

Perfect pitch

Pippa Blakemore sets out 10 easy steps for tendering, pitching and winning new business to help you sell your firm and its services in tough times



Winning business methodically and efficiently is essential to revitalise law firms in the current economic conditions. The 10 steps outlined in this article will help you to increase your chances of winning pitches; maximise the effectiveness of time spent on written tenders and oral presentations; and minimise the overall direct and indirect cost of bids. The principles embodied in these steps apply to any firm, any client, and any tender.

1. CONSIDER WHETHER YOU SHOULD BE PITCHING AT ALL

It is tempting to bid for every opportunity, and hard not to pursue every opportunity, particularly for potentially high fee income. However, an objective evaluation of your chances of winning work and the rejection of opportunities which are inappropriate will give you additional time to concentrate on those pitches that you are more likely to win.

There are four key questions to ask yourselves which determine whether you should proceed. Firstly, do we have a conflict, potential conflict or perceived conflict of interest which would automatically exclude us? Research this thoroughly.

Secondly, how strong is our relationship? Analyse your history with the contact or client. A long-term relationship, built on trust and knowledge, which has developed your understanding of the client and has been nurtured over time, will increase your chances of winning.

Thirdly, what is the work and can we do it? Estimate its value and profitability. Investigate what it will involve, the likely volume, and whether you will receive any repeat work. Double check that you have the resources to do the work.

Fourthly, do we want it? Do we want this type of organisation as a client? Is the client in our target market? Can they pay, will they pay on time, and will they continue to be able to pay?

2. RESEARCH THE CLIENT

Find out as much as you can about the client, whether a corporate, a high-net-worth individual, family, or small- to medium-sized enterprise. Research the preferences of the individuals to whom you will be writing and presenting; the number of matters they may be dealing with; the expectations they have of their lawyers; and their previous experience of using lawyers.

Research their organisation, including its culture, particularly if in different countries, its five-year strategy, structure and, if relevant, share price. Look at their sector and industry. What is happening in their markets: is demand rising or falling, and what is their response? Who is their competition and how strong is it? You will then be able to tailor your responses and demonstrate how you will help them achieve their objectives within their business context.

Talk to a client or potential client to discover what they want. Do this throughout your relationship by visiting their premises or any relevant place that will give you a feel for the client, the problems they are facing, the help they require and what you can do for them. Their website will tell you what they say about themselves and an internet search will tell you what others say about them.

3. PLAN THE STRUCTURE OF THE WRITTEN TENDER

The structure needs three elements: an appropriate approach; relevant content; and clear presentation.

The approach to pre-qualification questionnaires and invitations to tender should be to answer the questions and give some 'added value'. With no guidance, create a structure which covers the issues which you think meet the requirements of the client. The content should be relevant to the client and provide solutions to the problems which the client faces. Make the presentation clear, interesting and varied – you could use photographs, graphs, tables, bar charts and pie charts to break up

the document and appeal to all readers, some of whom may like words and others visual representation.

4. WRITE SUCCINCTLY AND EDIT RUTHLESSLY

Remember that many clients now prepare invitations to tender in the same way that examiners set examination papers. They allocate points for each answer and require clear, concise and germane answers to the questions they ask.

Imagine that you are writing to a real person not an amorphous client. That assessor may be reading up to 150 responses, so make it easy and enjoyable for them, not boring and turgid. Use examples from the client's jurisdiction, organisation, sector and industry to demonstrate your experience and knowledge.

The first paragraph in any section should summarise the whole section. The first sentence of every paragraph should summarise that paragraph. Keep one subject per paragraph and one idea per sentence. Put paragraphs in order of interest and importance to the client, with the most important first. Keep sentences short: review sentences of more than 40 words.

5. OFFER TRANSPARENT FEE STRUCTURES

Give the client the approach and structure they ask for. If you cannot do this, consider whether you should be bidding at all. If you are asked for innovative and creative fee structures, other than hourly rates, consider options such as: value billing; fixed fees; blended rates; project based billing; and performance-related bonuses. Use tables and graphs to make your proposals transparent and easy to understand.

In the oral presentation, emphasise the value of what you are offering. Be proud of what you will contribute to the client in helping to achieve their objectives. Do not be embarrassed about talking about fees or defensive about their size. Agree your authority to discuss fees beforehand and know your position on fees.

6. MANAGE YOUR TEAM AND PROCESS

Create a coherent team. The leader should embody the client perspective, liaise with the client and inspire and motivate his legal team. The project manager, who could be a lawyer or non-lawyer, ensures that deadlines are met. Writers and editors need to be flexible, and knowledgeable of, and sensitive to, client needs and requirements.

The timetable for writing and delivering the tender document needs to be planned backwards from the delivery date and include margins for delays. Bear in mind that chargeable work needs to be done; writing and editing can take twice as long as anticipated; graphs and tables need time to create; and colour printing takes longer than black and white (printers are renowned for breaking down as deadlines approach). Delivery can be held up by couriers experiencing breakdowns or traffic, or overloaded email systems crashing; be prepared for this and / or deliver earlier than all the other law firms.

7. PREPARE A SIMPLY STRUCTURED PRESENTATION

Put the written tender to one side and start again with your oral presentation. Assume that those on the prospective client interviewing team have not read your tender response or, if they have, they have forgotten it.

Research their team and match your presentation team to theirs. Decide the objectives of your presentation and the key

messages that you would like to convey. Divide the content into between three and five main points. Have three sub-points under each main point. Use examples relevant to the client. Ensure that every member of the team presents.

Prepare an agenda and keep to time, by preparing a presentation that is approximately two-thirds of the time allocated. Visual aids should support your presentation and not distract. Remember that you, too, are a visual aid, so wear clothes which make the client feel comfortable and meet their expectations of lawyers. Winning tips include clean shoes, a firm hand-shake, a sincere smile and looking as if you want to be there and are enjoying the presentation.

Phrases to avoid include: "We believe..."; "We feel..."; and "We are happy to...". Clients do not want lawyers to have emotions, feelings or beliefs – they want value-for-money legal advice.

Clichés used by law firms that do not distinguish them from their competition include: "We have strength in depth..."; "We understand the needs of our clients..."; "We give commercial advice..." and "We understand the business of our clients...".

8. PLAN AND PRACTISE ANSWERS TO QUESTIONS

Many pitches have been lost because a good presentation has been followed by poorly answered questions. Plan all the questions you might be asked; create structured answers, like a mini-presentation; anticipate, structure and practise any follow-up questions; and allocate each member of the team to handle particular subject areas. Practise the answers, in full and out loud in front of your team members – don't just say "I would say xyz...". Welcome questions, because this demonstrates that the client is interested and gives you a chance to build relationships with the interviewing team.

9. ALLOCATE QUESTIONS TO ASK THE CLIENT

Plan questions for each member of the team to ask the client. These should be substantive questions to which you should not or could not know the answer from any general research which you should have done on the client.

Once you have completed steps 7 to 9, practise the presentation, the questions they might ask you, and the answers you will give, and the questions you will ask the client, using a video camera or camcorder, and play back the recording on a television. This enables everybody to see themselves as the client will see them.

10. SOLICIT FEEDBACK

Obtain feedback from all your written documents and pitch presentations, whether you have won or lost them. This will give you guidance on what clients like and don't, and also the strengths and weaknesses of your written documents, your presenters and your approach.

When asked to tender, relish the opportunity to demonstrate your value to the client or potential client and use the ten steps to increase your success in winning profitable business. ■

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