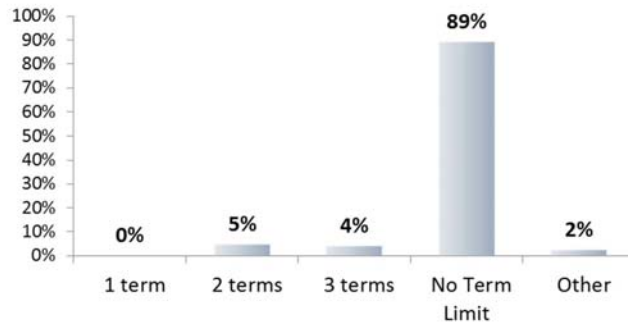


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ARE THERE TERM LIMITS?



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WHAT ARE YOUR MOST IMPORTANT CONTRIBUTIONS AS FIRM LEADER?

(Rate on 1-7 scale. 7 is the highest.)

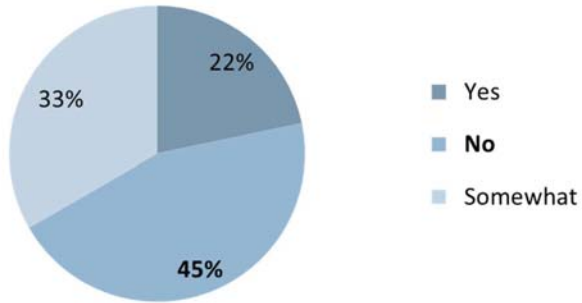


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ARE YOU GROOMING YOUR SUCCESSOR?



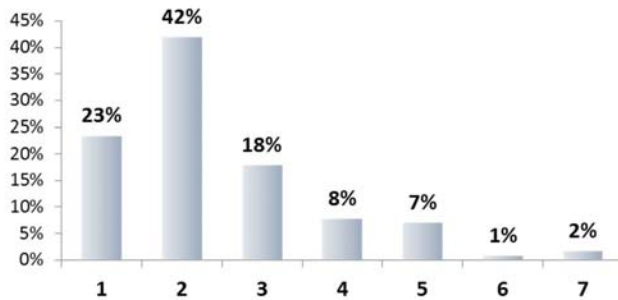
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DO YOU ENJOY THE LEADERSHIP ROLE?

(Rank on 1-7 scale. 1= love it. 7= hate it)



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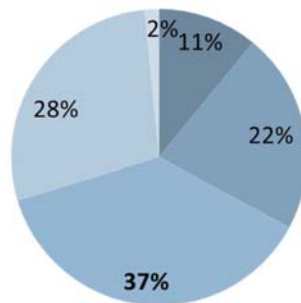
ABOUT YOUR FIRM'S GOVERNANCE MODEL

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WHICH TERM BEST DESCRIBES YOUR FIRM'S GOVERNANCE MODEL?



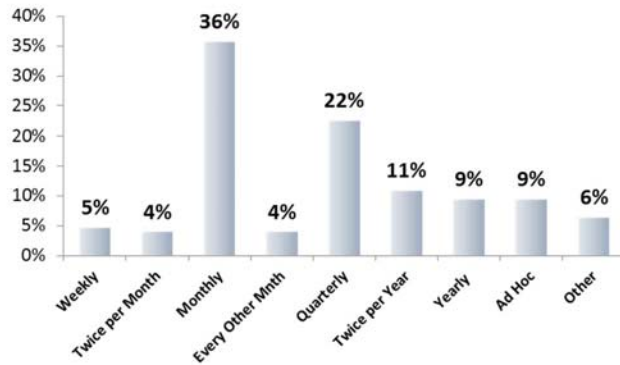
- Benevolent Dictatorship
- Established Oligopoly
- **Representative Democracy**
- Open Democracy
- Office Sharing Arrangement

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HOW OFTEN DO FIRM OWNERS MEET FOR DECISION-MAKING PURPOSES?

