

Must have law  
firm experience.

Where are the new ideas coming from?

## Same old same old.

“Must have previous law firm experience”. This has to be the most common phrase to appear on job descriptions for marketing & business development roles in law firms. But why? In an era when law firms need to stand out and be distinctive more than ever before, what are the implications for injecting creativity and new ideas into the profession?

## Strip away the rhetoric.

The typical reason given for people needing previous law firm experience is that they need to understand the specific dynamics of working in a partnership. The inference is that unless you already work in a partnership you won't be able to grasp how they work.

But what do we really mean when we talk about understanding how partnerships work? Being kind, we mean it can be tricky to get things done in an environment where consensus is everything. It can be difficult - sometimes impossible - to manage so many competing demands.

Being less kind, we mean that law firm partnerships are largely dysfunctional environments. They can be draining and demoralising to those people who aren't prepared to accept severe limitations being placed on what they could achieve in a more straightforward, corporate environment.

By insisting on recruiting candidates who already have law firm experience, firms are obviously limiting their recruitment pool significantly. However, the more damaging impact is arguably to their competitive advantage.

Only recruiting people who have worked for other law firms, potentially competitors, will only bring ideas that your peers are already using. When firms are desperately striving to be distinctive this is counter-intuitive. Why would a firm want to be like everyone else? Isn't the point to be better than your competitors? To do that you need better ideas, not the same ideas.

Think about the current marketing trends that firms are trying to get to grips with. Social media, digital marketing, content-led marketing and thought leadership, campaigns, data. What industries are leading the way in these fields? Not the law. So why not look outside?

## A microcosm.

These issues can be seen in a smaller sense within different segments of the legal market. Take international firms for example. Most international law firm recruitment briefs come with the heading “must have international law firm experience”. Again, why?

For a long time the larger international firms, simply by virtue of their size and scale, had to compete against fewer firms for the sort of work they want to win. They hadn't experienced the fee pressures other firms have. Formal tendering for work was rare. As a consequence, they hadn't needed to bring as many different skills and ideas to their marketing, relatively speaking.

But things have changed. Smaller firms have grown bigger. The Americans have arrived. Clients are demanding more for less. The landscape's been changed through numerous mergers. Size and scale isn't the differentiator it once was.

International firms are now being confronted by more formal bidding; they're trying to turn occasional transactional relationships into broader recurring relationships; they're having to work harder to define their brand proposition in order to stand out amongst their peers.

And where do the skills to address these challenges reside? They're far more likely to be found in smaller, probably national firms, who have operated in a more competitive environment for longer. Firms where tendering has been common for years, cross-selling has been a focus for a long time and they have well-established KAM and CRM programmes.

By limiting their recruitment pool to those candidates already working in international firms, international firms are restricting their ability to recruit the skills they desperately need.

## A sideways glance.

The old adage goes that law firms are 10 years behind the accountancy firms when it comes to most things, including marketing. So what are the big four doing about recruiting people from outside the industry?

When I worked at EY in the mid-noughties, the account director role was well established. This was someone from industry, a non-accountant, who sat alongside the Global Client Service Partner to help manage a number of key client relationships.

Their input and value was considered critical. They advised on account development strategy, were client facing with board-level relationships and input to all major bids. Imagine how such a role could transform most law firm KAM programmes.

More recently, the big four have taken to recruiting sales directors from recruitment agencies. They are tasked with going out into different markets, building relationships and winning work to then be delivered by the fee-earners. The rationale is that they are used to having to build a portfolio of clients at the same time as actually delivering work.

Many of these people now hold extremely senior positions including, ironically, the recruiter who placed me in my first role with a law firm.

# Innocence vs. experience.

Edward de Bono is generally considered to be the godfather of creative thinking. He coined the phrase 'lateral thinking' 47 years ago. In his most recent book he talks about the creativity of innocence and the creativity of experience.

The benefit of innocence is that, if you aren't inhibited by the constraints of knowing how things are typically done, you're more likely to suggest novel and fresh approaches. With experience however, you have an awareness of what has and has not worked in the past, which can inform your perception of what will succeed in the future.

When a person joins a new organisation there is a window of creative opportunity that runs from about the sixth month to the eighteenth month. Before the sixth month the new person doesn't yet have enough information to get the feel of the business; after the eighteenth month they're so imbued with the existing culture and way of doing things that innocent freshness is no longer possible. Law firms typically refer to this as "going native".

Following this line of thought, the ideal balance for law firms seeking to stand out and be distinctive is, obviously, to have a good mix of experience and innocence. A blend of people who have been in their roles for long enough to know the politics and how to get things with done, supplemented by an appropriate stream of new people able to bring fresh ideas and creative approaches.

## A brighter future.

There are, of course, plenty of talented and successful marketers in law firms who have spent all, or the majority, of their careers in the sector. Equally there are some, but not many, talented and successful marketers in law firms who have come from outside the sector.

The critical factor in all of this is emotional intelligence. People with top technical skills and a high degree of emotional intelligence will succeed in any industry, including legal. People with top technical skills but limited emotional intelligence will struggle in any industry, particularly legal.

So let's be smarter and braver about the people we recruit. Let's properly assess the skills needed within our firms to really help them stand out and be distinctive. And then let's go and recruit the people with the right skills and emotional intelligence - wherever they may come from.

Cutting edge skills. Multi-industry insight. The best marketing programmes possible. Competitive advantage through new ideas. Offering something genuinely different to your peers. Doesn't that sound good?

Thirteen.Be.Distinctive.