



No more 'business as usual': Why law firms are rethinking BD

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In recent years, business development within law firms has undergone a quiet shift. The role has grown more sophisticated, data-driven and increasingly involves lawyers across all levels. BD leaders from Multilaw firms examine the developments and innovations that have sparked this transformation, and explain why a collaborative approach can be so powerful.

The business of law has undergone something of a transformation in recent years — thanks in no small part to the Covid-19 pandemic. As jobs have become more flexible, relying more heavily on technology to bridge physical gaps, this has forced speedy innovation. Of course, before Covid things were changing too, but this accelerant has provided an opportunity to ask questions about widely accepted norms, and rethink 'business as usual' approaches across the board.

Inside law firms, business development professionals have pushed for a recasting of the role they play, nudging their organisations towards a more holistic view that encompasses legal talent, and allows them to build a more three dimensional relationship with clients.

Zac Robinson, Director of Marketing and Business Development at Tilleke & Gibbins, South East Asia, calls business development in the legal practice “incredibly dynamic”.

“The law is constantly evolving, our clients’ businesses are constantly evolving, and the whole business landscape is constantly evolving, and you’re in the middle of it all. You have to keep on



When it all works, “you get to watch your own business grow, the clients’ businesses grow, and you learn a lot very exciting, cutting-edge stuff in the process,” Robinson says, noting this can be “tough, but incredibly satisfying”.

But that’s when everything is running smoothly.

Jasmine Trillos-Decarie, Chief Client Officer, Lathrop GPM, USA, says the legal profession has generally suffered from “random acts of marketing and business development”.

“Law firms should work with practice groups and individual attorneys to tie marketing and business development initiatives to the law firm’s strategic plan,” she says.

Guilherme Zuzarte, Head of Business Development for Abreu Advogados in Portugal, says while business development in law firms stems from communication and marketing teams, “reality has shown the need to separate and deepen each area, albeit with an absolutely necessary interconnection”.

“The roles in business development teams have also evolved a lot and the ability to work with data has become mandatory,” Zuzarte says, noting this has carved out the need in teams for dedicated specialties.

As the role of BD has grown more nuanced within legal organisations, this has created the opportunity for deeper client relationships.

Sally Luxmoore, National BD and Marketing Manager at Macpherson Kelley in Australia says “There is now a balance between entertainment that can celebrate a win or deepen a relationship and initiatives that add value for the client,” Luxmoore says, noting there is increasingly a greater emphasis on BD activities that educate and provide clients with the knowledge to make better business decisions.

As business development grows more collaborative, it is woven into the businesses’ overall strategy, rather than being siloed away with communications and marketing, this has created room for a more collaborative approach across the organisation. Increasingly in law firms, lawyers are becoming more hands-on.



grows, this image is evolving too.

Some lawyers are born to win business, lead teams and promote their brand, others prefer to work quietly in the background. There is no one way to lawyer — just as there is no one way to thrive in business development.

Ben Buckton, Chief Marketing and People Officer, Shakespeare Martineau in the UK says it's important to remember that lawyers “are trained in a very different skillset to sales professionals, so there needs to be investment in both the development and testing of that broader skills toolkit which encompasses this,” he says.

Rolland Keane, Business Development & Marketing Director, Penningtons Manches Cooper in the UK, says it's only fair to acknowledge that many lawyers, especially those at the more senior levels, already commit a great deal of time and effort to business development, but some of this work may go unnoticed if it is not activity that involves the BD and marketing function directly or fails to be captured with the firm's CRM systems.

Keane advises firms to begin by “widening the scope of what is recognised as worthwhile BD”. This in turn will draw in more lawyers and allow them to play to their varied skills and interests.

“Once you widen the scope of how people can engage actively with BD you can then start to record and measure these activities and build this into the firm's appraisal and reward mechanisms. Like most things in life, if you want to encourage people to go the extra mile and get involved then their efforts need to be recognised and rewarded appropriately,” he says.

Fostering an internal shift

While for business development professionals working in law firms, it may be an easy sell why lawyers should involve themselves in the BD process, when it comes to translating this organisational change, this is often easier said than done.



and support. With the latter being the catalyst to solve the first two,” he says.

Jasmine Trillos-Decarie, Chief Client Officer, Lathrop GPM, USA, says ultimately, “it comes down to training and education both on how to develop business and why it is essential that everyone does so”.

Business development, Trillos-Decarie says, “can be built into almost every interaction [lawyers] have”.

Often, it can be something of a ‘team sport’ Trillos-Decarie says, explaining a team of attorneys working together to develop business from an industry can often be more effective than one person trying to do it all on their own.

