

NIXEDONIA

Definition: **Nixedonia** - [ni.khe.'dθʊ.ni.θ.] - Eng. (noun.)
"the joyful condition of anticipated success."

Определение: **Nixedonia** - [Нихедония] - (сущ.)
"радостное состояние ожидаемого успеха."

Active Referrals - 5

The Ideal BD Meeting



Success does not come overnight. It takes more than inspiration but also planning, hard work, and, importantly for easily-distracted lawyers: perseverance. If we do not regularly schedule Business Development into our hectic schedules each week, it most likely won't ever happen. You will always be too busy. You will always have other work to do. We can make a thousand justifications to not do something-especially if we don't want to do it nor are certain how to do it. But remember that billable hours are only our income for today: Business Development hours are our income for tomorrow and all the future days then after. And so, otherwise, the years will pass, and like a leaf upon a stream, snuggled safe within our comfort zone, we will drift along wherever the currents of fate might take us. Unfortunately, it may well not take us where we would like to go! Even if we are fortunate and no rapids or waterfalls dash us and sink our dreams, this passivity is a grave mistake. This comfort in inaction is an illusion. One day we might find that we are stuck in some stagnant backwater, and the way ahead seems lost. Our career journey doesn't have to be like this. Not at all. While the rivers ahead won't always be calm, and we'll definitely be drawn back more than once, we must sail onwards. Yet, we can still enjoy the flow, and control our route. As in the N of the Nixedonia logo, the graph of our progress will nevertheless, despite the inevitable setbacks and disappointments, show a positive trend. We must not be afraid to fail. By learning to swim, we are less likely to go under; we are more likely to reach our destination. We will certainly fail. Again and again. And that is OK. We will learn from that, and try harder. We will sail, not drift. We will succeed in our personal growth, in our wealth, and in our freedom. And finally, along this great journey, we will attain Nixedonia and thereafter reach any shore that we desire. Anywhere...

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The Ideal BD Meeting

NB: **Active Referrals** are not easy. If you don't do regular **BD Meetings**, you won't be able to track them and see that they are being done. For this reason, **The Ideal BD Meeting** (described below), will allow us to be sure that challenging **Legal Sales** actions, like **Active Referrals** are actually happening.

Foreword: Since leaving DLA Piper in 2015 to set up Nixedonia and to focus on specifically helping law firms increase revenues through sales and marketing training, I come to realize that there are many similar areas for improvement between the firms. While I am often greeted by groups of young and enthusiastic lawyers, who enjoy the training, are pleasant to deal with, who take notes, and maybe even do their homework, I've come to see that my presence might mostly be simply provoking what I call **"waves of enthusiasm"**.

This means, I come to the law firm, and the lawyers get motivated and keen, or at least they seem to be – their eyes shine and their pens scribble. They are enthusiastic! The training session goes well, and for the next day or so, most likely, some enthusiasm remains.

But then life continues. Billable hours mount, and we go back to the daily grind. Nothing much changes.

Still, naturally, the lawyers are getting smarter, month by month, in legal sales and marketing, but there is not that much application of theory into practice. Also, keep in mind, that from ten lawyers, only perhaps one or two will really burn with a passionate hunger to succeed commercially, and one or two might bluntly reject that anything commercial is their work (**"it's not my job"** is even sometimes heard), while the majority, six to seven of the colleagues, will be in the middle – not super keen, and not super anti-sales, but they will be unlikely to do things unless we help them, guide them, and track them (coming from a Russian business development culture, I would be more heavy-handed and say we ought to make it clear they are accountable for this work – no BD should mean no bonus and no promotion, in my view).

So, how can we help in moving the theory into practice?

Of the approximately 300 law firms I have met, even those that show **"waves of enthusiasm"** (and those few that are sales-phobic never last more than 1-2 training sessions) I notice a lot of them doing very similar **"common mistakes"**:

- There is little if any systematic approach to **Active Cross-selling** of legal services. And, this is an easy win! As we know, under the **1-2-4 Rule**, the easiest target group of prospects, for generating new work, are the **Current Clients**. Some law firms respond to do **Passive Cross-selling**, where they listen and catch an opportunity presented by a client, for a legal need in another practice group, and follow up on that, but very few of them take the initiative of pitching a **Unique Value Proposition** (a **UVP**) from another practice group (this is **Active Cross-selling**).

