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Active Practice Area, New Survey ...

Regs & Stakeholders Drive ESG Law as Cleveland Firm Releases Key Report

To put it simply: ESG law is hot, hot, hot.

In the last few years, prudent law firms across the country and around the world have been building their attorney ranks with lawyers who understand both the wide-angle perspectives and nitty-gritty nuances of environmental, social and governance issues and the ever-evolving ESG regulatory framework. And as rules and laws expand and change they carry an impact on business operations and investments, creating new risks but also new opportunities.

Those firms that didn’t anticipate a hike in client demand found themselves scrambling

to hire ESG-proficient attorneys during the Trump-to-Biden transition and the months that followed as it became clear that regulations would multiply and enforcement tighten in this dynamic area.

“I told two of my biggest and most well-known [law-firm] clients a few years ago that, with the rise of so-called ‘responsible

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investing,’ they better start looking to hire laterals with ESG experience because it was going to take off,” says an East Coast consultant who asked for anonymity. “But they didn’t listen – and they usually do. And then last November after Biden won the election one of those firms called me, sheepishly I might add, for a referral of a headhunter who might know attorneys in this area, and who might want to make a move. The other [client] called me in January for essentially the same reason.”

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Clearly now more than ever clients need help from their attorneys in monitoring, complying with, and measuring the performance of their compliance efforts. If companies don’t make the right moves, they face fines, litigation, and, perhaps just as important, bad PR that can devastate their businesses. After all, many consumers concerned with ESG issues—with climate change chief among them—have shown little hesitancy in punishing noncompliant and green-washing companies by shopping elsewhere, so to speak.

Smart partnerships, many of which are mega-firms, are also producing and rolling out surveys, white papers, and blog posts to offer important information and practical advice to national and international companies. Of course, this “thought-leadership positioning,” if you will, also intends to demonstrate the firms’ ability to deliver high-quality counsel to businesses as the impact of ESG issues on their operations and investments continues to increase and grow in complexity.

While large, full-service law firms have certainly hired ESG-savvy attorneys, allocated resources to market their capabilities, and otherwise positioned themselves to grab a lot of ESG-related work and meet client demand, smaller firms are garnering their fair share of the market too. That’s particularly true of small to midsize firms with a focus and strong track record in related niche practices such as environmental law.

Consider the highly regarded, 125-attorney environmental law firm Beveridge & Diamond. Based in Washington, DC but with offices in key high-tech markets like Boston, San Francisco, Seattle, and Austin, among others, B&D has a long history of advising clients on critical environmental and sustainability issues that carry an impact on their businesses. In recent years, the firm’s attorneys have also counseled in many ESG-related areas that have grown in importance and gained scrutiny, such as human rights,

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Taylor's Perspective ...

Painful Pandemic Blues: An Agonizing Side Effect of Market Success

While we're certainly not out of the pandemic yet, we can see some hopeful signs. We continue to see mask-wearing and social distancing, as well as vaccine mandates and other forms of mild, sensible pressure that have helped convince many of the Reluctant Ones to shed their fears, do the right thing, and get vaccinated. Now, we may get hit with another surge but we're justified in feeling cautiously optimistic—fingers crossed.

The legal profession, however, is still in trouble. But it's not because of a surge of Covid infections among attorneys. What's the problem then? The legal market is flourishing; that's what.

During the pandemic, as has been widely reported in this publication and many others, business has been very robust with client demand high, workloads full, revenue streaming in, and profits on the rise. But these positive developments carry a painful side effect: Attorneys are increasingly stressed-out and suffering from mental health issues.

"The pandemic has produced a lot of work for attorneys, and many of them are having a hard time keeping up," says James Dolan, a highly regarded, Dallas-based psychotherapist who's also a professional coach and works with lawyers and others who perform what he calls "soul-wounding" work every day. As a result, Dolan has seen his own surge—in the form of a tidal wave of attorneys coming to him for help, so much so that

he's felt overwhelmed himself. "The last year was the biggest year of my entire practice life—to the point where I myself was experiencing burn-out."

Consequently, in the fall and early winter of 2020 Dolan decided he needed a few breathers and put his practice on hold for a week here and there over several months. "I took time off and still had the biggest year of my life," he says. "The pace has continued into this year but not quite with the same extreme sensitivity of the last half of last year. But attorneys are stilling feel high levels of anxiety: 'I feel anxious all the time,' they tell me."

Now, of course, the manifestation of mental health issues within the legal profession, often accompanied by substance abuse, is nothing new. And some law firms are taking notice and genuinely trying to help their attorneys cope with depression and anxiety, which Dolan says are "two sides of the same coin." The high-profile 2016 Hazelden Betty Ford Foundation/ABA study on substance abuse, often as a result of anxiety/depression, is starting to take hold with many firms looking more closely at this problem and hiring professionals to help with the care of their lawyers and staff.

But some are only putting up window dressing, and even those who are sincerely helping and spending resources to address the issue often fail to do it the right way because they don't offer enough confidentiality.

“There’s no [mental health] professional who can be brought into a partnership at a firm-wide level who would be able to make any significant impact on the problems that are going on,” Dolan says. “Lawyers don’t want other people knowing that they’re working with a professional who’s been hired by the law firm. Firms need to make an agreement with a professional or groups of professionals to provide confidential, no-questions-asked services, without the attorney having to go through HR to do it. If they were serious about mental health and really wanted to make sure people got served, they would make it a very simple process to get the help.” Unfortunately, he adds, many firms are “just checking the box.”

While mental health troubles can cause debilitating burn-out, physical health and relationship problems, and substance abuse, they also materialize in another negative way: cantankerous, irritable, sometimes angry behavior towards others. Put more simply anxiety/depression can trigger meanness.

You know it; you’ve seen it, perhaps you’ve felt it: The wrath of an attorney who’s most commonly known as an assh... that is, a jerk. I know, as a journalist, I’ve experienced it, an unprovoked snide comment, a my-time-is-more-important-than-yours attitude, and worse. I told Dolan about a few attorneys at a very high-profile, global law firm headquartered in the Midwest who acted and spoke irrationally rude to me (interestingly, when I spoke to their partners in Europe I had delightful conversations; go figure).

“Every one of those rude people you talked to was probably feeling an enormous amount of pressure that they are so accustomed to that they don’t even fully know that it’s there and that it affects their communications,” Dolan told me. “A lot of depression in men in particular comes across as some form of anger.”

Fortunately, like most reporters, I’ve learned to develop a thick skin and move on and away from those types of attorneys. But then I

have the ability to do that easily. If, however, you work at the same firm as the mentally unhealthy, uber-arrogant, unruly brute, it’s harder to avoid encounters with him (or her, although it’s been my experience that more men than women fit into this category). Sometimes professionals working alongside attorneys fall victim to explosive tirades. For example, I know two former internal law firm marketing experts who had senior partners throw chairs at them, and the attorneys got away with it, with absolutely no punishment. That’s right. Thrown chairs. At two different people. At two different law firms. With impunity.

The stress of the practice—exacerbated by the billable-hour culture—can cause normally civil lawyers to act like ill-bred louts. But in turn, this type of mean, irritable behavior can also breed heightened anxiety and deeper depression. It feeds on itself in a troubling cause-and-effect cycle.

