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### Leading the Way ...

## Consultants and Recruiters Name the Nation's Best Law Firm Leaders

When historians evaluate the best presidents of the United States, naturally they differ in both their selections and their criteria. Many students of US political history, however, find these ranking lists interesting and educational—and certain presidents make most lists: Lincoln for his integrity, and, to use a modern term, crisis management proficiency; FDR for his compassion and courage; Jefferson for his far-reaching intellect and vision; Obama for his charisma and communication skills; JFK for his inspiration; and LBJ (on domestic issues, that is) for his determination and consensus-forging skills.

In the legal profession, insiders rate law firm leaders—sometimes publicly but more often privately—and they, too, tend to have different favorites. So, as we hit the mid-way point of 2019 who are the profession's best law firm chairs and managing partners?

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*Of Counsel* asked 15 consultants and legal recruiters from a variety of geographic areas to offer two or three names of the leaders they think serve their respective firms the most effectively and the attributes that help make them so good. Of course, this exercise could be considered politically delicate. After all, consultants and recruiters make their living from their law-firm clients and they might feel compelled to list their clients or face losing them or at least damaging their relationships

with them. Worse, consider the ramifications of naming a client's competitor.

Consequently, we gave the telephone and email survey respondents the opportunity to remain nameless if they wanted. Some did ask for anonymity, and some didn't care if their names appeared next to their best-leaders selections. We also used the "s/he" pronoun to hide the gender of the source, thereby providing additional protection for the consultant/recruiter who wished to stay "on background."

It should be noted that two of the 15 we queried couldn't name a leader they felt deserved top-tier ranking, essentially saying, "No one jumps out at me"—and these two insiders are usually anything but reticent. One of them says s/he would choose John Murphy if he still chaired Shook, Hardy & Bacon as he did for 15 years until he stepped aside at the end of 2016 to focus on his practice: "John would rise to the top of my best-of list because of his insight and innovation, particularly as a pioneer of alternative fees."



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## Know Your People

The definition of what constitutes top-quality law firm leadership varied among the survey participants. One person, however, seems to best define what effective leadership means today. "It requires a healthy combination of vision and the ability to motivate people; you can't have one without the other," s/he says. "To be a great leader in 2019 you have to be able to communicate and connect with people, have high emotional intelligence, and be able to understand what's going on in people's lives."

This source points to a quote from the well-known motivational speaker and organizational consultant Simon Sinek: "Leadership requires two things: a vision of the world that does not yet exist and the ability to communicate it."

*Continued on page 17*

*Taylor's Perspective ...*

## New Book Offers Marketing Advice Via Engaging Anecdotes and Examples

Deborah Farone has done her homework, and the legal profession is much better off because of it.

Last month I experienced an odd-in-a-good-way coincidence. I had called Jon Lindsey, a partner at the recruitment firm Major, Lindsey & Africa, for help with this issue's lead article on law firm leaders. I missed him but he called back and left me a voice-mail message with answers to my questions—insightful answers as usual. And then, apropos of nothing, he recommended two books—one about a libel case against Teddy Roosevelt by Dan Abrams and David Fisher and another about law firm marketing by Farone, calling it “very, very good.”

The coincidence? The next person on my to-call list that day was Deborah Farone to ask for a review copy of her book, *Best Practices in Law Firm Business Development and Marketing*. I smiled at this “synergistic convergence,” (something one might have heard 50 years ago at Woodstock) and said to myself, “Well, if Jon likes the book, it must indeed be ‘very, very good.’”

*Best Practices* offers practical advice from one of the nation's most experienced and talented law firm marketing gurus—it could be a textbook for a marketing class, a lively textbook at that. Lawyers and other professionals at firms of all sizes can benefit from the book. A sentence on the back cover succinctly

describes its content: “Each chapter is filled with information that can be scaled to apply to a single-person law practice or to a large international law firm.”

But it's also a book of stories. The many anecdotes draw in the reader, beginning with Chapter 1 in which Farone recalls her first day on the job in 1989 as a 26-year-old serving as the first-ever marketer for prestigious Debevoise & Plimpton. (She ultimately became the firm's chief marketing officer, a role she also performed for Cravath, Swaine & Moore.) Read that opening narrative—with just the right amount of colorful details needed to create a scene that's set in the early days of law firm marketing—and you quickly realize that this person can write and write very well.

