



GUIDE

ENGAGING #ETDBW LAW FIRMS

**Firms that are Easy To Do Business With Drive
More Value for Clients**

For in-house counsel, managing a legal department is stressful enough without feeling like they are battling with their law firms – the very professionals who should be making their lives easier. But while every law firm claims to be client-service oriented, few are truly Easy To Do Business With (#ETDBW).



So, how do you find law firms that really are ***focused on the needs*** of your legal department and company?



#ETDBW law firms have business models and organizational structures that facilitate flexibility and are designed primarily out of consideration of client needs



They have an intentionally designed and executed client satisfaction program



They have a formal system to track client satisfaction, such as Net Promoter Score (NPS)



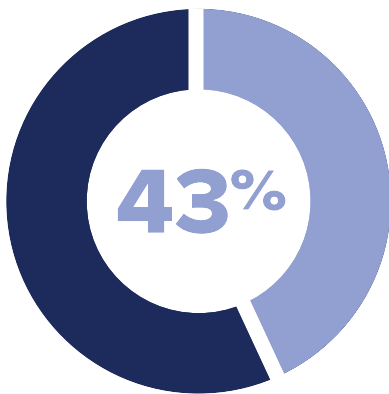
They hold themselves accountable for improving those scores

What is an #ETDBW Law Firm?

The question of defining a **CLIENT-FOCUSED LAW FIRM** should be a misnomer since the only purpose of most law firms is to **SERVE THEIR CLIENTS**. So, it's valid to ask...

what else could they be focused on?

Study after study has shown that law firms are not necessarily focused on client satisfaction.



According to a 2022 report from Wolters Kluwer, only **43% of legal departments** say they are “**very satisfied**” with their law firms.

The fact is that many law firms are consumed and distracted by their own internal politics and inefficiencies caused by inflexible, competing hierarchies or unreasonable billable hour requirements for overworked associates.

EXACTLY HOW BAD IS THE STATE OF CLIENT SATISFACTION IN THE LEGAL INDUSTRY?

As reported by the ABA in [this article](#), a 2018 report from legal tech company Clio found that:



“The legal industry currently has an NPS of 25, putting it in line with airlines, wireless carriers, and credit card companies. Meanwhile, companies known for excellent customer service and incredible business growth, such as Amazon, have NPS scores in the 60’s or higher.”

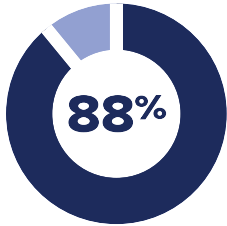
and things have not improved since 2018



OGC is proud to have a
Net Promoter Score of 67

Where does this leave clients?

What should they look for to ensure they're going to be well taken care of? First, they would be well-served to *look beyond* one of the most commonly touted client service proof points: Responsiveness



According to one report, **88% of clients** think that **responsiveness** is the most **important reason** to hire a firm.

But isn't responsiveness the most basic, simple thing that a lawyer or law firm can do to serve their clients? When taken in the context of the overall law firm-client relationship, this metric can in fact be relatively meaningless.

Even if a firm's individual attorneys are responsive, **clients still find themselves frustrated by** complicated engagement letters, complex invoices, work that has been pushed off on unfamiliar associates or other lawyers, a lack of substantive communications and updates, and a host of other factors.

In other words, evaluating factors that go beyond the relationship between an individual attorney and the in-house lawyer with whom they work is **critical to determining if a law firm is #ETDBW**.

This is why being **CLIENT-FOCUSED AND #ETDBW** is actually much more than just being responsive. To fully understand why this is, here are a few more nuanced factors for clients to evaluate, and for *firms to strive to weave into their cultures*:



EMPATHY Do the lawyers who will be handling my day-to-day work have the experience and perspective to put themselves in my shoes? Have they worked in-house, or do they have business experience? Do they bring that experience to bear? Do they know my industry or understand the challenges a company faces at our stage of growth?



BUSINESS FIRST How well do the lawyers understand the business ramifications of a legal decision or course of action? Are they able to look beyond the "by the book" legal implications of an issue to see the larger strategic impacts in the near and long term? Is there a philosophy of avoiding overstaffing and over lawyering to deliver high-quality work efficiently?"



CONSIDERATION Does firm leadership have an appreciation for my resources and budget? Do they consider this when crafting strategy and setting up teams to do my work? Is there a process to ensure that the most appropriate

subject matter expert is assigned to each matter or is assignment dependent on who originated the client relationship?



CONSULTATIVE Do the lawyers we will be working with have the right experience that gives them an ability to see around corners to better manage risk? Will they be able to foresee and evaluate potential outcomes and pitfalls of a decision and make recommendations accordingly? Are they able to add value as an effective sounding board—and potentially as a mentor—for our GC and internal team? And do they do so without being asked or seeming to be bothered?



COMMUNICATION Are there communication processes in place that will keep me aware of the status of my work and ensure there are no billing surprises? Is the billing process straightforward, and do I have upfront visibility into the professionals who will be involved in my work, or will there be excessive "drive-by billing"? Will my team have to spend hours and hours parsing the bills?

Why Engaging #ETDBW Law Firms Matters

Once an #EDDBW law firm is found, the benefits to clients can be truly impactful in terms of budgets, legal outcomes, and general quality of life and work. After all, striving to be easy to do business with is done to **make clients' lives easier**.

Much investment has been made in software, alternative providers, processes and the like to minimize the “difficulty quotient” normally associated with law firms. While those investments are important,

simply looking for law firms that are easier to work with can be a path of less resistance and deliver a lot of value.