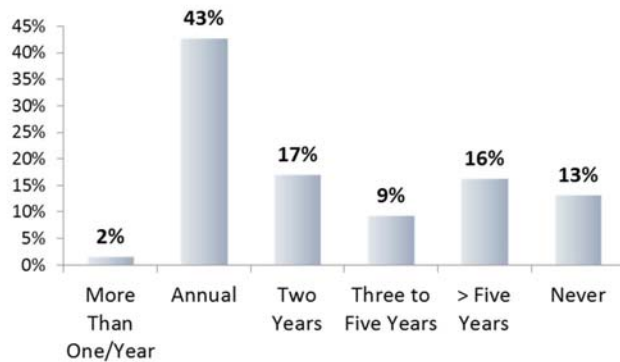


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HOW OFTEN DOES YOUR FIRM HOLD FIRM RETREATS?

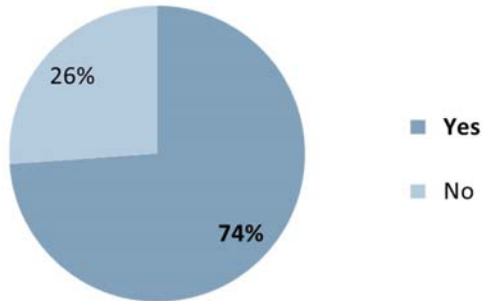


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DOES YOUR FIRM HAVE AN EXECUTIVE/MANAGEMENT COMMITTEE?

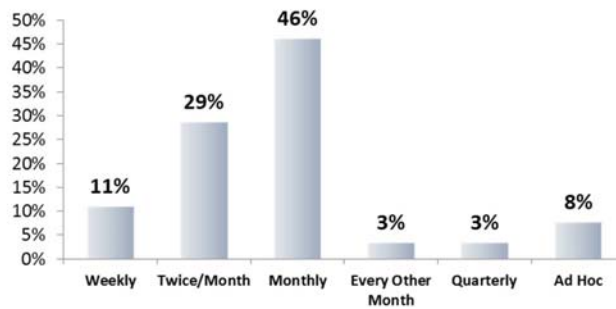


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IF YES, HOW OFTEN DOES IT MEET?

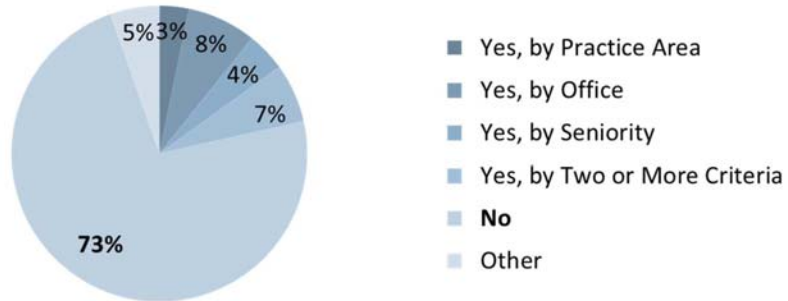


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IF YES, IS THERE “FORCED” REPRESENTATION?

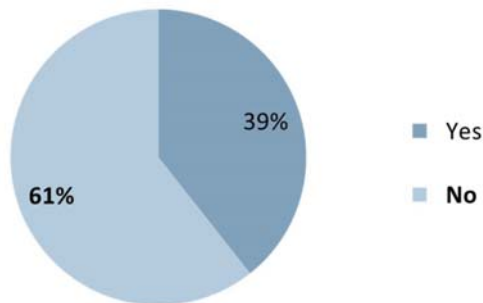


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IF YES, IS THERE A SEPARATE COMPENSATION COMMITTEE?

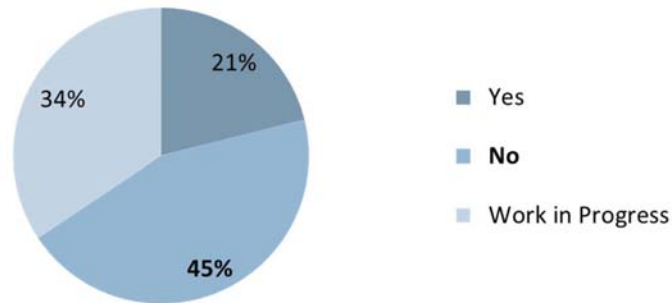


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DOES YOUR FIRM PROVIDE LEADERSHIP TRAINING?