Currently law schools are doing attorneys a disservice by not educating them in business development skills, she says. As a result, “firms should start with the growth goals in their strategic plans, and attorneys should work hand in hand with their business development professionals to identify the activities that will bring the most ROI to the attorney and the firm”. But, Trillos-Decarie adds, “one important thing to consider is what the attorney enjoys doing. If they do not enjoy it, it will never happen”.

The challenge of making business development enticing for lawyers, while also giving them a chance to find the elements they enjoy, requires law firms to provide opportunities for them to flex the necessary skills and gain confidence.

Robinson of Tilleke & Gibbins says different priorities are often in competition for lawyers’ time, and that this is a key barrier to making BD more attractive and easy for lawyers to engage in.

But the most common challenge Robinson sees comes from pressure to achieve billing targets. “Many lawyers, understandably, feel that BD isn’t the best use of their time,” he notes.



“Non-billable hours must be given weight when calculating KPIs, whether through fixed targets for BD hours, broader non-billable hour allowances — which can also incorporate things like pro bono, CSR, and admin tasks — or through more dramatic changes,” he says. “If they aren’t given that weight, some busy lawyers simply won’t find time to do BD”.

And then there is the elephant in the room.

“People forget that BD isn’t just about new clients—it’s just as important to expand relationships with existing clients,” Robinson says.

“In fact, expanding existing relationships is much more likely to bring in work than building new ones, and it’s much easier. Really get to know your firm’s services beyond your own practice group — read the website and marketing materials and become a champion for other practices—then talk to your clients off the clock about their broader business needs. Nine times out of ten, they’ll need something that one of your colleagues can offer, and just like that you’ve developed new business for the firm,” he says.

Inclusion & diversity is key

Another often overlooked area is the talent of lawyers across the business; business development shouldn’t just be for lawyers at the top, say those working in law firms.

Buckton of Shakespeare Martineau in the UK says there are many benefits for a more collaborative approach that involves lawyers at every level.

“By focusing purely on senior lawyers or partners, you lose an opportunity to develop people — the partners of the future,” he says. “At the same time, you also limit the firm’s ability to access new workflow opportunities”.

Keane of Penningtons Manches Cooper, also in the UK, says all the firm’s lawyers are “expected to get involved with business development even at the most junior level”.

“Obviously the proportion of time spent on BD and the importance attached to achieving commercially worthwhile outcomes as a result increases with seniority,” he explains, but adds, “nevertheless we instil into our junior lawyers from the day they join us that their success and



is fundamental to our culture and is woven into our appraisal and promotion processes as well as our reward structures”.

And there’s no time like the present to start — in fact, firms should encourage these activities right from the beginning of a lawyer’s professional career, says Hugo Pena, Director of Business Development, Gonzalez Calvillo, Mexico.

“It is of paramount importance that, right from the outset, attorneys are trained and empowered with a set of soft skills that many will certainly already have, but that for others may be a struggle to explore and develop,” Pena says, noting building confidence and offering the right training and tools is critical, while “openness from the firm to immerse [lawyers] into BD and marketing activities is always a plus”.

Increasingly within law firms, diversity and inclusion has been nudged to the front of the agenda as essential for creating a desirable workplace. At the same time, there is also a growing push for talent to participate in different parts of legal organisations, and for greater inclusivity in the profession more generally.

“The industry needs to continue its work in promoting and hiring people from all backgrounds to ensure diverse teams are at the helm. Diverse and inclusive law firms attract diverse clients. The business development activity that follows would hopefully then be more inclusive by its nature,” Keane says.

There are business development opportunities for every talent, and Keane encourages law firm leaders to broaden the way they think about BD if they want to encourage a greater diversity of lawyers to participate.

“If the focus is on knowledge sharing, presenting to a live audience, prerecording video or audio content for on demand access, writing articles, or even sharing an interesting news item attached



Buckton notes, “to get to real inclusion you need diversity, and that is as true about your growth strategy as it is about people. So having a variety of channels, opportunities and access routes to BD – including leveraging the digital and physical worlds”.

This in turn comes back to “basic principles of marketing segmentation and targeting”.

Some people want to do in-person golf days and others might want virtual training, says Buckton. “Understand your prospects and create meaningful opportunities to engage with them. Brand experience and interactions with your target audience that are regular, varied and memorable is key,” he says.

Robinson adds that outdated ideas of what BD entails or includes can be something of a barrier.

“The most visible activities to attract new clients just happen to be the most intimidating for people who don’t enjoy doing them, and they can sometimes seem like the only options available,” Robinson says, listing public speaking, leadership roles in organisations as examples. “Attending boozy networking events can be great fun for the right people, but for a lot of people they’re an absolute nightmare,” he adds.