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- Most of the law firms suffer from the **Client Relationship Cliff**. This means that even after investing in a relationship for months, of intense communication, of building up that relationship, then at last, when the closing comes, there is often no **Post-closing Meeting**. It has to be face-to-face, not an email or a call – otherwise chance of new work is much less. This meeting is often left to the partner or lawyer's own discretion and, so, honestly speaking, it very often simply doesn't happen. **We are all too busy!** And this is a massive lost opportunity – for when the client is happiest, post-closing, that is when we should try to cross-sell, re-sell, up-sell, get constructive feedback, explore opportunities etc. What with **Buyer's Remorse**, regret that can come post-purchase, this **Post-closing Meeting** should be within 1-2 weeks. Again, most law firms are not doing this, and thus making no systematic attempt to convert **Transactional Clients** into more valuable **Relationship Clients**.
- **Accountability and Tracking** is another major issue. Does your law firm have **Quantified Business Development Plans** for the partners and lawyers? Many firms don't. And, even if you do, are we checking this on a regular basis, weekly or monthly, to see if the colleagues are on track with their commercial activities?

The brutal truth is, in many law firms, lawyers are doing no business development at all it seems to me (and writing an article for a legal journal once every six months doesn't count). If we have not set the number of hours to be done per week on business development, and to comprise this into a monthly plan of the quantified business development plan, then we can't set expectations, nor track results.

I could go on and criticize how things are being done, but, perhaps, one more useful idea would be for me to propose the initial step, an easy-win, in order to cover as many **"common mistakes"** as possible. My solution is hardly original, and hardly rocket science in difficulty, but, again, most law firms are not doing this.

We need to have a regular monthly (if not weekly) **Business Development Meeting**.

It is only when we have a year's plan of dates and times ahead set out, that we can use that chain of **BD Meetings** as a foundation, as a spine, upon which to track and develop our activities. Very often I hear from smaller law firms that they are all basically working in one room, so they don't need meetings as they chat together all day, every day. I disagree. When was the last time you talked about which clients we should specifically cross-sell services, and by whom, and when, and what? When was the last time we chatted about how which of our clients are slipping into dormant status, then ex, then long-ex (this is corresponding to the **Expanded 1-2-4 Rule** and means that our relations with time are weakening to the client)? Probably this is not even being noticed. When did we discuss upcoming post-closing meetings? Quite often, never.

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So, even if your law firm is small, you do need to do a regular **BD Meeting** to which attendance is compulsory. It has to be taken as seriously as a client meeting or court appointment. If some folk, especially seniors, begin disappearing, this sets a catastrophic example, and others will copy. The end result will be absenteeism and the cessation of these meetings, most likely. So, we must start strict, and make absence quite a serious issue.

But what shall we do in the meeting?

- **One hour duration**

All **BD Meetings** should be short. An hour is more than enough for a weekly one, and we should not take longer. We can waste hours discussing strategies and plans, but best to focus on tangible results, and be time limited. If the meeting is held once a fortnight, or once a month, then two hours is reasonable.

- **An attendance register to sign**

Let's make it very clear that this is serious. We should have a register to sign. Any absence should be followed up from the Managing Partner.

- **Taking the minutes of the meeting**

One colleague has to be appointed the **Minute-taker**. This is crucial. It can be an admin person, a lawyer, or a partner, but it is crucial that we record what was discussed, and what was set for action following the meeting. Needless to say, the minute-taker must email everybody this after the meeting, and, at the start of a meeting, read the previous minutes.

This may seem obvious, but basically none of the law firms I've seen, in over 50 countries, do this.

An additional, slightly more sophisticated, task for the **Minute taker** could be to create an **Updated 1-2-4 Table** of which clients are current, which ex, and which new targets there are.

With the **Expanded 1-2-4 Rule**, this would have five columns including the **dormant** and the **Long-Ex** clients, too. Thus everybody would see the situation with clients, and any changes. If a client is **"slipping"** to the right, becoming more distant, we decide who will re-contact them, and how to do it. Also, at this stage, for closings, we can see who should and must then do a **Post-closing Meeting**.

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• Story Telling

The simple start to the meeting is that we go round, in a circle, and each attendee has to **Story Tell**. They have to say what they have done, how it went, and what results this brought. For a small meeting of half a dozen attendees, perhaps 3-4 minutes could be spent on this each. For a larger firm, one minute per person is sufficient, and we have to keep them on track with time (would it be odd to bring a timer, even?). Ideally, each attendee would say if they are up to date with their **Quantified Business Development Plan** and what they had done according to that – this is not something that can be bluffed – either a task was done, or not, a meeting held, or not, an article written and sent to ex clients, or not, calls made, or not, and so on.