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IF YES, BRIEFLY DESCRIBE LEADERSHIP TRAINING AT YOUR FIRM

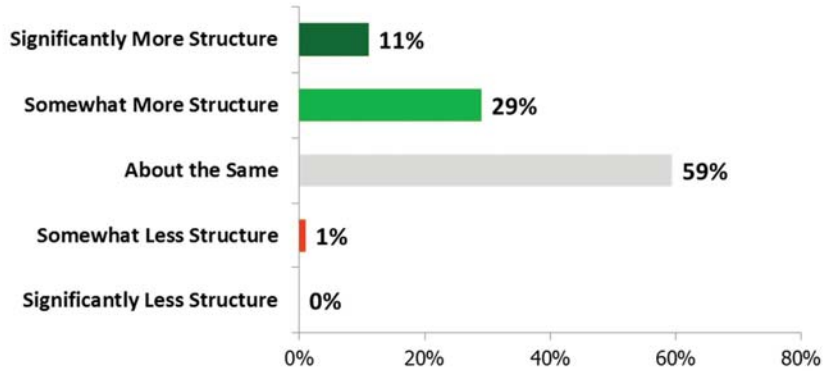
- Outside consultant
- Successors “shadow” predecessors
- External meetings and conferences
- Internal meetings and training sessions
- Assignments to chair important projects and initiatives
- Self-selected mentorship program
- Recommended reading: Books and articles

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HAVE THERE BEEN CHANGES TO YOUR FIRM'S GOVERNANCE MODEL IN THE LAST FIVE YEARS?

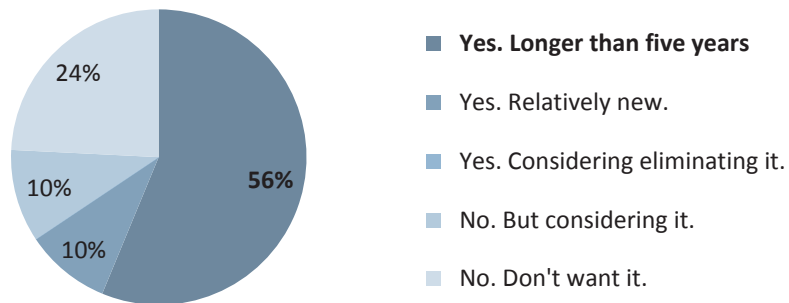


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DOES YOUR FIRM HAVE A MULTI-TIERED PARTNERSHIP STRUCTURE?



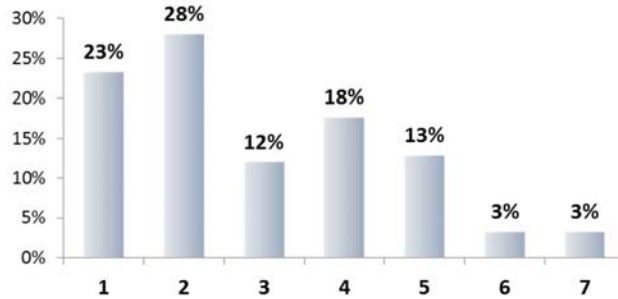
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HAS YOUR FIRM CLEARLY ARTICULATED THE CRITERIA TO BECOME A FIRM OWNER?

(Rank on 1-7 scale. 1= Very clear. 7= Very unclear)



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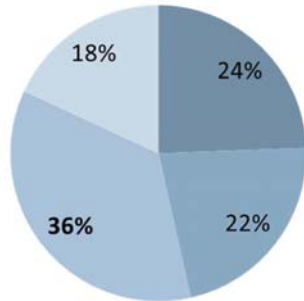
ABOUT YOUR FIRM'S PLANS FOR THE FUTURE

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DOES YOUR FIRM HAVE A WRITTEN FIRM-WIDE STRATEGIC PLAN?