“If you’re in the latter group and feel like it’s a barrier, talk to your BD team about other ways to build relationships. There really is something out there for everyone,” he says.

Keane notes that the key is “not to worry about the areas of BD that you’re not good at – realistically, no one has the time to do all aspects of BD well, and you are unlikely to feel your authentic self if pushed too far out of your comfort zone”.

“One of the most powerful business development skills is to be able to listen well, so just doing that when meeting clients, and colleagues, is great BD,” he adds.

Imbedding innovation in each step

Another part of this BD evolution is the use of technology to help propel forward strategies, paint a picture of clients and their needs, and boost productivity.

Zuzarte of Abreu Advogados says law firms “have the tremendous benefit of having large amounts of data available”.



proven to be one of the most important levers for financial and operational sustainability,” Zuzarte says.

The use of technology to navigate and find opportunities has proven a winner for businesses. Buckton says technology touches every part of BD “whether it’s pre, post or during the BD activity, there is nothing that doesn’t need technology or data to back it up”.

There are tech links behind each part of the process, he notes. “In-person events rely on CRM, email, web pages, digital display, etc. The biggest opportunity that the digital evolution has created in a BD sense is probably the ability to have excellent insight and context to your client/prospect – again, in the pre, post and throughout,” Buckton says.

While technology has propelled forward some aspects of BD work, other functions remain similar. “Entrenched within the evolution of technology itself is cold calling,” says Pena who notes that this has evolved over the years.

“30 years ago, perhaps you would open the Yellow Pages to look for a company or contact and make a telephone call to connect with a potential client. 15 years ago, you would check online on their website. 10 years ago we started seeing more natural connections, [adding] someone on LinkedIn to discuss business. I can only imagine how it will be in 20 years’ time,” he says.

With more information available online, business development professionals must wade through data and design processes through which to extract value, in order to make the most out of the information at hand.

Pena points to the saying “if you can’t measure it, you can’t improve it”, as something of an ethos.

“It is of the utmost significance to keep a detailed track record of activities, variables and parameters that will allow teams to review performance, establish accountability, and most



In the UK, Keane of Penningtons Manches Cooper, says financial data is “fundamental to operations”, and in business development terms “there is seemingly no end to the type or quantity of data that can be collected – information on geographies, markets and sectors and the clients, targets and competitors that operate within them”.

Keane notes this can come with challenges of its own. “The adage ‘what gets measured gets done’ can become ‘what gets measured slows you down’ if you don’t have a clear understanding of the questions you need to answer at the start”.

“The data that is critical to our business development is the information that tells us who and what a good client looks like. Tactically, digital marketing allows us to measure the impact of our efforts and provides us with useful metrics so we can make changes to the recipe – bounce rates on the website, open rates of e-newsletters, engagement levels on social media posts – all can be analysed for the purpose of improving activity. The balance is to measure enough and then act, not just collect and report on it,” Keane says.

BD in development

While business development leaders in law firms continue to strive for organisational change as they encourage greater participation from lawyers, they’re also navigating industry challenges and pressures at the same time.

Plenty of progress has already been made, but BD professionals working at law firms see more room for improvement ahead.

Luxmoore of Macpherson Kelley in Australia says business development is “constantly evolving depending on a range of aspects such as technology and the day to day needs of the client”.

She says if changes aren’t made to meet the needs of clients, or to utilise available technology in the industry, “it is likely that we are going to slip behind our competitors”.

With competition in mind, Luxmoore says there is “certainly lots of scope to learn new business development concepts from other industries especially where sales techniques are much more sophisticated than we see in the legal industry,” she says, noting that “traditional law firms are also



“This has pushed law firms such as Macpherson Kelley to increase their focus on areas such as innovation and place a greater emphasis on client experience” Luxmoore adds.

Robinson of Tilleke & Gibbins agrees competitors are pushing BD professionals to constantly look for ways to improve.

“Outside the legal profession I find a lot of the Big Four’s BD initiatives quite inspiring,” he says, noting there are parallels between law firms and professional services firms. “The way the Big Four push their understanding of their clients’ businesses is something that law firms really need to be replicating,” he says.

Although Robinson concedes this is “easier in audit and accounting of course—they often see a lot more of a business’ inner workings than we do”.

“But when you dig into initiatives like EY’s Future Consumer Index or PwC’s New Equation, it’s hard not to think that the legal profession could be doing more,” he says.

While the nature of business development will continue to evolve and adapt to meet the challenges of an increasingly competitive legal business landscape, external proof of the value placed upon BD leaders has grown more visible too — increasingly department heads at mid-sized and large law firms are being welcomed into board seats, as their voices are increasingly prized in strategic decision-making. Experienced BD professionals have never been in such a strong position.

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