• Filling in a Cross-sell Grid

The next activity deserves its own 10-15 minutes. We draw a **Cross-sell Grid** on the whiteboard, or on paper, and along one axis we have the attendees, and along another, their A or B clients (those clients who generate most income). We then go through the grid, with input from everybody, about what chance there would be of cross-selling a service to a client. Different clients can be put in different cross-sell grids in different BD meetings. We allocate a score of 1 to 5 depending on likelihood of **Cross-sell** (one being unlikely, five being very likely). When the table is filled in, there will be many 1s and 2s and 3s, but, what a surprise, we will see a few 4s and 5s! Each of those must be followed up with a **Tea for Three (T43)** where the contact lawyer proposes to bring their colleague for a lunch, or coffee, or meeting. One approach could be to make it that every attendee has to introduce at least one other attendee before the next **BD Meeting**.

• Coin Analysis

A simple task done individually is the **Coin Analysis**. This can be done in 5-10 minutes. Each attendee simply makes a list of their clients (again, the best focus being on A or B clients). They then draw two columns beside each client, and explore what are potential past or future needs for that client. This will be easier if the lawyer knows their client well. Past needs are issues from the past we could help them with (in our practice, or others), and future are more open ended and could depend on legislative changes, or simply the client's corporate strategy ahead. This activity stimulates creative thinking from the lawyers, and identifies some potential cross-sell, re-sell, and up-sell opportunities. If anything good is found, it is crystalized into a "to do" activity to be done before the next meeting.

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- **FABing our UVPs**

This might prove an unpopular activity, and might take preparation before the meeting, however, in this case each practice has to be able to **FAB their UVPs** for the colleagues. (To **FAB a UVP** means to explain the advantages and benefits of what we offer, in no **plain-vanilla** standard language, but showing real competitive advantage). This is important so that we can all be clear on the value that our practices provide. As a real estate lawyer, can you clearly and convincingly hook my interest in why I should work with your full service law firm in IP? Probably not, but you should be able to.

This task can even be fun, but we have to be careful with timing – 10-15 minutes might be enough.

- **Confessional**

Some of the big law firms develop a **"culture of success"** which means that we can boast internally of our success, loudly, but never discuss lost pitches, or failures, or mistakes. I've found that the bigger the law firm, the bigger the invoice, the more likely this is to happen.

This is really bad from a learning and development perspective.

So, in the **Confessional** stage of the **BD meeting**, we get each person to state a frustration, a fear, a worry, a rejection, or a failure, and then we discuss together, as a team, how to help, how to improve that. Partners must set an example by showing they are not perfect but also have similar things happen. Thus, we not only learn from each other's mistakes and see that everybody makes them, but we also support one another in moving on from that. This helps team spirit and encourages a positive supporting atmosphere of transparency.

- **Sweet words**

It is important to finish the **BD meeting** on a high, not on the **Confessional**. Immediately after the **Confessional**, which should come 2nd last in terms of the elements of the **BD meeting**, when we have opened our hearts and are more receptive, we then follow with the end of the meeting – after it is agreed and repeated about who will do what for the next meeting, then the meeting head, the Managing Partner, must say some **Sweet Words**. Praise must be given to each attendee, regarding efforts if not results, some good news shared, and reassurance and positivity. In one American source, I read about the idea that each attendee praise two of their colleagues, but I am not sure how uncomfortable that might make some of the lawyers I work with. For the Brits, that could be quite an awful task! In any case, the meeting should end on a high note with some **Sweet Words**.



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So, that is what I recommend. If any assistance is needed in setting up such meetings, let me know and I will be glad to share my thoughts. These meetings can be done without me being present, but, if we would like me to chair them, then I can also do that if required.

I hope this article proved useful for you and will lead to some enjoyable and rewarding **BD meetings** which, in turn, will help your firm avoid some of the **"common mistakes"** in sales and marketing that I mentioned earlier.

If you have any questions, or would be interested in assistance in establishing the **Ideal BD Meeting** for your firm, then contact me at any time – john@nixedonia.com

Almaty	Bratislava	Copenhagen	Helsinki	Lisbon	Minsk	Riga	Sofia	Valetta
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Barcelona	Cairo	Frankfurt	Kiev	Madrid	Prague	Singapore	Tel Aviv	Warsaw
Belgrade	Chisinau	Geneva	Kuala Lumpur	Milan	Reykjavik	Skopje	Tirana	Zagreb

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