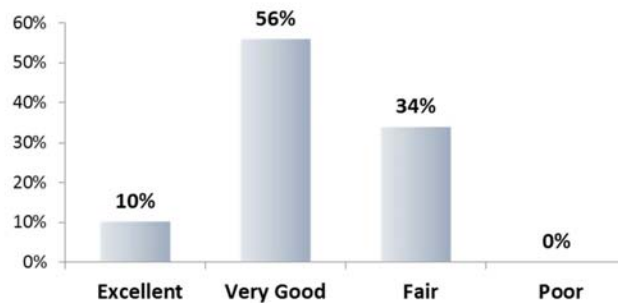
- Yes. Longer than five years
- Yes. Relatively new.
- No. But considering it.
- No. Don't need one.

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IF YES, HOW IS YOUR FIRM DOING ON IMPLEMENTATION?

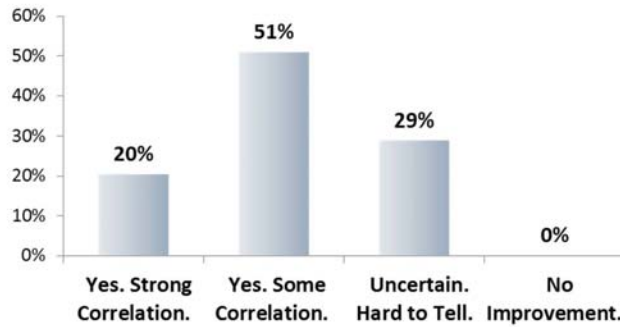


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IF YES, HAS STRATEGIC PLANNING IMPROVED YOUR FIRM'S PERFORMANCE?

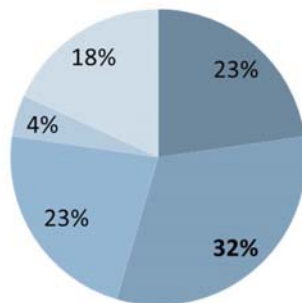


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IF NO, WHAT'S YOUR OPINION AS FIRM LEADER?



- I don't think we need one.
- I'm sold, but not my partners.
- We're busy. No time to plan.
- Too expensive with little ROI.
- Never thought much about it.

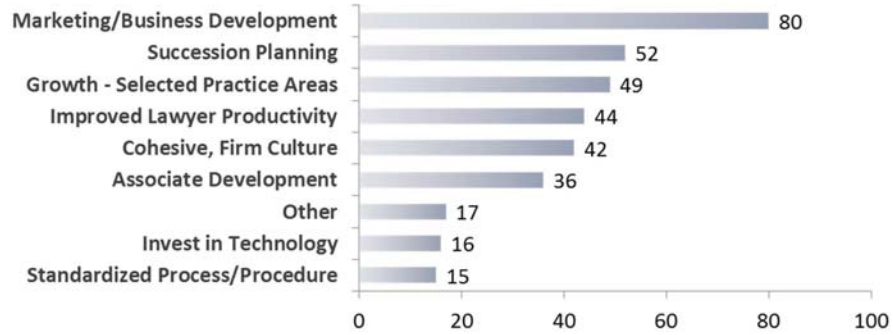
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MOST IMPORTANT STRATEGIC PRIORITIES

(Select your firm's top three priorities.)