Consider this sentence that recounts the firm's HR director depositing Farone into her office, a windowless, former “storage closet for firm-related memorabilia” filled with packing boxes; here she finds an old photo of name partner Francis T.P. Plimpton: “He was distinguished in a Christopher Plummer sort of way, with a dusting of light grey hair, properly lined crow's feet at his temples and glasses resting on his forehead, as if he were getting ready to inspect the inner workings of a watch, or a tiny insect that had fallen on top of a document.”

After that robust, multisentence paragraph, Farone punctuates her prose with a

one-sentence graph that sets the course for the book: “I was off to the races with a career in law firm marketing.” The first-person account in this chapter works well.

## Five Dozen-Plus Interviews

The marketing philosophy and tips emerge by example through anecdotes from a host of legal-industry professionals. In one of the best chapters in the book, entitled “Culture and Pursuing New Business,” Farone underscores the importance of cultivating the right work environment and describes the many things, some of them nuanced, firms do to create their own culture.

At one fairly new firm in New York and New Jersey, for example, the leaders wanted to inspire creative thinking so they lined the office walls with photos of musicians such as John Lennon, Deborah Harry, and other icons, taken by the famous rock-and-roll photographer Bob Gruen, one of the firm’s clients. Not only does the artwork subtly encourage innovative thinking, it showcases a client’s work. That’s a smart move and Farone’s smart to include this example.

While the writing sails along smoothly with clear, compelling, and concise prose, what’s just as impressive are the many interviews Farone conducted—the above-mentioned homework. With more than 60 interviews with experts in a range of legal-profession positions both inside and outside of law firms, this may be one of the most thoroughly well-sourced books of its kind.

In addition to the culture chapter, two others really resonated with me. Chapter 8, “Traditional and Social Media,” demonstrates once again that Farone knows her stuff and talks to the right people to validate or supplement what she already knows. Here’s

some advice she offers: “Reporters want to call experts they respect” for insight. “Just as important though, they need sources who will respond promptly. Chances are the reporter is under a deadline.”

Thank you, Deborah. While I’ve been fortunate over the years with lawyers calling me back for my articles, occasionally one will fail to return a call or respond in a way that’s really a nonresponse. I won’t reach out to him or her again. By the way, during Rodgen Cohen’s tenure as chair of Sullivan & Cromwell, I called him often, and he always either picked up the phone himself or called me back very promptly. Of course, *Of Counsel* is clearly not *The New York Times* but Rodg made me feel like I was just as important as a *Times* reporter.

The other chapter that’s particularly thought-provoking, helpful, well-sourced, and well-written is “Women and Marketing.” It chronicles the challenges women have encountered and continue to face both in their marketing efforts and in their practice. Importantly, Farone also articulates both the special skills women possess and how to make the most of them and the obstacles they face and how to navigate around them. She ends the chapter with advice from business strategist Bonnie Ciaramella, who works with law firm partners. The tips are called “Ten Things Women in Law Can Do to Build Their Practice,” and they are quite valuable.

For years, Farone has built a well-earned reputation as a stellar legal marketing expert with a career that’s decorated with many distinctive honors—and yet she maintains a genuinely modest personality. The profession should be grateful she’s shared much of what she’s learned in *Best Practices*. Read it and you’re instantly smarter and better equipped to succeed. ■

—Steven T. Taylor

## Approaching Collaboration from a Value-Based Perspective

In-house lawyers often express a wish that the outside lawyers with whom they work would collaborate with them more. Why do they want more collaboration? The bottom-line answer to that question is, the bottom line.

In-house attorneys believe, with much justification, that the process of seeking ideas from others, listening to those who have and offer distinct perspectives and incorporating that thinking in one's own approach (a core essence of what we mean by "collaboration") improves analysis and decisionmaking. That would positively impact the company's—and the law department's—bottom line.

All too often, though, in-house attorneys have seen their external counterparts take actions with insufficient dialogue and coordination with their corporate clients' staff attorneys. Whether noticing numerous depositions of the clients' employees in litigation

with inadequate coordination or discussion or preparing exhaustive, thirty-page memoranda when an in-house attorney needed a short, declarative recommendation, outside counsel seem programmed to "take the ball and run with it." The perspective of the lawyers who work for the organization full time—and, consequently, often know it, its management and its ethos intimately—often has minimal impact on how the company's outside lawyers plan to achieve its objectives. To correct this imbalance, in-house counsel desire more collaboration.