So what helps treat and prevent mental health problems and, by extension, break that cycle, without relying on medication, which can certainly help but of course can also harm? Dolan increasingly hears anxiety-plagued attorneys ask him: “What do I do?” he says. “Well, there’s only so much you can do when dealing with anxiety, and most people don’t want to do it. I tell them to get plenty of exercise and sleep, practice meditation, think it terms of the present and not the past or the future, and make sure you connect with the people in your life – the people you love and those who love you.”

I asked him if making a conscious decision to simply be nice to other people could help reduce the angst. He agreed that it clearly can.

And, law firms need to explore the many options out there to help their lawyers and those who work with them. While some firms are working hard and allocating resources to address this growing mental health issue, many aren’t or they aren’t doing enough. All firms need to do more and ... spend more. ■

—Steven T. Taylor

A Guide to Social Media Tools For Law Firm Brand-Building

Editor's Note: The following is extracted from the "2020-2021 COVID Pandemic Edition" of Ross Fishman's The Ultimate Law Firm Partner's Working-From Home Marketing Checklist. Look for additional selections in upcoming Of Counsel issues.

Lawyers have been using social media platforms like LinkedIn, Twitter, and Facebook to build their reputations and enhance their relationships for many years, supporting their face-to-face marketing efforts. For obvious reasons, these online tools have suddenly become even more important.

LinkedIn

LinkedIn currently has over 610 million members, with 303 million active monthly

users, 40% of whom visit the site daily. 90 million senior-level influencers and 63 million decision makers use LinkedIn ([cite](#)). It is the most important social media tool for professionals, the one preferred by lawyers. According to the [2016 ABA Legal Technology Survey](#) report, more than 93% of lawyers surveyed use LinkedIn. It hasn't quite taken off as a communication platform, but it's the foundation of most professionals' personal marketing. It's where you'll post articles and updates to your growing network.

Today, nearly everyone you would want to hire you, from Hiring Partner to client, will first skim your LinkedIn profile to learn more about you. So, make it persuasive, personal, and professional. Show them that you're more than a dispassionate one-page resume or standardized firm website biography. This is your opportunity to help



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your targets see how wonderful you are and how lucky they'd be to have you on their team.

- ❑ If you don't have a **LinkedIn** page already, create one that is robust and can appeal on a variety of levels to a broad base of readers. This will be your most-important social media platform.
 - Draft a detailed LinkedIn personal profile.
 - Write in the first person with a friendly, professional tone.
 - If you already have one, now is a good time to update your page.
 - Don't identify yourself as "Partner at XYZ Firm" in the heading space. Consider this your attention-grabbing headline—intrigue your visitors with something differentiating, using keywords that prospects searching for a lawyer on LinkedIn might use.
 - Infuse it with your vibrant personality.
 - "Craft a summary that speaks not just to the work you do but who you are as a person, including charitable and volunteer work whenever possible."—[Lisa Vicine](#), CMO, Arnall Golden & Gregory
 - Ensure there are no typos. Zero. None.
 - A single typo could be disqualifying.
 - Have a friend proofread it for you.
- ❑ Fill it out completely, including the Summary, Contact Information, Experience, and Education sections.
 - The two most important areas are About and Experience.
 - The About section is your personal summary; it's the very first thing most people will read after your name and headline.
 - The Experience section is where you get the opportunity to highlight all the exciting ways you have built up your personal brand, professional experience, and target niche (that I

will be teaching you to do in the following chapters)

- Check it at least weekly, but *daily* while we're all working from home.
- ❑ Add a quality photograph.
 - An inexpensive passport photo from Walgreens will suffice. Don't use the same photo as your firm's website bio if you can avoid it.
 - Dress like you would for a professional networking event.
 - Smile. Look like someone they might want to work with.
 - No cropped vacation, party, wedding, or group photos.
 - Nothing cute, grainy, badly lit, far away, or blurry.
 - No children, pets, or props. Be smart.
 - Add an interesting background banner photo behind your round headshot, something that reinforces your industry niche or practice area.
- ❑ If you haven't looked at your LinkedIn page in a while, do a thorough audit to ensure it is highly professional.
 - Delete anything the most conservative old prospect could possibly find offensive.
 - Be judicious in what you include.
 - Write in the first person and use a friendly, casual tone.
 - Create a custom "Public Profile URL," so it's not random letters and numbers.
 - Learn how by going to t.ly/5PIGE
 - Review the privacy settings for your profile. You want your profile to be public so that people can see and connect with you. However, it is important to keep in mind that anything you "like" or "comment" on will be visible to anyone in your network, so use discretion.
- ❑ Build a sizable LinkedIn network, work toward 500+ of connections.
 - Start by connecting with people you know personally such as family, friends, co-workers, peers, acquaintances, and classmates from all your schools.

- Your goal is to get to 500 connections as soon as possible. Once you hit 500 connections, LinkedIn just shows “500+” on your profile. This works as social proof to others that you have an established professional network.
- Join your law school LinkedIn alumni group and your firm’s LinkedIn group.
 - Consider starting a group for your law school graduating class.
- ❑ Update your LinkedIn profile.
 - Add organizations, volunteering experience, and honors and awards.
 - Add your top thought-leadership pieces to the Publications section and include a summary and the article URL.
 - Consider adding most of the people you encounter in your professional life. Lydia Bednerik Neal offers:
 - “Always include a personal note reminding new contacts how you know each other and wishing them well in an individual way. If they accept the invitation, follow up with a short note to suggest a phone call. Check out if they belong to any online groups that would be beneficial to join. Watch their posts and ‘like’ or comment as appropriate to signal you are engaged and care what they have to say.
 - “You can share your own stories and respond to other people’s posts, but the real magic is in the one-to-one conversations, even when in the public or semi-public sphere. As always, you should be authentic and thoughtful.
 - “Remember, just because you are still in your yoga pants, your posts should continue to be appropriate to your network, company and profession.”
- ❑ Join LinkedIn groups of the associations and industries you are interested or involved in.
 - Pay attention to the conversations.
 - Identify the industry leaders.
- Participate actively and helpfully. Showcase your interest and expertise by providing valuable and insightful information
- ❑ It’s easy to start by sharing or liking things that others in your firm, specialty area, or professional network have posted.
 - This will also visibly reinforce your commitment to this area.
 - Remember, listening and engaging with what others post is as important in social networking as what you say and post.
- ❑ Update it regularly, *at least* every couple months—even more often while working from home.
 - Update it every time you publish an article, give a presentation, join a new committee, etc.
 - Check it at least weekly.
- ❑ Regularly “Endorse” classmates, friends, and peers; it only takes a *click*. They’ll typically endorse you back.
 - Create evidence that you are well-liked, a leader among your peers.
 - A word of caution with Skills and Endorsements: When you receive an endorsement from someone for a specific skill, only post it on your bio if you have actual expertise in that area. Some state bar ethic rules have restrictions on this.
 - When in doubt, leave it off.
- ❑ Consider asking your Marketing professionals to purchase ClearView Social, a tool which can magnify the impact of the firm’s thought leadership by simplifying the scheduling and repetition of sharing across the various platforms, e.g. LinkedIn, Twitter, etc., and providing helpful analytics. See clearviewsocial.com/
- ❑ Request professional LinkedIn Recommendations, as appropriate.
 - Write sincere recommendations for clients and prospects. It’s a very nice thing to do for someone; they’ll appreciate it.
- ❑ Note that anyone whose LinkedIn profile you visit will receive a notification that you’d been there.

