

So You Want to Be a Rainmaker

by Sara Holtz

Of course you want to be a rainmaker. Rainmakers in law firms make more money, have more influence, feel more secure, and, perhaps most important, exert more control over their practices and their lives.

Being a rainmaker comes with significant financial rewards. Having your own book of business provides you with a greater say in how your firm is managed. It earns you respect from those you work with. If you are an associate, in most firms, you must be able to show your potential as a rainmaker if you are to be made a partner. In fact, having your own book of business translates into the best job security around.

Rainmakers can better control who they work with—and can avoid working with difficult clients or colleagues. They also can choose the types of matters on which they work. And if they decide that their current firm does not provide an optimal environment for their practice, their book of business can move with them.

But rainmaking seems like a daunting task to most lawyers. After all, you did not go to law school to become a salesperson. All those networking events, all those speeches, all those cold calls! To say nothing of finding the time, given all the pressure to meet client commitments and all those other commitments in your life.

But becoming a successful business developer need not be daunting. Although it certainly does take focus, persistence, and patience to adopt a marketing mind-set, you can succeed by following the advice given here.

Ask the successful rainmakers you know what is the best way to build a book of business, and each one will likely have a ready answer. But it's equally likely that each one will not give the same answer. Some will advise establishing a strong reputation by giving speeches. Others may claim you can attract business by writing articles for legal publications. Still others may believe you

can distinguish yourself by earning designations such as “Super Lawyer” or by becoming a member of the American College of Trial Lawyers. Even more may tout networking and lunching.

But the truth is, there is no single right way to market your practice. There is no magic bullet for developing a book of business. What works for one rainmaker does not work for all. And what works for other lawyers may not work for you.

But that is not necessarily bad news. It means you can develop business in a way that is comfortable for you and yet is both effective and efficient. The challenge, of course, is discovering your “right way” to market. In this discovery process, consider these four factors:

The kind of practice you have. The nature of your practice always factors into how you market your services. Some practices can be marketed to the person who makes the hiring decisions—whether that is the assistant general counsel for litigation or the chief executive officer. Others may have to rely on marketing to referral sources, such as other lawyers or accountants.

Where you are in your career. If you are just getting started, you probably need to focus your marketing efforts on building your reputation. Writing, speaking, and developing a niche practice may be your most important activities because they build credibility. On the other hand, if you are a seasoned lawyer, nurturing and leveraging your established relationships may be the best investment of your time.

Your strengths. Some people are great writers. Others are naturally curious and easily discover what makes potential clients tick. Some love attending networking events and meeting new people.

To discover your own strengths, consider your answers to these questions:

- What business development activities do you enjoy doing?
- What business development activities do you do easily that others find difficult?

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- What business development activities have other people said you are good at?

Consider these your business development strengths, which you can leverage into effective tools for rainmaking. Believe it or not, your strengths are usually things that come naturally; the fact that they are easy doesn't mean they are not effective. Business development does not have to be difficult to produce results for you.

Maybe one of your strengths is developing strong relationships with your clients. You can translate that trait into increased business by getting together with existing and past clients in person on a regular basis, focusing your marketing outreach on existing clients, asking your clients for referrals to others, and ending each telephone call with a short, personal conversation.

Or perhaps public speaking is a strong suit for you. You can use that talent to increase business by offering to speak at another practice group's brown bag lunch to facilitate their cross-selling of your practice, setting up an in-house seminar for your largest client on recent legal developments, doing a presentation at an industry conference, or volunteering to speak at your firm's retreat to increase your visibility among your colleagues.

Suppose you love meeting new people and really enjoy attending networking events. You can generate business by introducing members of your network to one another (if these new relationships blossom, your friends will want to reciprocate by sending or referring new business); regularly keeping in touch with members of your network through phone calls, e-mails, and conversations at events; asking members of your network to introduce you to others you are targeting as potential clients; and asking for marketing advice from those in your network. (Here's a bonus: They are likely to become more invested in your success when you do.)

Which activities work for you. Systematically and routinely assess whether the activities you have been involved in are paying off for you. Some lawyers realize their biggest marketing successes come from staying in touch with past and current clients. Others discover that asking for referrals produces a steady stream of new clients. Some find that sending out a monthly newsletter to clients and prospects gets the phone to ring. Always take an honest look at the results your efforts are producing.

Lawyers frequently state their biggest challenge in business development is not having enough time to do it. But using this excuse (and it is an excuse) comes with critical consequences because not marketing holds back your career in the long run. Yes, you are pushed and pulled in many directions. You have demanding clients, and you may have many other obligations that require your time. When you see a colleague taking a client out to lunch or working on a Client Alert after hours, you may think, "I can't find that kind of time to devote to business development." You are right. As any successful rainmaker will tell you, you'll never "find" time. You have to "make" time to develop your own book of business. Rather than letting your business development activities always fall to the bottom of your "to do" list, you need to treat your rainmaking activities with the same respect you treat your commitments to clients.