If a company's in-house attorneys want to achieve greater collaboration with and among the company's external providers (including law firms), what steps should they take? How might they commence the process and build a more collaborative relationship with those providers? Finally, how can they later assure themselves and their companies' management teams that they have achieved their goal

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of more coordination and collaboration so as to improve the results?

## The Seeds of Collaboration

Let's first look at some steps that law departments have taken along the collaboration "journey." One of the first concrete efforts by a corporate law department to enhance the level of collaboration and coordination between its lawyers and the company's outside counsel was the DuPont Legal Model, initiated by the DuPont Legal Department in 1992. One of the core principles of that initiative centered around what DuPont called "strategic partnering," which (according to DuPont) "emphasizes long-term relationships based on mutual trust, sharing of risks and rewards, working collaboratively toward common objectives to the ultimate benefit of [the company] and a mutual commitment to each other's financial success." *THE NEW REALITY: TURNING RISK INTO OPPORTUNITY THROUGH THE DUPONT LEGAL MODEL* (5th Edition) (E. I. du Pont de Nemours and Company 2009), p. 2.

Since DuPont Legal began to rewrite the terms of the relationship between law firms and its in-house lawyers, other law departments have followed suit. Corporate legal departments' "convergence" programs began as an effort to reduce the number of law firms to which a corporate legal department might assign its company's work. This, in turn, would provide the company's in-house lawyers greater leverage regarding the cost of that work as well as better control of resources, particularly outside law firm resources. It's easier to manage effort and expenses with a smaller stable of horses to feed.

Convergence has evolved since its early iteration, even in the context of the DuPont Legal Model and other, similar initiatives. It now includes thoughtful inclusion of the legal services provider community. In today's environment, one law firm is unlikely to be all things to a client. (In fact, some argue that

a one-to-one relationship is impractical and perhaps counterproductive if not just plain not workable.) The current version of convergence and partnering incorporates a greater variety of service providers than simply law firms. Every day that passes, more and more entrants to the legal services provider market make it more difficult for law firms that don't embrace or build relationships with these legal services providers to be as successful as they once might have been and thereby the most value to their clients at the same time.

This phenomenon requires that in-house counsel demonstrate a very different skill. In many ways, in-house attorneys find that they are accountable to corporate management less for the practice of substantive law (though, when push comes to shove, they will be answerable for the substantive outcome of the lawyers' efforts) and more for the management of legal processes. This shifting responsibility of in-house counsel cries out for collaboration. It also suggests that in larger corporations other corporate operating departments (e.g., IT) will most likely play a role in that collaboration with outside counsel and/or alternative legal services providers (ALSPs).

"Partnering" once included the following traits: respect, trust, and communication. See Foltz & Lauer, *The "Art" That Is Part of "Partnering,"* Corporate Counsel's Quarterly, vol. 17, no. 1 (Jan. 2001), pp. 70, 72. It exhibited the following behaviors: communication, collaboration, consensus, and circulation. See Fitzsimons & Lauer, *Partnering: The "New" Client-Law Firm Relationship,* Corporate Legal Times, vol. 7, no. 68 (July 1997), p. 29. Incorporating that approach into just the firm/client relationship can no longer suffice.

Collaboration or partnering must now occur among a broader array of relationships; not just between in-house and outside counsel, but also among those two groups and the growing categories and number of ALSPs. It must include greater sharing of information (and much earlier in the process) and collaborative planning (including an approach



modeled on and borrowed from project management) and execution.

Collaboration connotes two or more persons or entities working together to achieve a single objective. While the traditional lawyer–client relationship entailed them working together to achieve the client’s purpose for retaining counsel, a collaborative form of the relationship suggests a more complete integration of and cooperation in their efforts. In the relationship that existed for many years, in-house attorneys often retained outside counsel for their companies while only receiving no more than periodic reports of progress. In-house attorneys were afforded very little meaningful opportunity to participate in the hands-on management of the matters and were rarely asked to contribute to the effort substantively. To complicate the relationship further, many outside counsel clearly saw the general counsel as their primary customer.