- You can turn this off and browse in Private Mode.
- ❑ Read “How to Draft a Persuasive LinkedIn Profile” in the Appendix.

Twitter

Twitter is a simple, quick, efficient platform to connect yourself to your specialty area online. Just 280 characters including spaces—a couple casual sentences and hashtags. It is an ideal communications platform to help build your brand and contact with others in a specialty area or industry niche.

- ❑ If you don’t have a Twitter account, create one under your name.
 - For example, I’m @rossfishman (follow me!).
- ❑ “Make sure to keep your private Twitter account separate from your professional Twitter account. You will not want your professional Twitter account to reflect any of your personal opinions, perspectives, or preferences that could alienate or offend existing and potential clients. Keep your professional Twitter posts just that ... professional.”—Lisa Vicine
 - Other marketers recommend using one single Twitter account for both personal and professional purposes. This would mean tempering your personal posts to ensure they are always appropriate for your professional audience as well.
- ❑ Check it at least once a week during normal times, and *daily* while self-isolating.
- ❑ Build your Twitter network; connect with your peers, professors, industry contacts, and thought leaders.
 - Follow people, companies, associations, and organizations within your legal, business, and specialty niche areas of interest.
 - I would encourage you to follow the marketers and other professionals who contributed to this book as well.
- ❑ Tweet at least weekly on issues relevant to your narrow area(s) of interest in normal times. These days, try to do so more frequently, to stay even more visible.
 - Remember to include the narrow search engine optimized (SEO) keywords that the media and experts in this industry or area would use to search.
 - Ensure you learn the nuances of the jargon.
 - Posts with photos or graphics get significantly greater attention.
- ❑ Re-tweet the tweets that resonate with you, to help grow your network.
- ❑ If you enjoy Twitter, follow the journalists who cover your practice area or industry.
 - Engage with them occasionally.
 - Build relationships with journalists who may ask you to act as a resource for articles.
 - Offer to provide expert commentary on cases or current legal developments.
- ❑ If you enjoy using Twitter as a social media platform:
 - Check it occasionally.
 - Build your Twitter network; connect with contacts, clients, and thought leaders.
 - Follow people, companies, associations, and organizations within your legal, business, and general areas of interest.
 - Others who follow them may follow you too.
 - Post at least weekly on something relating to your job or interests.
 - Retweet tweets that resonate with you.
- ❑ Consider utilizing Twitter as a *listening* platform to better understand your specialty area, clients, prospects, competitors, scholars, and more.
 - Pay attention to what they are promoting, discussing, and commenting on. It can all be valuable.

Facebook

Consider Facebook to be a defensive strategy. You’re unlikely to positively influence decision-makers using your personal

Facebook profile, but an unfortunate post or photo could eliminate you from consideration. Don't risk it.

- ❑ If you don't have a Facebook page already, create one.
 - Update your security settings.
 - Delete anything a conservative client could possibly find offensive.
 - If you wouldn't proudly show it to your mother, *delete* it.
 - Keep it casual and sensible. This is a less-formal medium than LinkedIn.
- ❑ Consider creating a new public Facebook page as a platform to support the professional brand you're creating.
 - Add occasional updates and photos of your specialty events, speeches, meetings, etc.
 - You can post similar content here that you would post on LinkedIn.
 - Connect with your friends, especially those from law school.
 - Consider connecting with clients, prospects, and referral sources with whom you have a personal relationship.
 - Join your law school class's Facebook group.
 - Check it at least weekly in normal circumstances, more frequently when working from home.

YouTube

Video is increasing in popularity with lawyers seeking to spread their message; it can be a powerful marketing tool. YouTube is the second-most frequently used search engine, after Google.

- ❑ If you have a YouTube account, analyze it carefully for any videos that do not support your professional strategy.
 - Hide, delete, or mark "Private" any videos that do not exemplify the persona you are trying to create.

- ❑ Be careful with any videos you Like or comment on and what channels you follow because this could be visible to others as well.
- ❑ Create a new YouTube account for the short specialty videos you may soon be creating.
- ❑ You can shoot high-definition videos with your smartphone.
 - Buy an inexpensive tabletop tripod and spring-clip smartphone holder. You can find them online for \$10.
 - No one expects cinema quality movies, but poor-quality audio and lighting can destroy the impact of an otherwise valuable video. Invest in a high-quality external microphone and some soft lighting to fill in the shadows so you're not a dark silhouette, e.g. t.ly/qmB39
 - Consider creating a series of 1- to 3-minute videos that offer updates on hot topics in your areas of specialization or personal interest.
 - It's easier than you think; if you fumble your language, simply delete that video and start over.
 - Help prospects find your videos. Carefully tag, caption, and describe them with the SEO-friendly keywords that prospects who are searching for useful content would use. ■

—Ross Fishman

Ross Fishman is CEO of Fishman Marketing, one of the legal profession's leading strategy, branding, and website firms. A Fellow of the College of Law Practice Management and inaugural member of the LMA's Hall of Fame, Ross helps law firms increase revenue and profits as dominant market leaders. Reach him at ross@fishman-marketing.com, +1.847.921.7677, and LinkedIn. [com/in/rossfishman](https://www.linkedin.com/in/rossfishman). Buy the "The Ultimate Law Firm Associate's Marketing Checklist" (COVID-19 edition) on Amazon at t.ly/syIQ or contact Ross for discounts for 25+ copies.

Four Key Questions to Help Build Client Loyalty

The following are extracts from Susan Duncan's recently published book, *Building Enduring Client Loyalty: A Guide for Lawyers and Their Firms*, which can be ordered through *Globe Law and Business* or on Amazon.

1. Are You Innovating or Just Following a Fad?

With so much talk about the need for innovation in the legal profession, many misconstrue that innovation in law firms is all about technology but it is not. Some of the most fundamental innovation that is occurring has to do with how work is done, why, by whom and for whom. Innovation focuses on people, process and platform. Technology will be an essential enabler of the transformation taking place in the profession, but it is not in and of itself innovation in the delivery of legal services.

Innovation must solve a problem as well as create value or benefit to the client business. It also addresses the critical question of who delivers legal services. Traditionally, law has been practiced strictly by lawyers in law firms (and more recently by in-house lawyers in companies.) Even with the recent advent of technology tools used for eDiscovery, contract management, and other areas, the majority of legal services provided to clients by law firms still are managed and executed by lawyers who charge very expensive rates by the hour.

In brief, four of the fundamental components of delivering value to clients include:

Knowledge Management (KM). Knowledge management in law firms is derived by creating systems, platforms and processes to capture knowledge assets, expertise, experience and prior work product. It enables firms to

capture and collect, store, share and refine knowledge that provides value to clients and the firm. It prevents firms from reinventing the wheel and avoids the common problem of different lawyers in the firm using their own forms or pricing models or cutting and pasting from prior documents which creates inconsistency, uneven quality and inefficiency.