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FIRM INVESTMENT IN MARKETING AND BUSINESS DEVELOPMENT

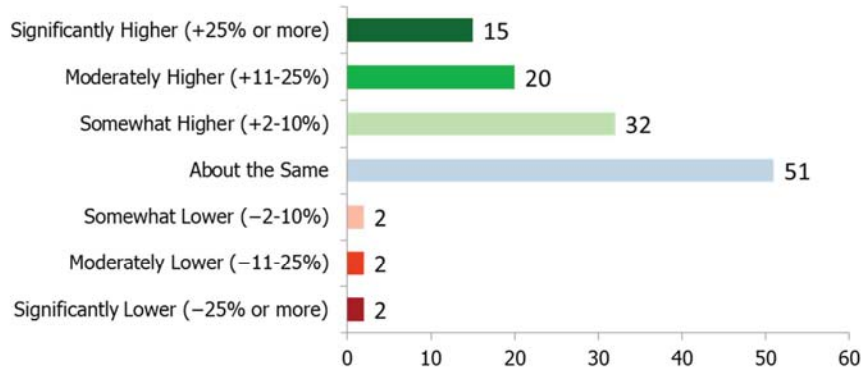
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WEBSITE AND INTERNET MARKETING

(Total Investment 2016 vs. 2015)



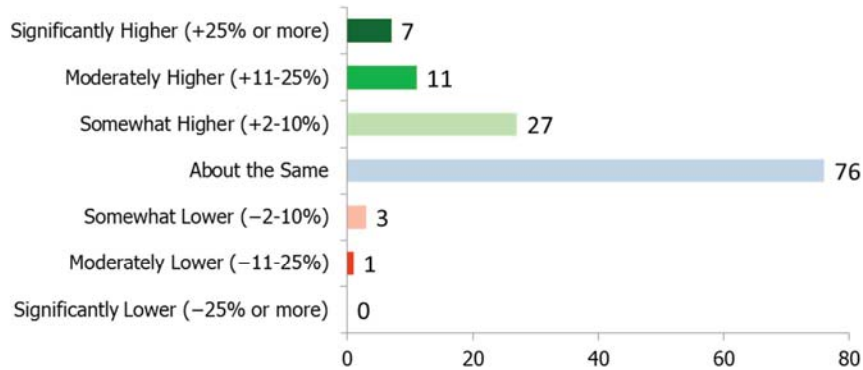
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FIRM EVENTS AND SEMINARS

(Total Investment 2016 vs. 2015)



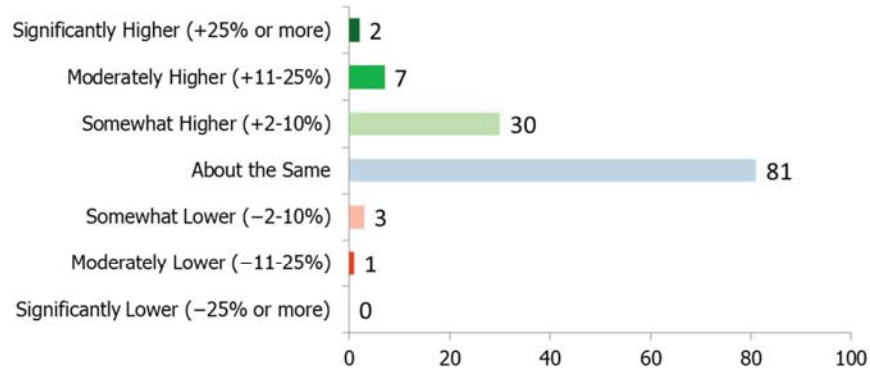
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ORGANIZATIONAL INVOLVEMENT

(Total Investment 2016 vs. 2015)



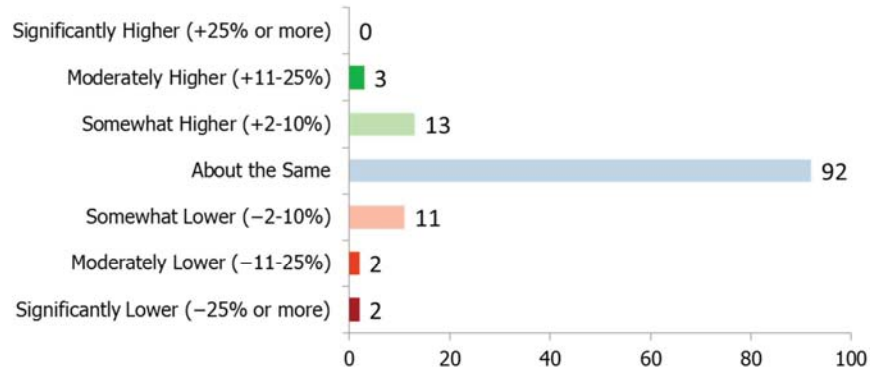
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CHARITABLE CONTRIBUTIONS

