

How mandates are really won

Pippa Blakemore, strategic business partner of The PEP Partnership, explains the ways to win clients

1 – Build relationships

Strong relationships are fundamental to winning mandates. These relationships are based on the client, contact, referrer or intermediary, liking you, developing trust in you, and so entrusting you to help him to achieve his objectives and solve his problems. The development of these relationships is best illustrated by the diagram below.

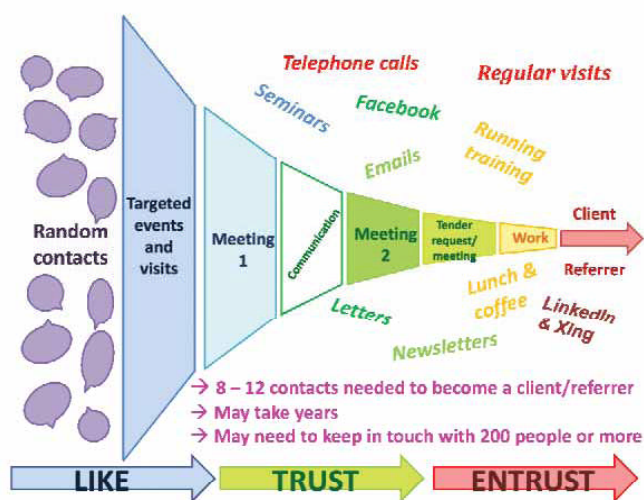
The speech bubbles on the left-hand side indicate talking to everybody you ever meet, as you never know when they, or people they know, might need legal services. Lawyers in planes around the world have received instructions by talking to the person sitting next to them on the flight.

Targeted conferences, seminars and events on the left of the funnel, are more likely to produce appropriate potential clients.

The funnel narrows as you become closer to converting a contact into a client or a referrer. Plan regular visits and have face-to-face meetings. Between meetings there are numerous ways to keep in touch including for example LinkedIn and Xing.

You may need eight to 12 contacts with an individual before they become a client or referrer. It may take several years. You may need to keep in touch with more than 200 people, on a regular basis before they become clients, particularly in litigation.

For example, lawyers have come to me and said: "We held a seminar, which was well attended and was very successful, and yet we didn't win any work from it." This would be similar to going to a party, seeing somebody across the room, chatting for a few minutes, and then saying: "Will you marry me?" There has been no opportunity to develop the relationship from like, to trust to entrust.



2 – Target your resources for maximum return

Existing clients generate approximately 60% – 80% of your current income. It costs you about nine times as much to win a new client as it does to win additional mandates from a current client.

However, you still need to replace the 20% that leave each year. The principles which apply to win-

ning new work and clients also applies to winning more referrals from intermediaries, such as consultants, accountants and bankers.

In the current economic climate evaluating where you should focus your resources should also include four critical questions:

Which clients and contacts have the money?

Will they pay?

Will they argue about the bill?

Will they delay payment? (If they are current clients, what is their payment history?)

Take every opportunity when you meet clients to increase your mandates from them. Identify areas in which you can help and demonstrate how. These opportunities include: briefing before a case or matter; meetings and discussions throughout transactions; closing dinners; coffee after court and formal feedback sessions. The more the client talks about vision, objectives, problems and challenges, the more you are able to identify opportunities now and in future to provide additional services.

Analyse the fee-income from each of your top 20 to 50 clients over the last three to five years. Evaluate the sources of this income, including jurisdictions, industries, products, services, practice areas and departments. Compare this analysis against your own firm and identify mismatches. Then conduct a systematic and structured plan of communication to the client of areas in which you can help them to achieve their objectives. This has produced much work, with the most common phrase from the client's perspective: "I didn't know you did that."

To replace the 20%, analyse clients that you have not heard from over the last two to three years. Find a hook that gives you a reason to get in touch with them. If you categorise them by industry, markets or services, you will be able to use the same hook for a number of different dormant and past clients.

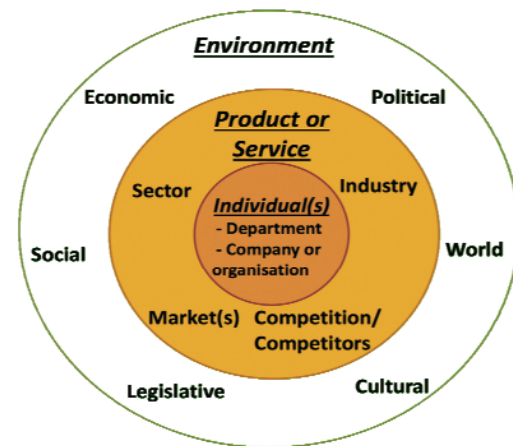
There are plenty of reasons to be in touch even after a long period of time. These could be changes in their industry; introduction of new legislation which might affect their business; changes in your firm; your contact has been promoted; you have been promoted; you have done something interesting recently which might be of interest; you have read something which could be of interest to them; you have written an article which they might be interested in; you have read an article which might be of interest to them; you could ask them for a quote for something you are writing; you could ask them to contribute to a survey.