Project Management (PM). The role of project management is to ensure that cases, matters and transactions are completed using: (1) the right staffing in terms of skills, level and cost, (2) processes and timelines to map and monitor workflow against schedules, and (3) objectives/outcomes and budgets that are developed and met, all while still achieving desired outcomes or results. Many law firms now often employ project management software and technology, employ certified and experienced project managers and train their lawyers to work beside these resources to better manage client work and expectations.

Scoping, Staffing, Budgeting, and Billing Practices. An essential component of effective project management is the development of a proper scoping plan right at the outset of an engagement. Once the project is well-defined, the next step is to determine how to best staff it for maximum efficiency and effectiveness. This will include consideration of expertise needed, whether that can be provided by in-house lawyers and paralegals, outside law firms, ALSs, experts and other outsource options.

Billing. The majority of law firms use the billable hour as their primary tracking and billing model. Fortunately, time-keeping methods and applications have improved significantly with the use of recording time in real time and using passive mechanisms to track time. Clients often require their firms to use eBilling technology and Outside Counsel Guidelines have made it much more difficult

for firms to bill for time that is not well-defined or allowed for in the guidelines.

Data Analytics. Clients are looking to law firms to use data in ways that will help them provide better service, value and efficiency. They are accessing publicly available data on billing rates and costs for types of matters across jurisdictions and then combining that with their own analysis of data histories on cases, costs, firms, timelines and outcomes. Clients want firms to be able to better predict the cost and price of cases, matters, and transactions at the portfolio, matter or task level.

“Technology solutions need to bring together people, process and technology. You can have the technology but it has to be part of a process that is accessible, and you need the people to be convinced to use it. Getting people to change is very hard. It has to be fast and intuitive, and show an immediate benefit.” Mark Chandler, EVP, Chief Legal Officer and Chief Compliance Officer, Cisco Systems, Inc.

2. Does Being on a Preferred Panel Provide an Advantage or Disadvantage?

Companies continue to reduce the number of outside law firms they work with through convergence processes that result in preferred law firm panels or networks. This initiative is intended to reduce the administrative burden of managing scores or hundreds of individual firms, reduce costs through volume discounts and flat fees, enhance quality, consistency and efficiency through scale, and build stronger and trusting partnerships with fewer law firms who are invested in the company.

Unfortunately, convergence efforts have not been as effective as intended for many legal departments or their law firms. There are a number of reasons for this. The first is that the design and set-up of the convergence process is not always well-researched and structured. The in-house department can

claim to have undertaken the process but if it wasn't well-thought out, it often falls short of its objectives. The second is that very often, once a company concludes the selection of its panel firms, post-convergence management falls short. More effort has gone into the RFP and selection process than the implementation. And third, many in-house lawyers resist following panel guidelines of only using the newly selected firms. The good news for incumbent firms is that they often retain work due to the loyal relationships they have with inside counsel. The bad news is for newly selected firms to the panel, they often find that as far as two or three years down the road, they are not receiving much if any new work from the client.

Some ways to make preferred panel networks a better investment include:

Be selective—evaluate whether a specific client panel is right for your firm. Determine how it is structured, how it is managed, what the client's objectives are.

Engage actively during the process. Talk to and befriend the client's key contacts on their procurement, legal team, legal ops, and technology teams.

Invest in the client and participate proactively from day one. Try to initiate a discussion early on to establish key client expectations and guidelines and gain any knowledge about the client's immediate or short-term needs and how you might be helpful in serving the client.

Be a good team player. Clients benefit when firms work together on their behalf and if the panel has been carefully designed with firms designated as “specialists” or with a specific geographic footprint, referrals often occur between panel firms.

Use this opportunity to innovate. Clients are looking for new ways to innovate. This doesn't mean having a firm come up with a new tool. It means looking for ways to change the way legal services are delivered.

Don't use the "B" team. Too often, once selected for a panel, firms decide that in order to be profitable since they often have promised deep discounts, they need to shift work to lower level and/or less productive lawyers.

Look for opportunities to expand. Once on a panel, firms that focus on delivering exceptional service and value and have a well-coordinated process in place for ongoing dialogue with multiple contacts often are tapped for additional needs that may not have been identified in the convergence RFP or selection process.

3. Are You Cross-Selling in a Way That Is Self-Serving First?

The easiest and most cost-effective way to grow your firm's revenue is to provide multiple services to existing clients. This can only be done, however, if clients are very satisfied with the services and value you already provide to them. Your focus must first be on ensuring that your clients are extremely satisfied, you are responding to their needs and you are creating value for them. Cross-selling should be done only after assessing the needs of the client, finding out how those needs are currently being met, and identifying potential opportunities where you might find a fit between the client's needs and the services or expertise someone else in the firm can offer the client to satisfy this need.

There often are numerous internal barriers that prevent cross-selling from working effectively in law firms. These include:

- A compensation system that primarily rewards self-origination, that doesn't penalize partners for hoarding and that doesn't recognize partners who share contacts and efforts.
- Partners in mid-sized, large and global firms often don't know enough about the firm's other capabilities, their partners' expertise and representative matters to offer these to clients.

- The substantial risk to the referring partner that the partner won't be harmed by cross-selling if the partner introduced does a poor job, is not responsive or is arrogant.
- Many lateral partners who are hired for their books of business are not interested in introducing new partners to their clients and they hold them close. Existing partners in the firm might be reluctant to cross-sell to laterals for fear they'll leave and take their client with them.
- Many lawyers have become so specialized in their field of expertise that it has become difficult for them to think strategically outside their own practice silo.

To cross-serve effectively below is the abbreviated list of To Dos we describe in greater detail in the book:

Take the "sell" out of it. The focus must be on the client's needs first, not in getting more business.

Do your homework in advance. Do some research about the kinds of issues you think the client may have or need help with.

Discuss options and explore solutions. In discussing needs with the client, be open to helping them find a solution using their existing resources.

Understand by whom and how hiring decisions are made. Discuss how and by whom decisions are made in the legal department and across business units.

Collaborate with your partners. Use firm client team and industry group meetings to explore ways in which other partners can help you add value to your clients, or ways in which your expertise could benefit others' clients.

At all times, listen to clients. Always ask questions about how the business is doing, new executive hires or shake ups, trends in the industry, threats from competitors or the economy. Also ask regularly for feedback on

your service and the service of others now working for the client.

Be knowledgeable about your own firm's capabilities. Review the firm's web site and intranet to learn about practice niches, specialties, industries and markets represented, and office and lawyer strengths. Also become familiar with available skills inventories and case and transaction data bases the firm might keep.

Get your foot in the door. Identify a small project the firm can do for free or for a reduced cost. These discrete projects should entice a client because the issues and risks the client has may be due to new regulation or case law.

Initiate discussions with decision-makers on strategy. Clients often complain that they don't have enough time or energy in their day to think strategically about their priorities, goals and how the legal team could better meet the needs of and add value to the business.

Communicate with clients about things of relevance to them. If others in the firm author alerts or articles that may be of interest, send these along to clients with a personal note or e-mail but be sure that the communication they receive is tailored to their industry or type of business need.