This led, in conjunction with increased matter-management responsibilities placed on the in-house attorneys, both related and unrelated, to a determination by corporate law departments to establish a more fulsome involvement in the work for their companies. One of the earliest, most strategic and thought-out efforts was the aforementioned DuPont Legal Model, emulated to one degree or another by other law departments. Today, only a more institutionalized and collaborative relationship will usually suffice.

## The Next Challenge

This brings us to the next challenge: measuring the degree to which the lawyers and associated professionals working for a company in fact collaborate and, even more critically, the benefits thereby gained by the company. Knowing whether or not collaboration between in-house counsel and a law firm is beneficial for both parties may be difficult to determine. We believe the principal reason for this difficulty is that the parties determine and measure “value” very differently.

Value for in-house counsel has been measured traditionally by the fees paid by the company for legal service. In other words, how much cash went out the door for services rendered and how did that sum compare to the hoped-for benefit of acceptable results? Since a corporate legal department serves a supporting function in a corporation (*i.e.*, it rarely creates revenues for the organization), the core competencies of which may be in product development, research, sales of specific product, etc., the “value” of the legal department has been measured using metrics with a standard financial look and feel. Corporate general counsel now must demonstrate to management the returns on capital investments made in technology, the processes that attract and evaluate performance of investments made in payroll, rigorous controls used to develop budgets and successfully manage to those budgets to name a few of the expectations that they must meet. Effective general counsel make it clear to the in-house attorneys that they have the collective responsibility to manage those types of value drivers as much as they do to practice law. In many ways, corporate attorneys need to be more managers of legal processes and costs than practitioners of law.

On the other hand, billable hours drive a law firm’s performance in most cases. Whether the firm’s metric is hours billed, hours billed less write-offs, or cash collected, the mechanics of the billable hour system, which is still prevalent in law firms, can have a negative (from the vantage point of in-house attorneys) impact on outside counsel’s behavior. This impact has been well documented. Consequently, clients and firms have “agreed to disagree?” as to how best to measure the value of the legal service.

Due to that fundamental disagreement, measuring the benefits to both organizations of greater collaboration can be very difficult. This dilemma demands an enhanced framework for defining and measuring value. We suggest that an appropriate and flexible framework revolves around “value-related qualities” (VRQs) and a framework based

on that concept that takes into account those divergent views.

Simply put, VRQs are granular components of a client's motivation to hire a specific firm/attorney or provider; qualities like expertise in the needed area of applicable law, the ability to control costs, a firm's expertise and processes to learn and understand a client's culture, predictability, responsiveness, etc. Sure, cost is usually an important VRQ for the client, but you might be surprised at other drivers of value that could be even more important for a client in a particular situation. VRQs can introduce an important balance between corporate law departments and their law firms because of the dialogue needed to establish the VRQ framework.

Establishing a framework of VRQs for both the client and law firm can be the first step in open communication regarding elements of the relationship that are important to each party. Clients can articulate their need for specific seasoned expertise, usage of legal services providers, cost predictability, preferred processes, etc. Law firms can explore and propose compensation methodologies, balanced staff utilization recommendations, travel budgets, communications preferences, etc. VRQs channel discussions along discrete, measurable traits of the service and the provider.

Establishing a framework of VRQs and using them to set expectations regarding and to shape and evaluate performance can set the stage for more effective relationships between in-house and outside counsel.

## Some Examples of VRQs

Let's examine two real examples that demonstrate the usefulness of VRQ frameworks when collaboration between parties providing legal services to a client is essential.

One of the authors served as the sole in-house environmental counsel for the real estate investments of a leading insurance company.

In that capacity, he determined to establish a team of law firms to serve as the company's environmental litigators for those investments. Working with the regional counsel for the business units involved, he identified the qualifications that would matter to the company for those representatives. After establishing those qualities, he collaborated with those regional in-house attorneys to pinpoint firms that satisfied the criteria to which they had agreed. In-person meetings with the candidates enabled the in-house attorneys to choose the firms that best qualified for the role. The criteria against which the firms were measured constituted VRQs (though the company's attorneys did not use that label at that time).

The VRQs served to channel the discussions among the in-house attorneys along useful axes and to enable them to discuss the firms under consideration using comparable terms of reference. Without that lexicon, their discussions—and their decisions—likely would have been less productive and their decisions less well founded.