(Total Investment 2016 vs. 2015)



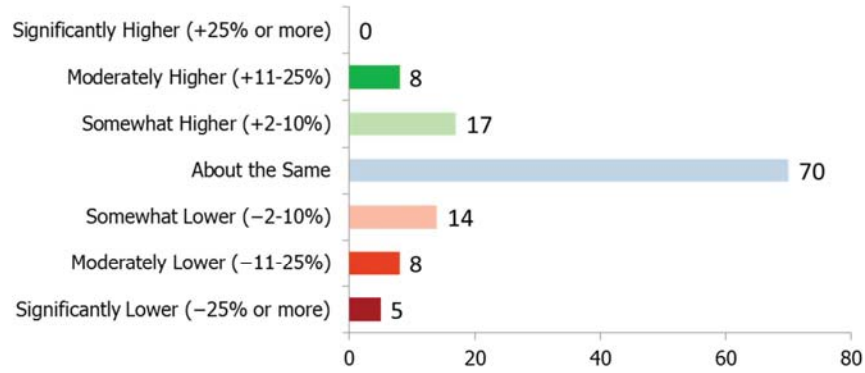
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RANKINGS AND DIRECTORIES

(Total Investment 2016 vs. 2015)



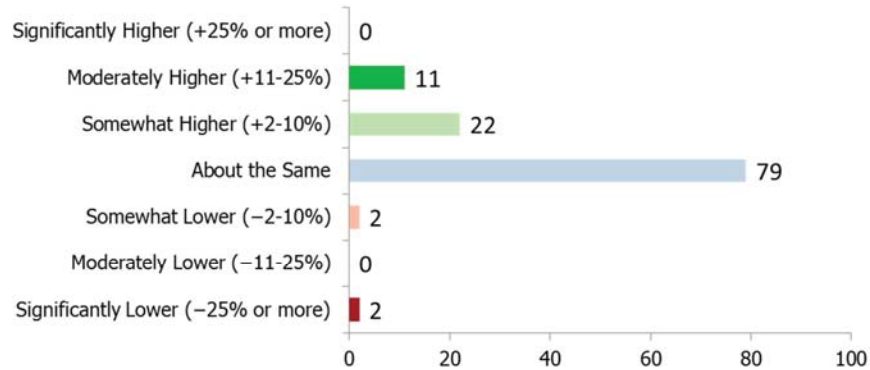
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MARKETING STAFF

(Total Investment 2016 vs. 2015)



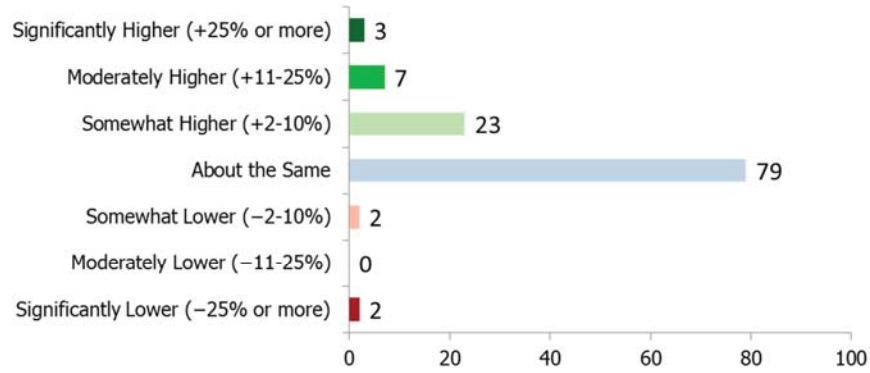
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LAWYER SALES TRAINING