Communicate internally about clients and opportunities. Celebrate cross-selling successes – nothing motivates behavior as much as tangible results.

4. Are You Truly Collaborating or Just Being Collegial?

Law firms are often described as a collection of sole practitioners practicing law under the same roof. This description is fairly accurate in law firms in which partners compete with each other for origination credit and want to maintain control of work,

client relationships and hoard billable hours. Fortunately, many firms now recognize that collaboration and multi-disciplinary teams create better solutions for clients, bring diversity of thought into problem-solving, enhance workforce engagement and commitment, and lead to greater profitability and stickier client relationships. Even if lawyers are more comfortable working alone, we know that clients prefer lawyers that work well in the sand box with them and with the other law firms they use so becoming more collaborative will be a critical skill for lawyers to learn.

Collaboration provides multiple benefits to clients. With the level of complexity of practice specialties and the business problems clients have, it is rare that one lawyer or even a team in one practice group will be able to holistically address a client's business problems.

There are several opportunities for law firms to collaborate on a client's behalf:

- Within the firm, between partners in different practice groups and/or different offices and countries
- Within the firm, between lawyer teams and other professionals with experience in pricing, project management, process, and technology
- Between the law firm and their clients' in-house lawyers and business teams.
- Between the lawyers and other service providers that serve the client, e.g., management and subject matter consultants, vendors, accountants and bankers

Heidi Gardner, PhD, a Distinguished Fellow at Harvard Law School's Center on the Legal Profession and Faculty Chair of Harvard Law School's Accelerated Leadership Program and Smart Collaboration Masterclass has conducted extensive research in the area of collaboration in professional service firms. In her book, *Smart Collaboration: How Professionals and Their Firms Succeed by Breaking Down Silos*, she suggests that at the higher end of legal advice and transactions, clients benefit from and appreciate a more

collaborative approach to the legal advice and representation they receive.

Dr. Gardner summarizes ten reasons clients value a team approach:

1. Access to firm's best knowledge and experts
2. Deeper understanding of their own business
3. Insights from across the sector
4. Innovation
5. Global perspective
6. Collaborative capacity
7. Consistency
8. Simplicity in the "vendor base"
9. Efficiency and economy
10. Relationships and respect

Dr. Gardner's research also confirms that clients that are served by multiple partners are more loyal and apt to stay with that firm even if the partner leaves the firm: 72% of single-partner clients would *seek another provider* if the relationship partner left the firm but 90% of multiple partner clients would *remain loyal* to the existing firm even if relationship partner left.

Dr. Gardner acknowledges that this type of holistic approach is not as practical or affordable for routine legal work but is very valuable for more complex clients and legal problems and allows partners to further develop their roles as strategic and trusted advisers. Collaboration still brings additional value even to the more routine work as it helps drive coordinated project management and efficiency.

—Susan Saltonstall Duncan

Susan Saltonstall Duncan is a nationally known consultant on law firm business development, strategy, succession planning, and management. She is President of RainMaking Oasis and has been working with law firms since 1980. A founder of the Legal Marketing Association and a Fellow in the College of Law Practice Management, she regularly monitors and writes about trends in legal management in her blog, InFocus, Insights on Legal Practice, Leadership, and Talent (www.rainmakingoasis.com/category/blog). Reach her at sduncan@rainmakingoasis.com.

Memo to Firm Leader: Are You Getting Minutes from Group Meetings?

Whenever I've been called in to work with some firm's practice or industry group, perhaps some group that needs remedial assistance or one wishing to formulate a strategic direction, my first questions of firm leadership is usually to please send me copies of the groups' most recent meeting *minutes*. The response I almost always elicit is . . . "*Minutes? What the hell do you mean by minutes?*" Which tells me everything I need to know!

I have continually found that too many group meetings (if your practice or industry teams are meeting at all—whether in person or now virtually) are simply a convenient excuse to have lunch and find out what everyone has been up to lately. Many groups may spend time talking about workloads and about what might be new with a particular client that everybody is familiar with—but few actually engage in collaborating on projects that could advance the group's ambitions.

What I've learned and observed first-hand is that the high performing groups, the ones that are bringing in better client work and striving to dominate in their chosen market or industry areas, actually invest some portion of their meeting time in *action planning*. They meet with a specific agenda designed to brainstorm, discuss and determine some joint projects that the group would benefit from working on and then having partners volunteer to implement certain tasks.

The acid test and often embarrassing question that I have the audacity to pose to firm leaders is: "*Since your practice and industry groups are the fundamental business*

units determining your firm's profitability this year, how do you know, right now, whether your groups are really doing anything meaningful?"

The only way for you, as the firm leader, to determine an insightful answer is to get the group's minutes and see whether there are specific tasks and projects identified and underway, with specific partners committed to implementing those projects—and ideally those projects should line up with the written, strategic business plan that each group created and submitted to firm management. (and YES, I'm talking about a real "*strategic*" plan, not one of those silly three-page templates that someone in the firm handed out to each group leader to complete at the beginning of January).

As the firm leader, if you are receiving the monthly minutes from each of your groups, you can fairly easily determine who's being effective and who is off track, who's working on implementing their group's plan and who is not; and which team leaders you might need to spend some time coaching and which you need only send a "good work" note to. Alternatively, without regular minutes you will not likely find out how any of your groups are progressing until . . . perhaps the end of the year, if then.

And when I use the term "Minutes" I am not talking about some written record of the various conversations and meanderings of the partners during their latest gathering. Attached is an *excerpt* from a typical, written report that was compiled following a meeting of the partners within a Products Litigation Group:

Products Litigation Group Meeting

May 21, 2021

Joanne—will compile and present a list of the (niche) manufacturing companies that we have represented (both in our group and across the firm) with an indication of who our main contact is and the relationship we have with each contact.

Chris—will provide a report on what other competitive firms are doing in the (niche) manufacturing industry, what specific industry groups are active, and what some of the timely issues are that populate the agendas of these industry groups

Geoffrey—will conduct some research into a new federal act that is just being introduced and prepare a written summary of the regulatory implication for the group to review.

Allison—is going to research government contacts in the economic development department, visit/interview them to determine their views on selective industry issues and report back to the next meeting

Brady—will review our experience and provide a summary on how we have been performing in doing this work using alternative fee arrangements.

Colleen—unable to attend the meeting.

Andrew—will work on developing the first draft of a specific template for conducting a thorough litigation post-mortem.

This is typical of the type of written report that, if I were the Managing Partner, I would want to receive every month from each and every one of my Group Leaders. The report is simply one page, listing each “core” member of the practice group by name, with a specific project (or not) that that individual had volunteered to complete by the next monthly meeting date.

At a glance, I can then see what is going on in each of the practice groups and who is working on what.

I can also begin to identify if the same project appears each month next to the same partner’s name—which may indicate that that partner isn’t following through on whatever task they promised the group they would execute.

I can also see whether there is a pattern of certain partners not regularly attending meetings or not contributing.

I can see whether the projects that are getting implemented are in concert with the practice group’s written strategic plan or simply ‘make busy’ activity that isn’t really advancing the group’s ambitions.

And finally, I can distribute each practice and industry group’s one-page action planning summary to any and all other groups where there is any areas of potential overlap or potential synergy (where having two groups collaborate could achieve far greater benefit)—and also post all of the reports online so that any practice group leader (or any partner) may review what other groups are working on.