In another context, that same author led that law department's efforts to restructure the external legal service for the entire law department across the range of substantive areas of focus of its hundreds of in-house attorneys. By the issuance of more than 100 requests for proposals (RFPs) for legal service to more than 130 law firms, the department planned to select a much smaller number of firms to handle its legal work prospectively. In light of the challenge of ensuring that the in-house attorneys who would be responsible for reviewing and rating the hundreds of proposals from law firms that the department expected to receive, he developed a system by which the in-house attorneys would apply consistent standards and achieve comparable scoring of those proposals. This required that he develop standards against which those reviewing attorneys would measure the proposals, in essence developing VRQs for the firms' proposals. The resulting scores enabled the department to make consistent, defensible decisions when selecting firms to which it awarded the work covered by the RFPs.



Another example was a corporate legal department that needed to get its arms around the processing of a specific type of employment matter that was prevalent within the corporation. The corporation had a significant national footprint, which had led to a decentralized handling of those matters. Costs per matter varied wildly, results were inconsistent, communications were more often than not about expensive surprises, and it wasn't clear who was in charge. The legal department drafted a process that addressed its need to better control costs and outcome. A leading law firm saw an opportunity to satisfy the needs of that corporation while creating a system that would be marketable to other clients and create an opportunity for lawyers seeking a more flexible work schedule. The VRQs included the notion of a partnership in the development of specific software and consideration of special licensing to new clients of the firm.

One of the authors was charged with reducing the discovery costs related to a significant matter. Costs were spiraling out of control with no end in sight. Outside counsel believed they were in charge and were taking a "scorched earth" approach to the review of millions of electronic documents. In-house counsel, new to their matter management role, didn't know their boundaries of authority, an ALSP processed home-grown software capable of leading-edge electronic extraction and review of documents, and a newly developed in-house IT staff that reported to the CIO, charged with reducing costs. The IT group was extracting documents from dozens of huge corporate databases and internal websites for review based on specifications provided by outside counsel.

The first problem was that IT was changing the specifications based on its point of view. Not good. The ALSP would take the data and load it on secure servers accessed by outside counsel and in-house counsel. The ALSP used its proprietary software to cull nonresponsive documents and review the resulting pool for outside counsel's use. The ALSP contracted 100+ attorneys to manually review

documents that fit certain criteria. Outside counsel felt they were at risk if they didn't do their own culling by having their lawyers read each and every document from the resultant pool. Not good. In-house counsel was tasked to explain costs some two to three months after invoices for services rendered. Even after significant cuts to the charges, costs got the CFO's attention. "Who's on first anyway?" Not good. Could a framework of VRQs help?

In this particular process, developing shared VRQs, especially ones tied to the resources performing work would have been very helpful. For example, jointly prepared and agreed-upon VRQs would include establishing in-house counsel as the focal point for all decisions impacting the cradle-to-grave process. Regular, open, and direct communications among all parties, subject to a predetermined schedule and especially on an as-needed basis. (Decisions being made by in-house counsel.) The three parties staged a conference of their representatives at the offices of the ALSP. The agenda contained crisp objectives from the corporate legal department's point of view. Each participant expressed its needs and they reached an agreement on specific shared VRQs. They documented the consensus and developed metrics by which to evaluate performance later.

Collaboration, as defined above, serves as the driving force when parties execute their responsibilities in the process. No deviation from the articulated project plan without fully vetting changes with all parties and securing in-house counsel approval. Fail to follow this VRQ at your own peril! Parties should also focus on process improvement, particularly as acceptable efficiency opportunities bubble up in the course of time. You could make an argument that shared VRQs imply collaboration.

We've covered a lot of ground in this article and we hope that we have illustrated the unquestionable need for legal services providers to collaborate in a more fulsome manner not only with clients but also with each other. The days of outside counsel taking the ball

and running with it with no oversight are over. In-house counsel's role in managing legal matters for their corporations requires project management as much as the substantive practice of the law. They actively seek diverse perspectives and ideas to incorporate into the management of matters under their control.