Your knowledge of your target organisations, industries and markets will enable you to focus your resources on the most fruitful contacts, referrers, intermediaries and clients.

3 – Know and understand your clients and contacts

As the diagram above shows, at the centre of any relationship with an institution are individual people. People buy people first. Because of this, it is important to research these individuals. Research their experience of lawyers, and the pressures they are under. For example, how many e-mails do they receive a day; how many jurisdictions are they managing; how many matters do they have on their desk at any one time?

Research and keep up-to-date on the products and services they provide. I know one lawyer who will only



use and buy the products of his clients.

Be aware of the opportunities and the challenges within their industries, sectors, and their markets. Who are their competitors? What is their competition doing and what is their market share? Read the financial pages every day to ensure that you understand not only what is happening to your clients but the context in which they are working. Keep a record of their share price.

One law firm walked into a beauty parade meeting, made a presentation on how commercial they were, and the first question they were asked was: "What is our share price?" They did not know the answer. They did not win the mandate.

Set Google alerts on your computer to let you know what is happening to your target contacts and client's industries and markets. Research the political, economic, cultural and legislative opportunities and constraints of each jurisdiction and market.

One of the best ways to get to know contacts and clients is to go and visit them. One firm won a mandate because it went regularly to a potential client on another continent, with several lawyers working in their offices for two or three weeks at a time, to try and understand their business. It won the resulting competitive pitch, because the rest did not have the passion to learn about this client and only dropped in on occasional, intermittent and irregular so-called marketing trips.

Take every opportunity offered by your contact and clients to get to know them better on a personal and face-to-face basis. However busy you are, just say "yes" because these people want to feel that they are the only people that you are interested in. Just like personal relationships.

4 – Appreciate cultural differences and requirements

Research and learn every element of the culture that you are intending to do business in. Never assume

anything. Double-check with three sources what you are told. Try and ensure that one of these sources is from the country and works in the country itself.

Personal relationships and family ties play a major part in business in many cultures. You need to understand the importance of these in the conduct of business in a country.

Nuances to understand include the use of titles, use of first names, who is introduced first, who enters a room first and who speaks first.

Knowledge of a country's history, traditions, religions and languages is essential for business development in other jurisdictions. Appreciate that these may be different in various parts of the country, for example in countries such as India and China.

Try and learn some basic introductions, please, thank you and goodbye. It often is well-received if you open a meeting in the local language of the people you are visiting even if you continue in English.

5 – Skills required

Make time every day to develop your business relationships when you are not on visits or at conferences. If you charge in six minute units, then ensure that you spend at least three 6 minute units (18 minutes) per day. If you charge in 15 minute units then have at least one unit per day. This is more than 1.25 hours per week, more than 60 hours for a year (including holidays) which is more than a working week, with very little effort. The more you do, the better the results, the more optimistic and encouraged you will feel about doing it.

Concentrate on the time that is best for you but take into account time differences with other parts of the world and what is the best time for those you are communicating with. Very early in the morning is often a good time to telephone, when decision-makers may be in their offices and before everybody else has arrived at work. Another good time for people is at the end of the working day when most people have left the office and it is quite quiet. It is important however to remember that the times for the start and the end of the working day vary from country to country.

6 – Apply the P-I-F approach

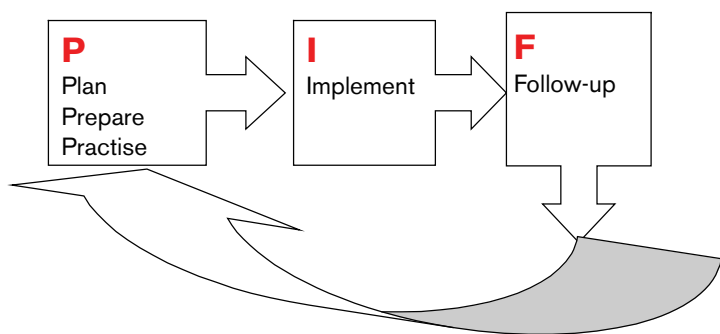
Apply the P-I-F approach to every business development activity, including networking events, new business meetings and international visits.