Sounds simple? It actually is! ■

—Patrick J. McKenna

Patrick J. McKenna (patrickmckenna.com) is an internationally recognized author, lecturer, strategist, and seasoned advisor to the leaders of premier law firms; having had the honor of working with at least one of the largest firms in over a dozen different countries He is author/co-author of ten books most notably his international business best seller, First Among Equals, currently in its seventh printing and translated into nine languages. His most recent work, The Art of Leadership Succession (Legal Business World Publishing, 2019), provides in-depth guidance on the leadership selection process. Patrick is the recipient of an “Honorary Fellowship” from Leaders Excellence of Harvard Square. Reach him at: patrick@patrickmckenna.com.

ESG Emerges

Continued from page 2

responsible sourcing, and supply-chain sustainability.

“These issues are not all new, but their application is complex and multifaceted, both strategic and tactical/technical, and there can be ripple effects or unintended consequences of actions taken in one area or jurisdiction on others,” according Lauren Hopkins and Russell LaMotte, leaders of the firm’s sustainability and ESG practice group, in a joint statement provided to *Of Counsel* in answer to our questions. The partnership has a dozen or so attorneys in the group but draws on lawyers across the firm and pulls in outside attorneys when situations warrant.

“We’ve never held ourselves out as a full-service shop,” Hopkins and LaMotte say, “but rather as deep subject matter experts, so we welcome the opportunity to collaborate with lawyers in other fields at other firms (like securities lawyers) to ensure that our clients’ interests and reputations are safeguarded in this layered and nuanced area.”

Survey Revelations

On the communication front, perhaps no recent vehicle of ESG information has delivered as much market insight as the results of a Thompson Hine–conducted survey released in late September, which made quite a splash in the legal trade media. A report, entitled “An ESG Snapshot,” written by attorneys in the Cleveland-based firm’s ESG Collaborative summarized and analyzed the survey data and serves as a barometer of sorts for C-suite executives and in-house counsel to gauge the effectiveness of their own companies’ ESG efforts.

One of the survey’s many key findings demonstrates that the push to develop and implement ESG programs in the corporate world is moving quickly and expansively, at least among those public and private businesses that took part in the survey, which seems to be a very sufficient representative sample. Nearly a third of respondents say their companies generated an ESG strategy; another third plan to launch one in the very near future.

Many players across the economic and public-policy spectra are driving ESG programs and protocols. “The pressure to implement ESG initiatives is coming not only from investors and shareholders, but from all stakeholders, including consumers and the broader public,” says Thompson Hine partner Heidi Friedman, co-chair of the firm’s ESG group. “And regulatory agencies are ramping up their own focus on ESG issues, with the SEC’s proposed ESG rulemaking expected [this autumn]. If companies are not yet focusing on these issues, now is the time to start.”

The survey examined a range of ESG concerns, including those involving diversity, equity and inclusion; environmental and sustainability issues; ethical business practices; among others. It also encourages companies to launch ESG programs and suggests the right ways to implement them.

“Already, the consequences of getting [ESG protocols] wrong have ranged from decreased performance and investment to challenges to director elections to bad press and public perception,” says ESG group co-chair Jurgita Ashley. “We hope this survey will provide in-house counsel and senior executives with both useful practical information and, when it comes to some of the specific best practices and other comments shared by their corporate peers, perhaps a bit of ‘ESG inspiration’ as well.”

To read the informative, well-crafted report visit: https://www.thomsonhine.com/uploads/1135/doc/An_ESG_Snapshot.pdf.

Media Spotlight, Marketing Highlight

It's no secret that law firm-produced surveys often serve two purposes. "Law firms routinely use surveys for internal research purposes – for example, surveying clients to measure satisfaction and gather feedback," says Tania Zamorsky, public relations expert and principal of New York-based Zamo PR, adding that surveys also act as valuable external PR tools. "They can be a way to demonstrate thought leadership in a particular space."

Through placing stories for her clients and working closely with news reporters for years, Zamorsky knows what members of the legal trade press want. "Journalists are always looking for trends and meaningful content, and they are especially interested in the experiences and viewpoints of general and in-house counsel and other corporate leaders," she says. "So, if firms can get their clients and other contacts to provide feedback on newsworthy topics, you've got something the media will potentially be interested in." She adds that it's important to provide a summary that digests and summarizes the data.

The media clearly took notice in Thompson Hine's recent survey on this very hot topic. "[An ESG Snapshot] is a great example of putting this PR strategy into practice, and the press seem to have responded with interest," Zamorsky says, noting that *The American Lawyer*, *Corporate Counsel*, Bloomberg Law, and Law360 all covered it.

Hiring Attorneys with Big-Picture Views

In the last few years, more and more law firms have launched ESG practice groups,

populated by multi-disciplinary teams of attorneys and ESG analysts. Schiff Hardin announced the formation of an ESG practice earlier this year as did Hunton Andrews Kurth; Gibson Dunn & Crutcher; Seyfarth Shaw; to name but a few.

"Successful businesses are placing ESG principles at the forefront of their core values," says Mike Blankenship, co-chair of Winston & Strawn's ESG group, which the firm unveiled in August 2020. "[And they're] leveraging those principles to chart a path for financial success and future growth to the benefit of all their stakeholders, including employees, customers, vendors, local communities, and stockholders."

Law firms continue to search for attorneys in this growing field, looking for smart, skilled practitioners, of course, but also those who can bring a broad perspective.

"ESG lawyers need to be able to see the whole picture and the interrelated parts even if their specific expertise lies elsewhere," says Beveridge & Diamond's Hopkins and LaMotte. "For example, securities lawyers know SEC disclosure issues well but may not be steeped in the dozens of overlapping international sustainability and ESG rating and certification frameworks, some governmental and some voluntary or driven by stakeholders or suppliers, or the underlying substantive terms, that may create or complicate legal obligations."

B&D's two partners say they expect to see continued growth in the ESG area and are staffing to meet demand. "We're both on-boarding new lawyers and deploying the expertise of our existing practitioners to help clients address ESG challenges and opportunities." ■

—Steven T. Taylor

Of Counsel Profile

Continued from page 24

leaders by enhancing client service and relationships and serving a range of markets. Consider this insight from Chicago-based consultant Ross Fishman who credits Simmons's accomplishments by the success of the firm.

"They have the brilliant \$1000 lawyers doing the massive multi-billion-dollar deals and bet-the-company cases, but they're really focused on developing long-term client relationships," Fishman says. "And that means figuring out how to also do the important meat-and-potatoes legal work at fair rates. They operate as a seamless institution, not a collection of silos, which means they can share work across practices and strategic lower-cost offices in smaller markets where they can charge lower rates."

Recently *Of Counsel* talked to Simmons about his career, his entry into and a few thoughts about real estate law, his leadership of the firm, its culture, and other topics. What follows is that lightly edited interview.

Of Counsel: Chase, our readers say they like to hear about lawyers' reasons for entering the legal profession. What led you down your career path?