Collaboration between parties is essential to increasing value for the corporation. Although the productivity measures utilized internally by firms, ALSPs, and corporate legal departments differ greatly, how is value to be determined or measured? A collaboratively developed framework based on VRQs can address the needs not only of the corporation but also those of the other parties working on a matter so as to bridge the above-described gap in a meaningful and easy-to-understand manner. VRQs can introduce a much-needed balance between corporate legal departments and their legal services providers because it requires open and direct communication regarding operational elements important to all parties. They also lend themselves well to the identification of measurable traits of the service, provider, etc. that can later serve the purpose of evaluation. Collaboration can be evaluated when parties develop a framework of shared VRQs and appropriate measures of success. ■

—Steven A. Lauer and  
Kenneth L. Vermilion

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*Messrs. Lauer and Vermilion co-authored *The Value-Able Law Firm: Delivering Client-Focused, Higher-Value Legal Service for Clients and Law Firms* (ABA 2018). They also wrote several articles that appeared in *Of Counsel* on the subject of value-related qualities, including a four-article series, and this article continues the exploration of how to implement that concept in the context of law department and law firm operations.*

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## The Ginormous Reason BigLaw, and All Law, Should Get on Board with Working Remotely

What with the strong economy, and the relative dearth of lawyers, one might wonder why more of those lawyers, from BigLaw on down, aren't opting to work remotely all of the time, especially given all the lip-service of late being paid to matters like promoting diversity and lawyers' mental health. Cutting out commuting and working from home does tend to leave one on an even keel—and able to juggle things like school pick-up. And right about now, when demand for lawyers is greater than supply, one would think just about every lawyer would use all of their bargaining power to get a more civilized workday.

But for remote work scenarios really to take off, they probably will need to be promoted from the top down. Given commercial real estate prices, it is perhaps surprising that managing partners on a global basis aren't being more proactive about pushing all of those worker bees out the door to the land of work-life balance.

Although some of us have managed to eke out a living while working very comfortably from our well-appointed home offices, just 50 percent of employers in the legal space offer flexible, remote, or work-from-home options, according to Special Counsel's 2019 Salary Guide for Legal Professionals. In-house legal departments came out just a bit above law firm respondents, with 49% of in-house employers offering options to work remotely and 46% of law firms doing the same.

"Law firms and legal departments who are putting a larger focus on creative packages and nontraditional perks are able to attract strong candidates and differentiate themselves from competitors," observes Amanda Ellis, senior vice president at Special Counsel,

a legal talent provider. But are lawyers, especially high-profile ones, actually comfortable opting to work from home? Or does heading to a home office mean that you are very much jumping off any sort of career fast track?

### Happiness at a Hybrid

A decade ago, Bryce Linsenmayer, then a partner at Texas-based Haynes and Boone, was approached by another partner who wanted to leave the firm and start a virtual law office. "At the time, I couldn't fathom how to practice without the pomp and circumstance of millions of dollars [worth] of conference rooms," Linsenmayer recalls.

Fast forward a handful or more years. Houston-based Linsenmayer, who by then had worked at a few BigLaw enterprises, was approached by a recruiter who asked, "Do you really need to pay \$30 million for an office lease in London?"

He did not. He is now a partner at Taylor English, a firm founded in 2005 that describes itself as a "new breed of law firm," one that blends the "full-service features of a centralized office with the efficiency and geographic scope of a remote law firm with our remote lawyers situated across the country." Although some lawyers do work in the firm's Atlanta hub, others work from shared office spaces, home offices, or client locations. Linsenmayer works remotely from his home office some of the time or from not overly expensive office space in Houston.

Ultimately, he observes, "my clients want me in their offices; they don't want to come to

mine,” Linsenmayer says. “I am the Amazon of law firms,” Linsenmayer jokes, referring to the Jeff Bezos business that upended retail sales and triggered the not-so-slow death of bookstore chains. “I am coming straight to you. I’ll even wear a suit,” Linsenmayer says.

Admittedly, it’s a setup that at one time he could not envision.

“Ten years ago, I wasn’t mentally prepared to do this,” Linsenmayer acknowledges. “I could not see past the big beautiful glass box I was in and all the beautiful furniture,” he says. Ultimately, those trappings are “not why people hire me,” he said. As for others not yet ready to commit to this support of path, Linsenmayer suggests “I would counsel anyone else to think long and hard what their office space lease is worth to their clients.”

“We didn’t have to have 15,000 square feet” of office space, he says. What he has in terms of office space is more *de minimis* than *de luxe*.

## A Virtuoso of Virtual

Melissa Holyoak, president and general counsel at Hamilton Lincoln Law Institute, a virtual pro bono public interest law firm, sounds a similar view. “I thoroughly love having no overhead,” she says. “In today’s world you really don’t need it.”