To make business development a priority worthy of your time, start by getting clear on your motivation for being a successful rainmaker. Figure out why you care about it. Being successful at business development means different things to different people; it is highly personal. So develop a compelling

and personal reason for why you want to have your own book of business. Articulate what reaching your business development goals will do for you. By way of example, here are some reasons that other lawyers have stated for why they want to develop their own books of business:

- It will increase my compensation. That additional money will fund something important to me, like taking my family on an African safari or making a significant contribution to my favorite charity.
- I will be rewarded with a place on one of the firm's important committees. Perhaps I will be appointed to the Management Committee where I can advocate for the changes I believe are critical to the firm's future.
- I will have more control over who I work with and on what kinds of matters. I won't have to continue to work with difficult clients or colleagues or on matters I don't find challenging.
- I will have a portable book of business, which will give me options in my career, and that's important to me.
- I will feel more secure. I will sleep better at night knowing I won't have to worry about my fate in the next round of layoffs at the firm.
- I will have less billable hour pressure. That means I can have a more flexible schedule that allows me to coach my daughter's soccer team or participate in outside activities of importance to me.

Each of these reasons is specific and personal; that's why they're motivating.

Once you have articulated your own compelling reasons, you are likely to be much more enthusiastic about marketing. Whenever you find yourself putting off those business-building activities, remind yourself about the positive impact that being a successful rainmaker will have on your life. Let that reminder inspire you to keep moving toward your business development goals.

That said, how can you choose those marketing activities that will maximize your results and minimize the amount of time you spend? First, realize that all marketing activities need not be time-consuming. Micro-marketing opportunities abound in your daily e-mails, phone conversations with clients, and hallway chats with colleagues in your firm. To make the most of your limited marketing time, develop a mind-set that recognizes and capitalizes on these opportunities as they come your way.

A marketing mind-set is one that is on the lookout for the numerous ways you can turn daily activities into rainmaking moments. For example, at the end of every conversation you have with a client, think about how you can deepen your relationship with that person. Ask questions like "how have your business people reacted to the reports about recent SEC investigations?" or "how is your search for a new administrative assistant going?" Or ask more personal questions like "how did your spring break skiing trip turn out?" or "how did your daughter's lacrosse team do last weekend?" You might also share your own thoughts about a book you have read recently or recommend a movie you have just seen.

There are several opportunities you should keep in mind, too. Whenever you meet at a client's office, make a point of connecting with people you know there. Take five minutes to walk around and say hello to people you have worked with before. Before attending your next firm function, think about

which colleague might be a good referral source for you. Then make a point of connecting with that person so you can get to know each other better. Every time a case or a matter reaches its conclusion, call the clients involved and tell them how much you enjoyed working with them, and that you hope to have the opportunity to work together in the future. Whenever you read a newspaper, advance sheet, professional journal, or your favorite blog, look for something appropriate to send to a client or someone you would like to have as a client. Mail it or forward it via e-mail, with a brief note highlighting why you think it might be of interest to them. When you travel out of town for business, try to get together—over lunch, coffee, or a drink—with clients or referral sources who live there. Even if they can't accept your invitation, you have at least made contact and reminded them of your interest in building a relationship with them. When you attend a conference or continuing legal education program, don't spend the breaks checking your BlackBerry or calling your office. Instead, use this time to meet new people. After all, it's easy to connect with others in an environment like this because the program itself provides the basis for interesting conversations. Showcase yourself and your practice when the opportunity arises. Be thoughtful about how you fill out biographical questionnaires, how you introduce yourself to others, and how you describe what you do. Develop an answer to the oft-asked "what's new?" that highlights you and your practice. Banish "nothing" and "I'm swamped" from your vocabulary as possible answers. Neither encourages further conversation nor positions you as someone clients would want to trust to handle important legal matters. Take time to develop relationships with colleagues, clients, or prospects "off the clock." Whenever possible, schedule client meetings at a time that it will be natural to have lunch or a beer afterward.

Visit a different client each month at the client's office.

Even time-starved lawyers can dramatically increase their rainmaking effectiveness by adopting a marketing mind-set and engaging in marketing tasks as they go about their daily activities.

One of the best ways to make the most of the limited time you have for business development is to develop habits that you "always" do. For example, spend the first 15 minutes of each workday on rainmaking activities. In that amount of time, you can pick up the phone and arrange a lunch date, send out an e-mail about a recent case, send an article of interest with a personal note to a client, ask your firm's librarian to research information about a new prospect, or even make a list of the people you want to connect with during the next 30 days.