Chase Simmons: Probably like a lot of people, it's not a romantic story about how I ended up in law school. My favorite part of college was the intellectual challenge of academia. I was a philosophy and political science major and felt like I got a chance to read a lot—not every important book that was ever written, of course, but I did read many of them. And, when I talked to people who had gone to law school, it sounded like a good continuation of the type of thing I was interested in intellectually.

At the time, I wasn't thinking about what my ultimate career would be. It was really about continuing my education. But when I got into law school, I did feel that way. I experienced a real thrill in reading old cases and seeing how society was grappling with particular issues. I was very interested in the things we debate all the time, and how the law and our society evolved. That's why I went into law as a career.

The Best of Both

OC: What drew you to real estate law?

CS: I'd gone to high school in Kansas City and my "courtship summer," as we called it back then, was at the 1996 Olympics in Atlanta, which is where many people from the University of Georgia went for their summer jobs. It turned out to be a pretty short summer so I decided to come back to Kansas City and interview at law firms for a full summer [program]. One of the places I interviewed was at Polsinelli, which was much smaller back then. I really liked the firm.

Like many law students, I thought I wanted to be a litigator and when I got a taste of litigation, I liked seeing people in court but I wasn't as excited about [the prospect of] many years as a young lawyer unable to be in court and doing research instead. Polsinelli had a land-use litigation practice, and the people in that practice, particularly my mentor John Peterson, seemed to me like the real estate version of Perry Mason, who you mentioned earlier. They were very committed to their craft and clients. They were on their feet making an argument before administrative boards and other venues every week, and they turned something that's maybe not the most exciting thing in the world into what I thought was pretty good theater.

That had me hooked on this idea as I thought about my future: *Okay I can learn a little about business because it's the real estate world and yet I can be on my feet making an*

argument and that feels like litigation. So I started as a land-use lawyer and had some great mentors.

While for many years I liked getting up and making arguments, over time I became more and more interested in fully understanding my clients' economic objectives and what they're trying to build or buy. Early in my career I had the opportunity to quench a little of what many people get excited about in law school: Being an advocate. But I also learned about business, and I was fortunate enough to have people around me who could help me with that, answer my questions, and educate me.

That's how I got started and over the years I developed a Midwestern real estate practice, which got more and more sophisticated as my career evolved. I got a chance to practice on the cutting edge of sophisticated transactions for a number of years. We also had a New York City real estate practice that I got the opportunity to be involved with. It was a nice journey as a young lawyer.

OC: You were able to apply some of your political science background in doing public-policy real estate work. What do you like about working on those projects?

CS: The tangible things involved with it. That is, I'd drive around with my wife over the last 20 years and pass projects and say, "I did that deal. Look at that cool building. I worked on that. That's what I do every day." She put up with me although maybe she was rolling her eyes a little. I don't know. (*laughter*) Some projects she wasn't that impressed with, and others she was.

OC: Or at least she pretended to be impressed. (*laughter*)

CS: Exactly. There was a real tangible part of it. As a lawyer, I liked the advocacy component but the fact that I played a part in the construction of a building was very satisfying. That's my favorite thing about it.

Steady Leadership

OC: I want to change subjects a little and ask you to talk about your leadership of the firm. You were elevated to the chair and took the reins at the start of 2019. As Polsinelli's leader, what are you most proud of regarding changes and continuations within the firm that have manifested under your watch?

CS: You said both changes *and* continuations, and I'd like to focus more on continuations. I told everybody as I went through my transition period that we were a firm that people felt satisfied with—with who we are and what our culture is all about. Some consultants say, "Try to be a better version of yourself." And that's what I've been about as a leader of our firm. I didn't lead a charge to tear up our business plan and start over. We wanted to make sure that we evolved and, of course, there are things that we wanted to and needed to do in 2019 that were different than those in 2009. But we didn't want major changes.

What I wanted to do personally and what those I talked to, as I was getting ready to lead the firm, felt was that we should just stay on the same track. We said, "We like what we're doing. We like who we are. Let's just try to get better every day and understand that the earth does shift"—which became true when COVID hit—"and let's be flexible enough to address the challenges and seize the opportunities. But we don't want anyone to come in and drastically shake things up."

That approach fit me well because I've been here a long time and I feel that if I helped change anything it would be something that I was a part of. So I know why we did what we did and if we want to change something, I understand the context.

One thing I doubled down on was reminding us that one of the things we've strived for was to be long-term strategic partners with our clients and that we should say that out loud a little more. We should also make sure

that our business—whether it’s our rates, the cities we’re expanding to, or the practice areas we want to strengthen—that our entire way of doing business advances our goal of being long-term partners with our clients. When I took over in 2019 I talked about this a lot. I wanted to try to make sure that everything we do enhances our ability to build and maintain long-term relationships.

A Culture of Mutual Respect

OC: An impression I get from talking with you and in my dealings with other Polsinelli attorneys, including your predecessor Russell Welch, is that the firm strives to cultivate and maintain a culture of mutual respect. Is that a tenet of your culture? And if that’s the case, can you talk about that?

CS: It’s absolutely the case. The things that are important to me from a leadership perspective are not things I’ve come up with. They’re things that I’ve learned. I’ve been in this job my whole career. We do view the world that way, and we do try to create and maintain a culture of mutual respect within our firm.

One of the things that bothered me early in my career was the hierarchical nature of the legal business generally. When you think back to the late 90s, the career path for people in law firms who weren’t lawyers was very limited. As a young lawyer I had some friends and colleagues who were not lawyers but they worked in law firms and did different things, and they did them very well. At that time I remember thinking that firms are going to lose talented people like that because of the lawyer-non-lawyer mentality at some firms [that can alienate non-lawyer professionals].

So concentrating on tearing that mentality down, which is the direction that most of the profession has gone, has been very important to me for a long time. First, it was important because it was emotional and I had friends who I thought were very talented. These days,

law firms are more like accounting and consulting firms, and we realize that we need all of this other professional help to really be our best. I think that’s something Polsinelli has done very well.

And here’s another thing: When you work at a place your entire career, and you care about the organization, you like everybody in the organization and you want them to stay with you their whole careers. And that’s just not the way of the world right now. So a few years ago or maybe even 10 years ago, I started focusing, as did others at the firm, on the idea that some of the talented people that fit in well at Polsinelli are not all going to stay here for their entire careers, including some people who feel that they want to try more than one type of job during their career.

I began talking to first-year associates on the first day they start—and I wasn’t the first to do this—and tell them, “You may not be here your whole career and that’s fine. But we want to make sure that if you do leave we have a relationship with you throughout your whole career.”

I think it’s a better way to go into relationships with that attitude rather than to focus on: “How quickly can I get someone to be profitable and what am I going to do with them if they’re not profitable?” I think if someone chooses to come to Polsinelli at that early stage of their career, you’ve got some responsibility to them to help make it a great experience. I think this approach helps foster that culture of mutual respect you talked about.

OC: Chase, Polsinelli has a clear commitment to diversity. What drives it? And how would you rate the firm’s record of hiring and keeping people with different backgrounds and perspectives?

CS: That’s a good question. I’m a Gen-Xer, to let you know what I am generationally. A lot of people of my generation were taught to be color-blind and that’s the way

you should be to view the world. I think that one thing we've learned in trying to be more diverse and inclusive as an organization is that you need to fully understand that different people have different perspectives on things, given their life experiences. Being oblivious to that is not the way forward. That's the first thing we've tried to focus on as a firm and we've been taught that by some of our leaders and the people in our firm who are diverse.