Holyoak, who is based in Salt Lake City, tends to work more efficiently than when she was in a brick-and-mortar environment where people—mostly fellow lawyers and staff—would pop in and out of her office and discussions that might take 20 minutes on a phone would stretch to 45 minutes in person.

With clients located all over the country, it is unlikely they would drop into her office if she actually had one, she says. Moreover, donors to her organization think “it is fantastic that we are keeping overhead to an absolute minimum,” Holyoak reports. Basically,

“it’s just salary, printing costs, and court fees,” she says.

Holyoak’s practice—she focuses on class action fairness—is well-suited to a virtual law office scenario. It tends not to have a lot of discovery or depositions. When depositions are necessary, her firm rents a conference room as needed.

As much as Holyoak prefers to work virtually, she acknowledges it’s not for everyone. She has found great success with individuals who have worked for BigLaw but who want more flexibility now. People who actually like to work in physical offices and who prefer more rigid schedules probably aren’t cut out for the virtual law firm world.

Holyoak opts to meet with clients for lunch when she happens to be in the same city where they are. In that sense, her work is not so unlike that lawyer clocking in the hours at a brick-and-mortar BigLaw firm. (Holyoak spent some time working at O’Melveny & Myers.) BigLaw firms are not located exactly where all of their clients are, either, she notes.

As for finding clients, they tend to find her through referrals or are motivated by the public interest ideas her firm is known for and for the types of matters it litigates. Even if people are just googling her, it’s unlikely they ever were searching for her physical address, she notes.

## Easing into Remote Work

For Matthew Fagan, a principal at Kacvinsky Daisak & Bluni, which was founded in 2003, the transition to remote work was a gradual one. Initially, Fagan worked five days a week at the Marblehead, Mass. office of the boutique IP firm, which has a handful of physical offices and a number of lawyers working from virtual ones. Fagan’s work shifted down to three days a week in the office, then to two, and finally to none when he relocated with his family to Texas.

With children at home, he opted to convert an outbuilding on his property into a home office, but he also makes use of shared office space in downtown San Antonio. He likes the flexibility in his workday and is not unhappy to have escaped the constant pressure to bill, bill, bill that can be found at larger law firms.

Not being tethered to an office also leaves more time for actual client development activities in the form of good old-fashioned networking where you actually talk to people in real life.

Indeed, Fagan very much makes an effort to visit clients. It's something of an old-school approach to legal work that is refreshing. "Without day to day interactions" in an office, "I have to make more effort to meet and talk to people," Fagan reports. He networks with people in his field, keeps in touch with former colleagues, and participates in bar association events.

"Not being tied to face time in an office frees me up for so much in-person new client development," Linsenmayer says. In the end, a law practice remains "a relationship-based business," he notes.

As much as lawyers like to pay lip service to work-life balance, what might ultimately convert BigLaw to RemoteLaw could be client demand—both for house calls, of sorts, by their lawyers who have the time to make them when they work remotely, and for legal fees that aren't supporting high-end commercial real estate leases and the art that goes with. ■

—Lori Tripoli

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# Reverse SEO for Law Firms: How to Protect Yourself and Your Clients against Negative Content

Did you know that about 83 percent of all client prospects searching for an attorney online check out reviews on Yelp, Avvo, and similar platforms as a first step?

In addition, more than two-thirds of clients are willing to travel farther to reach an attorney that has a solid online reputation with excellent reviews and ratings, instead of visiting a lawyer closer to their home and more convenient to reach, but who has a poor online reputation.

Considering these two facts, it is obvious why a firm's digital presence can work for, or against the growth of a law practice. An excellent, or even decent, overall rating is what draws prospective clients to your law firm, and a poor reputation is what keeps them away.

The average person makes decisions based solely on what populates the top positions of the search engine results pages (SERPs), and most often never continues beyond the first 5 results. If a tax attorney's profile shows up in Google's "local map pack" or Google Maps when a user searches for "tax attorney near me" and they've received dozens of positive Google reviews, chances are that they've just won a new client.

What happens, if your business cannot be found anywhere online, or even worse, if your profile or profiles have accumulated too many negative reviews over the years?

In addition, when a prospective client searches online for an attorney's name, the results appear on the first page are the first, and perhaps only, impression that prospect has of the quality, responsiveness, and reputation of that attorney. And as we know, first impressions matter most.

