Maximize Firm Resources With Customized Business Development Plans

“We can’t afford to have lawyers who are just lawyers. They have to be business people,” said a managing partner in a recent Denver Business Journal article about increased competition. The statement seems a cliche by now, yet not many profession leaders have thought through the implicit dilemma in such currently common wisdom.

In fact, we can’t afford to expect lawyers to be business people in the traditional definition of business. To do so can cost the firm. Lawyers differ in many significant ways from people at corporations and other types of business. For attorneys, distinct definitions must be fashioned for many processes, including managing, team building, and developing business.

Years ago, we saw a team-building frenzy hit the corporate world. Businesses engaged in all sorts of techniques and exercises to develop their employees into well-functioning and highly productive teams. These methods also were brought into law firms, often with poor if not counter-productive results. The wise firms realized that what works in corporations does not typically work well in law firms.

Why not? Because corporations are populated with people who more closely reflect the general population. Lawyers have characteristics opposite those of the general population. For example, lawyers have a very high need for autonomy, and they may define teamwork in a way that is fundamentally different from how the corporate world defines it. Stories abound of the expert in corporate team building who was rendered speechless during team-building sessions with lawyers. (Of course, lawyers’ high need for autonomy typically befuddles their own managing partners as well.)

Opposing Skills

Just as the concept of team needs an altered definition for lawyers, so does business development. The profile of aptitudes and strengths that describes a talented and effective lawyer is very often the opposite of that of a successful salesperson.

Yet lawyer aptitudes can still be used in ways that result in successful business development. The key is to harness what the lawyer already knows and does well. Business development becomes a natural extension of the day-to-day practice of law.

Competition for clients is resulting in even greater expectations of each lawyer to develop business. From what is known about lawyer traits, business development plans should therefore vary widely from lawyer to lawyer.

Lawyer aptitudes can be used in ways that result in successful business development. The key is to harness what the lawyer already knows and does well.

Attracting clients is not a one-size-fits-all process. When lawyers identify the particular traits and strong suits that they each bring to the practice of law, each can then plan and pursue a business development strategy that capitalizes on these individual qualities and personal assets. It is accepted that a trial lawyer uses different skills and has different areas of expertise from a transactional attorney. The resourceful firm encourages and leverages the same kinds of distinctions between various business development methods for their attorneys.

The aptitude profiles of various occupations and professions have been documented by the Johnson O’Connor Human Engineering Laboratory since the early 1900s. For decades, this nonprofit organization with testing sites around the country has measured and refined its data about occupational skills, strengths, and styles. The test is objective, so the results cannot be manipulated or influenced by mood, environment, or situation as can self-report or self-assessment tests.
When looking at the profile of a successful salesperson, it does not match the profile of a successful lawyer. Several differences are obvious.

Most lawyers, like a minority (approximately 25 percent) of the general population, are what Johnson O’Connor calls subjective. The majority of the population (and minority of lawyers) is what the Lab terms objective.

According to O’Connor’s definitions, a subjective person has a unique and very personal viewpoint and needs to do his work in his own way; his expertise is extremely important to him and he closely identifies with it. To use a phrase borrowed from The Highlands Company (a newer organization using the testing and data of Johnson O’Connor), subjective types wear their expertise like skin, whereas objective types wear it like clothing.

Highly credentialed professionals are likely most comfortable deepening their expertise and offering their specialized services in a way that only a handful of others can. They like people coming to them for their expertise. Typical sales methods generally will not fit their style.

**Inductive Profile**

Another important lawyer aptitude is inductive reasoning. It would be very challenging to practice law without a fairly high aptitude for this kind of reasoning. Lawyers can quickly look at seemingly unrelated elements and see a pattern. They can be swift diagnosticians and decision makers.

As a result, they also can be very judgmental about people, both themselves and others. This degree of judgment can cut against clearly understanding what a prospective client wants.

For many of those with the inductive aptitude, praise (especially public) may seem gratuitous; they have already judged their own performance. They are especially unlikely to appreciate praise from someone they do not hold in high regard. In the corporate world, sales efforts often include many non-monetary types of recognition. Proceed with caution in transporting them into the law firm.