(Total Investment 2016 vs. 2015)



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FIRM INVESTMENT IN TECHNOLOGY AND INFORMATION SYSTEMS

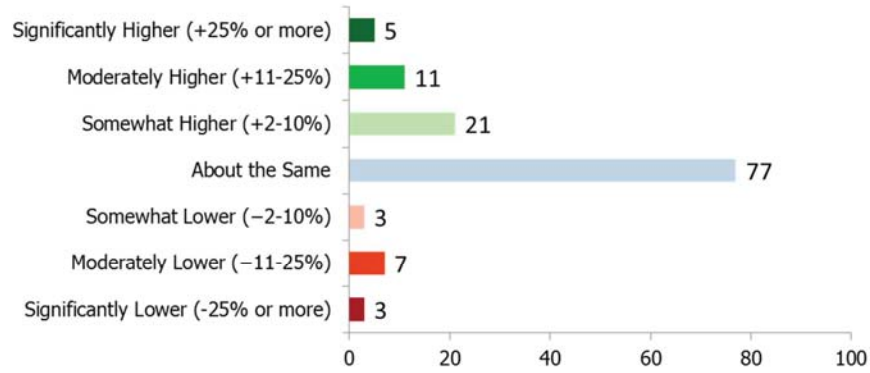
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CASE MANAGEMENT SOFTWARE

(Total Investment 2016 vs. 2015)



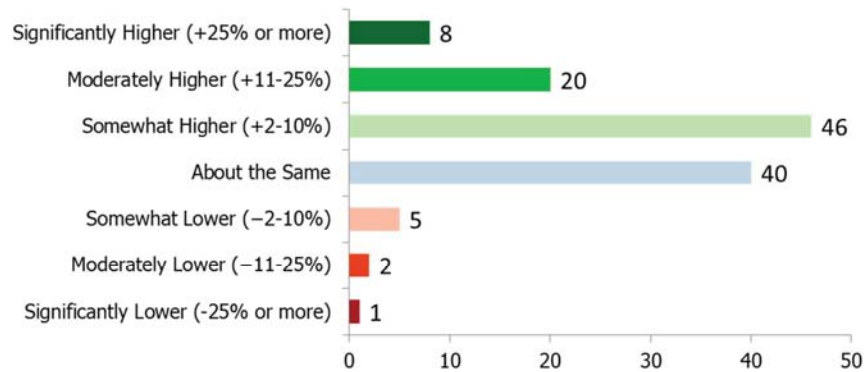
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CYBER SECURITY

(Total Investment 2016 vs. 2015)



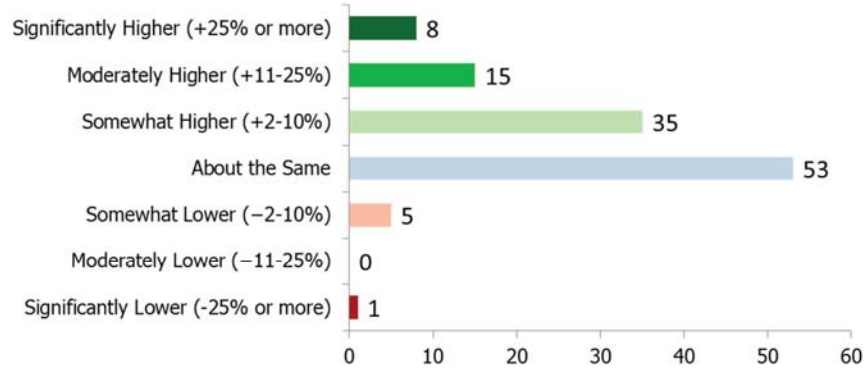
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WEBSITE & INTERNET MARKETING

(Total Investment 2016 vs. 2015)