Another thing that has worked for us ... we were making a lot of headway on this but I put a strategic plan in place in 2019 that's called Diversify from the Top. It's easy to sit around and bemoan what we read in the press—that the pipeline isn't as diverse as we'd like it to be. But there are opportunities within an organization to say, "We want our leadership to be more diverse, whether that's practice group leadership or equity partners or board members, etc."—and then to act upon that desired goal.

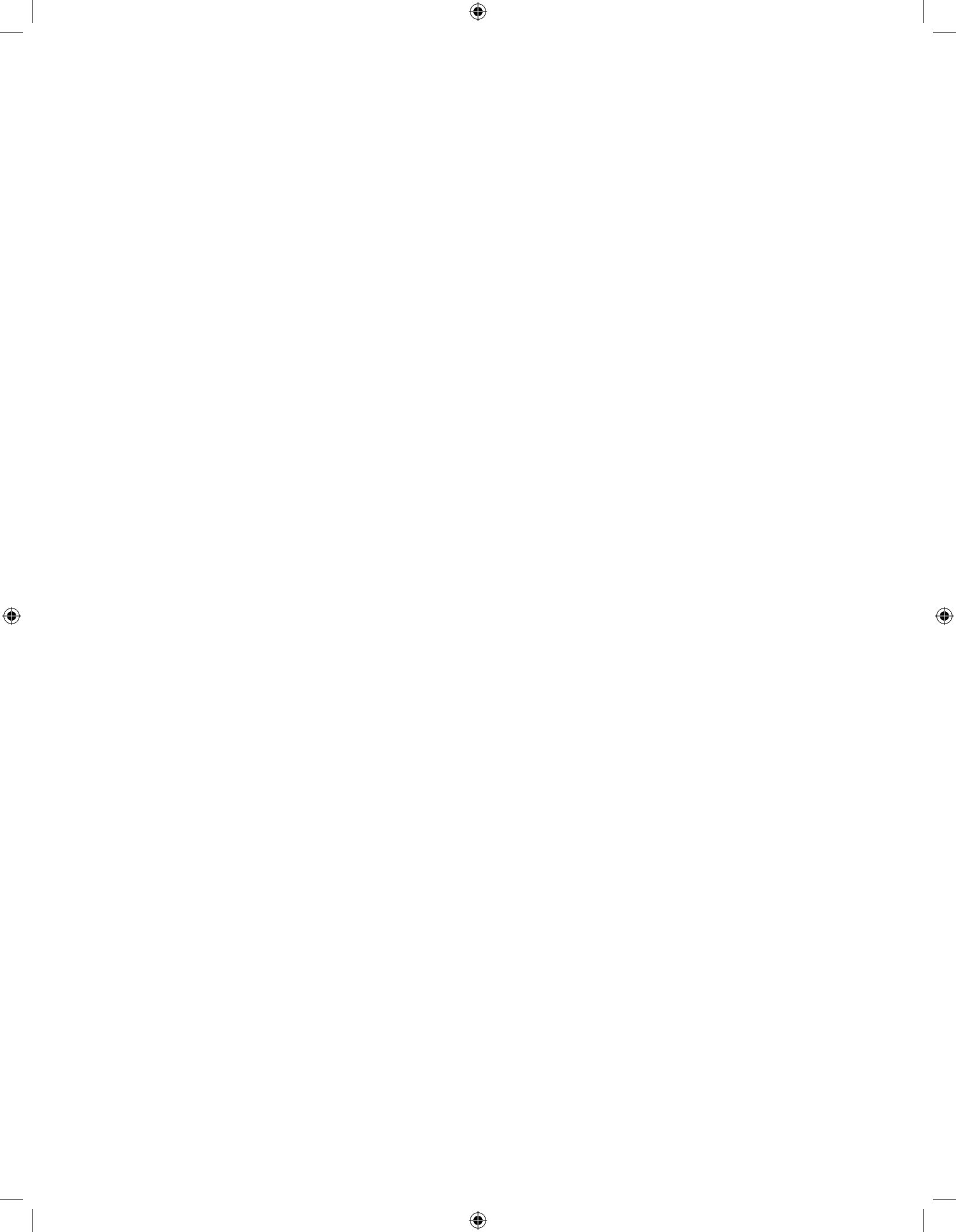
We really zeroed in on that. Now, I'm often reticent to say, "I'm proud of the progress we've made" because that can sometimes sound like we're satisfied. And, I'm not satisfied but, in terms of equity partner promotions, office managing partner leadership, board leadership, and in other ways, we're a much more diverse firm than we were before, throughout [the partnership] and at the top.

It's important that people who we recruit can look at some of these visible positions and say, "Okay, it's not just a homogenous group there. It's a diverse group and maybe there's somebody who I can really relate to. It looks like there's a lot of opportunity for me." That's been important to me. Our younger attorneys tend to be more diverse than our senior lawyers, like the industry (as a whole). And, our strategic goal now is to see that in five to 10 years down the road our senior lawyers and our senior leadership will reflect the diversity of our younger lawyers in 2021. We want to make sure we're recruiting and promoting a more diverse group of lawyers and non-lawyers as well.

OC: As you look outward to the future, I'm sure you have many goals. What's on top of that list of aspirations for you as Polsinelli's leader?

CS: It's really what we've been talking about: Inclusion at the leadership level and continuing to pay a lot of attention to our culture. I'm very focused right now on mentoring and sponsoring—making sure that we're paying close attention to guiding and mentoring younger lawyers, from a client service perspective but also from a leadership perspective. ■

—Steven T. Taylor



Of Counsel Interview ...

Polsinelli CEO/Chair Leads Successfully with Both Continuation and Change

Regardless of the profession, people tend to migrate to different workplaces more these days than in bygone eras. Today you just don't see many Derek Jeters, the baseball superstar who played his entire Hall of Fame career with the New York Yankees. To continue with the sports comparison, after playing for one team over his illustrious football career even Tom Brady left the New England Patriots, last year, for the Tampa Bay Bucs.

Of course the legal profession has been seeing wide-spread lateral movement for years, and during the pandemic attorney migration has increased as many people re-examine their careers and feel it's time to make a change.

Not Chase Simmons. In this regard, he's more like Derek Jeter than Tom Brady. Joining the Kansas City-based law firm Polsinelli in the late 1990s, Simmons practiced real estate law, was elevated to serve as the firm's real estate practice area leader, and in 2019—after

the partnership elected him in 2017 to serve in its top leadership position—he became CEO/chair. And given the firm's recent success, it seems like that's an inevitable and a suitable role for him.

Over more than two decades, Simmons has been instrumental in helping the firm grow at a strong but steady pace to become the 900-attorney partnership it is today, with offices across the nation and a growing client base around the world. Along the way, Simmons earned distinction after distinction with ranking agencies like Chambers quoting clients in characterizing him as a “very dynamic” lawyer and saying, “There are very few people who are as good at a negotiating table as him.”

As a leader, Simmons also gets kudos for advancing the progress made by previous

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