Consider making a habit of visiting a different client each month at the client's office; choosing one networking group to be involved with, commit to attending its monthly meetings, and follow up with at least one person you meet at each meeting; checking in with your major client every Friday (talk about both business and personal matters as a way to make your relationship stronger); buying season tickets to the theater or a favorite sporting event and take a different client to each event as a way to say thank you; committing to having

lunch with a client or prospect every Wednesday; or making five "stay in touch" phone calls a week with clients or prospects.

Still, adopting a marketing mind-set and developing new habits are not enough if you want to be successful at business development. To get the most from your efforts, you will have to direct them to where they are likely to give you the biggest payoff. Too many lawyers commit "random acts of lunch" or "random acts of speaking" or "random acts of conference attendance" that do not serve them well. These activities are random because they do not focus on people who are likely to become clients or potential referral sources. Examples include speaking to small business owners who cannot afford your fees or investing a lot of time connecting with corporate counsel who handle the type of work you do in-house. Random acts also include reaching out to people with whom you have no existing relationship and cold-calling on the phone.

To avoid these random acts of marketing, your initial marketing goal should be to mine your existing Rolodex, not to expand it. Contrary to conventional wisdom, marketing to people with whom you have no pre-existing relationship is not the best use of your time. Instead, focus primarily on your current clients or on those you have represented in the past. Studies consistently show that 80 percent of new business comes from past or existing clients—whether in the form of a new matter for that client or a referral to another potential client. This has proven true again and again, regardless of the size of the firm, the nature of the practice, and myriad other factors. On reflection, the fact that this is true should not be surprising. Clients, whether current or past ones, are already familiar with the type of work you do and how well you do it. You have earned their trust by the way you handled their previous matters. You already have a personal relationship with them.

Once you have marketed to your existing and past clients, next focus your marketing efforts on people who have referred matters to you in the past. They could be colleagues within your firm, co-counsel, opposing counsel, or other professionals such as consultants, expert witnesses, or accountants. These people have demonstrated their confidence in you and their willingness to refer others. Only after you have exhausted these two groups of people should you invest time marketing to those with whom you have no prior relationship.

Because the people with whom you already have an existing professional relationship are so important as potential new sources of business, it is critical that you treat them "like gold." No other forms of marketing achieve such immediate results with so little investment of time as does relationship-building with your clients and referral partners. Nurture these relationships, making a point of acknowledging their importance to you. Do not take them or their continued work or referrals for granted.

There are many ways to strengthen your relationships with your clients. Provide outstanding, not just good, service. Listen, really listen, to what they have to say. (No multi-tasking while talking to clients; they deserve your full attention.) Ask for feedback about how you are doing, being sure to act on the feedback you receive. Learn about their businesses; read their websites and newsletters; frequently ask about their companies, their products, and their challenges. Stay in touch on a regular basis—through e-mails, phone calls, forwarding articles, blogs, or websites of interest, or by inviting them to lunch, taking them for a cup of coffee, inviting them to your firm's seminars, and

so on. Celebrate their successes. Send a personal note recognizing a promotion. You might even host a wedding or baby shower for them. Send them an unexpected gift, like a favorite book or CD they'd enjoy. Gifts don't have to be expensive to make a big impression. Set up a client appreciation event. Invite several of your clients to a sporting event or treat them to a night at the theater. They will appreciate meeting others in your network. Make them look good to their bosses or co-workers by giving them kudos generously and publicly. Provide advice "off the meter" when it is appropriate. Support their favorite charities with your time or money. Help them on a personal matter, whether it is recommending them for a non-profit board or helping them find a math tutor for their son or daughter.

As the above ideas suggest, there are hundreds of possible marketing activities, limited only by your imagination. But the question is "which ones should you pursue?" Ideally, all the activities you undertake should be both efficient (take as little time as necessary) and effective (produce the results you want).

Because results vary from person to person, the only way to discover what works for you is to consciously track them. Chronicle all your marketing activities by reviewing how much time each of your marketing activities took and the result that was achieved. For example, the typical lunch takes about three hours, counting the time it takes to set it up, have the meal, and send a follow-up e-mail. Giving a presentation typically takes at least 40 hours when you add up the time it takes to prepare the speech and handouts, travel to the speaking venue, give the actual presentation, and network afterward.

Next, examine the results your activity produced. Did you get a chance to present a proposal? Were you hired to do more work? Did the activity lead to an important introduction? Did absolutely nothing come of it? This analysis tells you which activities will move you closer to being hired and which activities to forgo in the future because they produced no tangible results. You will

Provide outstanding, not just good, service.

likely find the activities that are most effective involve one-on-one interaction—a lunch, a lengthy conversation at a networking event, a visit to a client's office, or an introduction to someone in your network. Relationship-building activities typically top the list of being both the most effective and the most efficient activities in which to engage. But again, what is important is what works for you. Be sure you know what that is, so you can say yes or no appropriately.