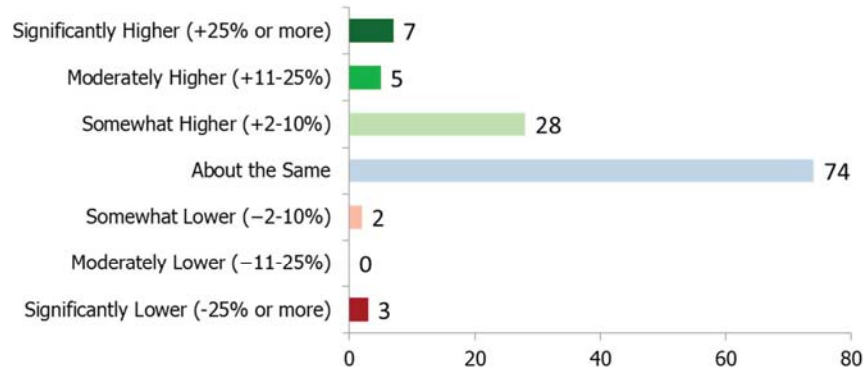
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CRM & DATABASE

(Total Investment 2016 vs. 2015)



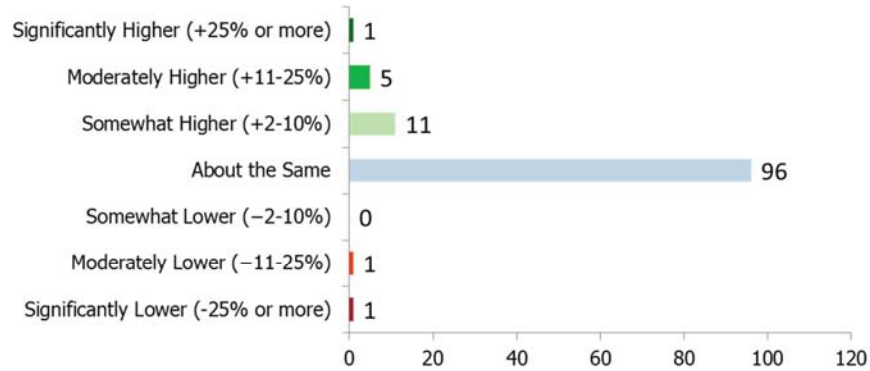
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COMPETITIVE INTELLIGENCE

(Total Investment 2016 vs. 2015)



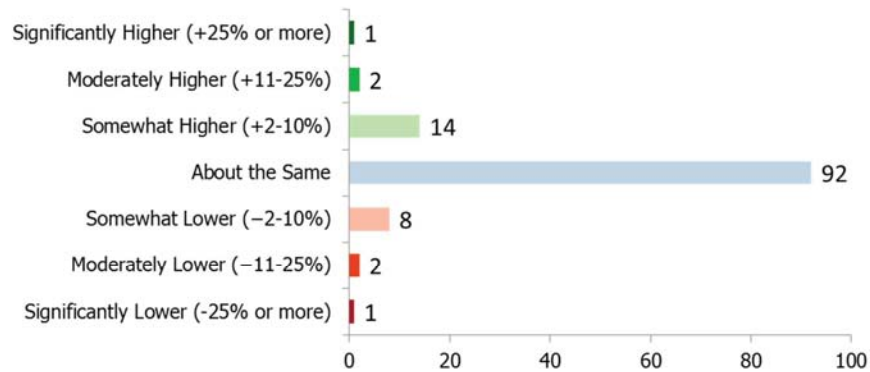
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LEGAL RESEARCH

(Total Investment 2016 vs. 2015)

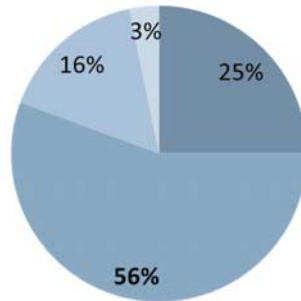


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HOW DO YOU FEEL ABOUT YOUR FIRM'S FUTURE?



- Highly Optimistic
- Somewhat Optimistic
- Not Sure. Work to Do.
- Somewhat Pessimistic

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CONTACT US

John Remsen, Jr.

404.885.9100

JRemsen@TheRemsenGroup.com

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