P = plan, prepare and practise

I = implement: do what you plan and what you say you are going to do

F = follow-up, which is essential to ensure that every business development activity that you do is productive. If you do not follow up the opportunities that you create then they are wasted and it would have been better not to start them.

Your relationship-building needs to be consistent,



systematic and regular. Like fitness and dieting, a little and often, is the most effective approach. It needs to become a habit and part of your role as a lawyer. It will not be effective if you do it in irregular bursts, when you have no work at that moment, and think that it's time to do some practice development.

7 – Productive and enjoyable networking

Plan which are the most appropriate events to attend and who you would like to meet. Prepare your research on the individuals, their companies, their industries and jurisdictions. Prepare your research on your own organisation and the offer that it might have to any individuals that you meet. Prepare and practise a 12-word summary on who you are and what you do. Make it interesting and attention grabbing.

Implement your plan by setting yourself targets which are SMART (simple, measurable, achievable, results-driven, time-bound) on the number of people to meet, both new and those you know already. For example, meet five new people and talk to five people that you know already, within an hour, and obtain a reason to keep in touch with each of them.

There are three elements which make keeping in touch more comfortable. Find a hook, which is a reason to keep in touch. This could be work, hobby, travel, or the family; make a commitment, such as e-mailing a link, sending a copy of the article; and gain permission from the person to whom you make the suggestion.

Follow-up all the contacts you have made. Gaining permission is important to enable you to follow up comfortably, for three reasons. The first reason is that it does not make it feel like a cold follow-up, contact, call or communication, the second is that you will find out the best way to communicate from the other person's perspective. The third reason is that this may be the first step towards demonstrating to that person the way that you provide legal services: quickly, efficiently and reliably. Therefore, if you do not fulfil the commitments you have made and follow-up, you are letting that person down.

8 – Plan every international visit in detail

Pre-visit preparation and planning are essential for a successful visit. International visits need to be part of a long-term strategy of development into a country or jurisdiction. The principles of building long-term relationships apply so that one-off visits are unlikely to be particularly effective unless they are seen by contacts and clients as part of your long-term desire to be their legal adviser or to work with their local legal advisers.

Evaluate the potential of each of the individuals and the organisations that you will be visiting.

Do not expect too much too quickly.

Occasionally, you will win work immediately because you are at the right place at the right time. In other cases it may require several visits over several years, before your investment of time results in new mandates.

9 – Winning business meetings

Prepare an agenda, even if you do not use it. Prepare twice as many business

cards as you think you will need, translated into the appropriate language. Research their potential requirements, plan your offer, have an outline presentation, practise your message and have suggestions for what you could do. An essential part of successful business meetings is planning preparing and practising answers to difficult questions you might be asked, and any subsequent follow-up questions. These need to be practised, with a video camera, before you leave your home country.

You might have arranged to have an informal chat over a cup of coffee to arrive and be faced with the chairman, managing director, the finance director and the company secretary, and be asked to do a full presentation.

In the meeting itself, ask appropriate, well-informed questions which demonstrate your desire to listen and your knowledge of the individual and company. Listen to the answers and ask additional follow-up questions, if that's what the potential client and client wants to talk about.

Follow-up immediately, systematically and consistently over a long time. Many meetings in a short period of time, in a different country and culture are intense and tiring. It is very easy for each meeting to blend into the next and you not to remember who said what, to whom, when, in which meeting. Therefore, as soon as you leave the meeting dictate your attendance note, which should include:

- Names, titles and responsibilities of those attending the meeting from their side and yours.
- Date, time, location of the meeting.
- Key areas of discussion (these do not need to be full minutes, but a record of the major areas of interest and concern of the client or potential client.)
- Commitments made by them to you.
- Commitments made by you to them. Include who will be responsible, dates by which it needs to be done, who else needs to be informed and involved within the firm.
- These plans then need to be implemented according to deadlines and commitments.

10 – Explain the value of your fees

Breakdown each element of your fees and know the value that each person you are seeing gives to each as well as the value to your firm. Plan beforehand the range of negotiables that you have, which may include:

- Timescales, which enable you to negotiate fees against speed of producing work.
- Volume of work – if a client requires a discount you could offset this against volume.
- Level of qualification of the lawyers doing work.
- Communication, including the frequency, method and detail both in level of advice and narrative on bills.
- Method of delivery and the approach, content and structure of the advice.
- In which currency the payments are to be made.
- Speed of payment may help your cashflow.
- Regularity of payments.
- Timing of payments.
- Range of different fee structures.

It is essential before each new business meeting that you understand the value of each element of the fee to your own firm and the value of each element of the fee to the client so that you can both emerge from any renegotiation feeling satisfied.

Using these ten steps, you and your clients will both be in a win-win position.