Regardless of which marketing activities you choose, the key to having them turn into business is to consistently maintain contact and stay on the client's or prospect's radar screen. This is where most marketing efforts by lawyers fall short. They take a prospective client out to lunch, send the perfunctory e-mail thanking that person for a lovely lunch, and sit back wondering why business did not come in as a result. Worse yet, given this experience, they might conclude that marketing simply does not work or that they are poor marketers. And then they give up!

Remember, clients can hire you only when they have a specific need for the type of services you provide. Unlike buying shoes or CDs that can be purchased on a whim, people hire lawyers only

when they have an actual case or deal that needs a lawyer. Two things must come together before you can be hired: (1) the client has a matter that requires the services of a lawyer, and (2) the client remembers you as someone who could assist with that matter. In other words, your name and expertise must be "top of mind" for your clients and prospects when their needs arise.

Realize, too, that the probability of this convergence happening after a single meeting is remote. In fact, research has shown that it takes an average of seven significant contacts over an 18- to 24-month time frame before you are likely to land a new client or new work. Without consistent follow-up, the time you invest in business development is simply not likely to pay off. Regard this as serious business; do not waste your time with initial forays if you are not willing to invest the time to follow up. Successful business development requires both patience and persistence.

The final ingredient in successful rainmaking is being willing to ask for what you need to succeed, whether from colleagues, clients, prospects, referral sources, or others in your network.

For example, be willing to ask those in your firm to alert you to marketing opportunities they see. Ask them to let you do a brown bag lunch for another practice group on developments in your area of the law that might be relevant to their clients. Ask if you can tag along with them to an industry networking event. Ask to make a presentation on your area of expertise at the partners retreat. Ask if you can participate in the next pitch.

Ask for cross-selling opportunities. Ask if they would be willing to forward to their clients an article you wrote on how to use a mock jury effectively. Ask if they would be willing to set up a lunch with one of their clients so you can discuss how the new electronic discovery rules may affect them. Explain a possible opportunity for their clients to hire the firm to handle litigation in another area, and then ask for an opportunity to develop a marketing plan for how you both might talk to the client about it.

In addition, ask people you know if they would be willing to refer you to others who might need your services. Ask them to introduce you to a specific person you want to approach. Ask your in-house client if she would be willing to set up a lunch for the two of you and another lawyer in her in-house department. Ask a former client if he would be willing to send an e-mail introducing you to his accountant. Ask for permission to use your client as a reference. Ask if there are others they know who might need your services.

And, finally, be willing to ask for business. Of all the dreaded aspects of business development, "asking for business" is the one most commonly mentioned. But like marketing itself, it needn't be daunting or unsavory. The key is to spend time uncovering your potential clients' needs before attempting to convince them to hire you. Unfortunately, many lawyers (wrongly) skip this step, assuming they know what these needs are.

Suppose you recently met the assistant general counsel of a company, potentially an ideal client for you. He has agreed to have lunch with you to discuss the possibility of working together. What should your next step be? Here is what not to do: Do not go in touting your firm's real estate litigation expertise or bring your practice group's glossy brochure. Do not take along one of your partners who you think could "sell" him on your firm's employment practice. It's too early in the process to do any of those things. Rather, your task is to ask lots of questions so you can find out what his needs are. Your questions might include:

- Tell me about your company, its products, customers, competition, and growth opportunities.
- What are the biggest challenges you face in your job?
- What are your company's biggest challenges?
- What are your company's legal hot spots?
- Tell me about your legal department.
- Describe your in-house legal team.
- How do you split your in-house/outside counsel responsibilities?
- How do you decide which outside counsel to use?
- What is the most important thing to you when you select outside counsel?
- What is your biggest frustration in dealing with outside counsel?
- What firms do you currently use and for which types of matters?
- How satisfied are you with your current representation?

Finally, be sure to ask, "Do you think there is an opportunity for us to work together?"

By asking questions and listening closely to the answers before attempting to convince others to hire you, you save yourself the disappointment and inefficiency of selling something

your prospect is not interested in buying. Maybe they handle all their employment litigation in house. Maybe they already have an existing relationship with a real estate litigator with whom they are delighted. But by asking questions, you may also discover a great opportunity that you did not previously realize existed. Maybe you will discover that, for example, while the client does not need new real estate counsel, the client does need counsel to advise it on insurance coverage issues related to an environmentally contaminated property it has recently purchased.

Remember, telling is not the crux of selling. Discovering needs and then explaining how you can help potential clients to meet their needs is the critical point.

Rainmaking is not only for those with great public speaking skills or vast networks developed through years of community involvement. Business development does not need to be daunting or particularly time-consuming. If you just commit to make time to do it on a regular basis, focus your efforts on those people and activities that are most likely to produce the best results for you, make building relationships a priority, follow up consistently, and ask for what you need along the way, business development success lies well within your grasp. □