Another aptitude very helpful to the practice of law is what Johnson O’Connor calls "ideaphoria," which is the ability to generate lots of ideas easily and quickly. A person with this aptitude can effortlessly think of 10 different ways to make one point. This aptitude is one the lawyer does share with a good salesperson.

By knowing the lawyer’s set of aptitudes, the firm can best manage its resources and not undermine other critical activities for the sake of business development.

The legal profession has about 75 percent subjective people, as will a typical law firm. Before looking at how various methods of business development can drain firm resources, throw in one other factor—introversion versus extroversion. To define those in a brief and simple way, people who are high extroverts get their energy from being around other people, while high introverts need time alone to recharge. None of us are complete extroverts or introverts, so most of us need to both interact and retreat. But we do have preferences.

**Four Profiles**

By looking at lawyer profiles and focusing on the subjective/objective and extrovert/introvert continua, a firm can facilitate each lawyer’s most successful and comfortable way of business development. Each of the four personality combinations—subjective introvert, subjective extrovert, objective introvert and objective extrovert—demands client development methods best suited to it, methods that will naturally more likely achieve success because they lead with the individual’s strengths.

This kind of analysis is a good way to manage firm resources. People operating within their aptitudes achieve goals more quickly and easily; people operating outside their aptitude profile can develop skills to compensate, but it will usually detract from what they can better achieve operating within themselves. Operating outside one’s natural preferences and traits can drain the lawyer and the firm.

Of Counsel, January 2004
It’s thus a question of efficiency. People can achieve goals for which they have low aptitudes (given enough motivation) by developing compensatory skills. However, learning and using alien skills takes energy. By knowing the lawyer’s set of aptitudes, the firm can best manage its resources and not undermine other critical activities for the sake of business development.

For example, time or money spent honing the abilities of objective extroverts to function well in the typical networking setting would be well spent. To the opposite, the same expectation of a subjective introvert might not be in the best interest of the firm. Is it a good decision to drain that lawyer’s energy at a networking event so that he or she does not have optimum energy to spend on a more solitary activity, like writing a brief.

The answer to that kind of question will, of course, vary from firm to firm. Each firm will choose to orchestrate its lawyers’ assets in a way that uniquely suits that firm. At the very least, however, knowing the aptitude profiles in the firm will assure that the choices are not made in the dark.

**Embarrassment of Riches**

We are certainly not suggesting that some profiles might exempt lawyers from the expectation of business development. So many means of developing clients are available. Networking, strategic alliances, seminars, and public speaking will be best suited to some. Establishing expertise in alternative ways, such as writing articles, newsletters, or creating other information products, may be best suited to others. All lawyers can and should have their own tailored suite of methods allowing optimum potential for bringing in the greatest number of clients.

Knowledge of the most suitable methods of business development can be a relief to each lawyer. Instead of trying to pursue all the ways of developing clients, the lawyer can concentrate on those in which success can be most effortless.

Knowing the lawyer aptitudes provides an additional advantage in both attracting new clients and keeping current clients. The person with high subjective and high inductive aptitudes may have a tendency to pontificate and to be extremely directive. These tendencies do not always make for good client relations. Awareness of their own propensity for such behavior can remind legal professionals to provide clients with more client-friendly dynamics, including such basic sales skills as questioning and listening.

---

At the very least, however, knowing the aptitude profiles in the firm will assure that the choices are not made in the dark.

This old adage teaches us something about aptitudes: “Never try to teach a pig to sing; it is a waste of your time and it really annoys the pig.” At some law firms, one may not have to look far to find some very annoyed pigs practicing law. They may learn to grunt on tune, but why ask them to?

Business development plans can be customized to the traits of each lawyer. A one-size-fits-all approach serves no one. A personalized system makes things easier for everyone concerned, even the prospective client. Otherwise these annoyed pigs may be draining firm resources much needed in today’s environment. Customize for maximum effectiveness.

—Stephanie West Allen

Stephanie West Allen, JD, owns a Denver-based organization assisting law firms and individual lawyers with aptitude-based business development plans and methods. She can be reached at Stephanie@allen-nichols.com.