How? Consider these factors when searching for an #ETDBW law firm:

PROJECT MANAGEMENT

When a law firm has an intentional approach to client service that includes project management components, it can ease the “mental load” or cognitive effort involved in managing the wide variety of legal work that an in-house counsel must juggle – or, in an even more extreme case, that a founder or CEO without in-house legal expertise must oversee. If the law firm you’ve engaged is #ETDBW, much of the burden of project management will fall to their attorneys and staff. They’ll communicate regularly and escalate to the client only as needed, enabling in-house counsel in a corporate legal department or founders and CEOs of early-stage companies more time to do strategic thinking and work.

TURNAROUND TIME

The critical nature of turnaround time varies depending on the type of matter being handled. A Hart-Scott-Rodino Second Request from the Department of Justice, for example, is more time-constrained than a more basic annual regulatory filing. However, this doesn’t mean that both aren’t important to you as a client, and reasonable turnaround time with clear expectations—for even the most mundane matters—must be a central tenet of any intentional client service program.

SIMPLER COST STRUCTURE

Billing is often the biggest source of friction between clients and their law firms. After all, when it comes to billing, the goals and needs of the two sides are diametrically opposed...and there is a lot of money at stake. In a traditional business model, law firms are looking to maximize revenue by billing as many hours as possible. Ironically, corporate legal departments have created an entire profession to address that very issue. Legal operations professionals are largely tasked with managing budgets and finding ways to reduce outside counsel spend. They’ve engaged alternative providers, implemented technology and negotiated alternative fee arrangements. What is sometimes [missing in their toolkit](#) are law firms that offer straightforward cost structures that make budgeting and adjustments easier. A firm that is #ETDBW will be very upfront with you about costs, specifically the rates of the professionals who will be involved in your work, and will be open to alternative pricing structures.

Example RFP Questions

Most corporate legal departments, government entities and non-profits use Request for Proposals (RFP) to identify and engage new law firms. Sometimes, this is done on an ad hoc basis when legal services are needed for a specific reason, and sometimes, it is done to select which law firms will be part of a panel of preferred firms that handle the ongoing work of a large enterprise. This is a perfect opportunity to gather information from the firm that will give you an indication of whether or not they are #ETDBW.

CLIENT SATISFACTION PROGRAM:

- 1 Do you have a formal program for collecting and analyzing client satisfaction data? If so, please explain the details of how the data is collected and analyzed and what processes are in place to take action on the learnings. If not, please outline any plans you have to implement a formal program, including timelines.
- 2 Do you utilize Net Promoter Score (NPS) surveys or other industry benchmarking tools in your evaluation of client satisfaction? If so, please list your scores for the past five years (or whatever years you have available if you began gathering this data more recently).

EXPLANATION OF RATES/BILLING:

- 1 How many different hourly rates does your firm employ? Please explain how they are determined, e.g., job title/level, relevant expertise or experience to the specific work to which a resource is assigned, level of complexity of the work being performed, etc.
- 2 Do timekeeper rates change based on any of the above factors (or others), or do they remain consistent regardless of the client/project/work type?
- 3 How often can we expect you to request rate increases?

BUSINESS EXPERIENCE:

- 1 How many of your associates and partners at any level have worked within a corporate legal department prior to joining the firm? In another function at a corporation?
- 2 Please give an example of a situation where a team/attorney in your firm anticipated a risk to a client's business strategy posed by a recommended legal course of action and how you sought to balance the two.
- 3 How much experience does the team/attorney that will be performing my work on a daily basis have working with the industry/regulators/type of problem/government related to this work?

TEAM STRUCTURE:

- 1 Please explain the factors used to determine which attorneys are assigned to a specific matter or project.
- 2 Please provide a list of people who could potentially be assigned to my work and include their rates, years of experience in my industry, specific areas of expertise (including in-house) and why you think each would be appropriate for this matter.

NO RFPs? NO PROBLEM.

Even if you are an early-stage or smaller company that doesn't need to go through a formal RFP process (or lack the resources to manage one), you can ask the same questions of potential outside legal service providers in a written document or live pitch session. In many ways, engaging with #ETDBW law firms is even more critical in your situation. What busy founder or CEO has the time to manage a high-maintenance relationship with an outside attorney or firm?

What solo GC can focus on the strategic needs of the company while also trying to project manage every contract, regulatory filing or response, employment matter, etc.? And what early-stage or smaller company has the kind of deep legal pockets that many law firms are accustomed to billing? One important factor for these companies to look for is whether outside lawyers have worked in-house and can provide mentorship and advocate for early-stage company leaders—something that can be invaluable as companies start up and grow.

Conclusion

Undoubtedly, many law firms are strongly convinced that they are #ETDBW—after all, they strive to be responsive.

However, while widely touted, responsiveness is just one consideration. In order to find law firms that are truly client-oriented, companies must delve deeper and look for other, more meaningful metrics and ways to ascertain whether client satisfaction is at the core of the firm's culture—and taking the time to evaluate that is well worth it.

After all, finding law firms that do more than pay lip service to being easy to do business with while also providing top-notch legal services can transform the work and lives of in-house counsel.



OGC is a unique law firm that offers the relationship and experience of a traditional law firm with the cost savings and speed of an alternative legal services provider. By combining top-notch legal talent and significant business acumen, our OGCs deliver the value and efficiency of an in-house lawyer, without adding to client headcount or sacrificing quality.

OGC's approach is simple:

We offer practical advice with less over-lawyering.



Learn more:
[outsidegc.com](https://www.outsidegc.com)



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