## Search Engine Ranking Factors

Search rankings are not the result of mere coincidence. Search engine optimization (SEO) can make or break a good online reputation. Google calculates all search results based on highly complicated and undisclosed algorithms with hundreds of different factors.

We can classify these factors into two groups: On-page and off-page. On-page factors include everything that has to do with a webpage itself. Off-page factors refer to determinants outside the reach of a webmaster.

Both of these factors are important, and you will definitely achieve the best results with your optimization efforts if you focus on both equally.

Included below are the most important on-page and off-page factors.

### *On-Page Factors*

#### **Metadata**

This includes the meta title tag and the meta description for each page that is part of a website. The title tag tells users and search engines about the topic of a page. The meta description provides a brief explanation (approx. 300 characters) about the content.

#### **Content**

In order to rank high in Google, engaging and informative content has become increasingly more important. An example of quality content would be an article that provides real value to your audience, in digestible language, with appealing images and possibly video. An enticing main headline, multiple sections

with subheadings, short paragraphs, and bullet lists should be included. Links pointing to other internal and external pages can lend additional value.

### Site Speed and Mobile User Experience

In 2018, 52.2 percent of all webpages will be served to mobile phones (statista.com). Fast-loading speed is key to engaging your site visitors to provide a positive mobile experience with your firm.

### Off-Page Factors

#### Backlinks

Backlinks are the most important off-page ranking factor. But the counter-intuitive rule is: Less is more. Contextual links on other websites over to your website must be placed in relevant content published on authoritative sites that are trusted by Google. In order to secure quality backlinks, they must be genuine, avoiding obvious low-quality backlink patterns and over-optimized anchor text which can do more harm than good.

#### Consistent Business Citations

A citation is a listing of your business with a name, address, and a phone number (NAP) that can be found anywhere online—on Yelp, for example, or in another business directory.

With business citations, it's important that they are consistent, so each one of them contains the same information and in the same format. If that's not the case, chances are that search engines can work against you.

#### Social Media

A strong social presence that maintains thousands of organic followers who like and share your content is an indirect ranking factor. Effective social media engagement provides a firm with online credibility.

## Managed, Partially Managed, and Unmanaged Content

SERPs are comprised of three different types of content for your business:

1. **Managed content**—Managed content is content you can control. This includes everything that's published on your own website(s) and articles, videos, etc., that you publish elsewhere online.
2. **Partially managed content**—Review sites like Avvo serve partially managed content. You can create and edit your own business profile, but you cannot prevent other people from publishing content about you or your firm. In the case of a negative review, you can offer your support by responding immediately and thereby demonstrate your willingness to resolve the issue.
3. **Unmanaged content**—Unmanaged content includes everything from news about your business to blog posts and photos that you cannot influence because you don't have any control over the original content source. Unmanaged content is also the most dangerous, and this is why you and your clients have to use search suppression to protect yourself.

## Reverse SEO: How to Build a Defense against Negative Content

How can you defend against negative content? There are two approaches that are the most effective:

### Approach A—Address and Suppress

One way to manage this defense online is to address and suppress negative content as soon as possible, each time it appears.

The first thing to do is to check if the content violates one of Google's guidelines,

for example, perhaps the content discloses confidential information. If that's the case, you can use one of Google's legal help tools to have the content removed.

If no guidelines have been violated, you can try to directly contact the webmaster of the site where the content is published, or the creator of the content, to request removal. This is often achieved by reaching a mutual agreement, which may include a monetary settlement.

Your final option is to suppress the negative content by pushing it down in the SERPs by ranking your own and other favorable content above it. This technique is called *reverse SEO*, and it requires the most amount of time and resources to implement. New content must be generated constantly and posted with frequency by someone who understands and can implement best practices in search engine optimization to ensure high page rank.

### *Approach B—Being Proactive*

What's even better than attempting suppression by being reactive, is being proactive. Simply because you have control. By building an effective defense against defamatory or negative content, you don't have to fear it anymore.

## **How Do You Build an Effective Defense?**

First, you should create new online assets, such as social media profiles and accounts on popular blogging platforms—think Tumblr, Medium, and Blogger. You can populate these new digital assets with search engine optimized content and build powerful links to them. High-quality press releases and guest posts can also be part of your online asset arsenal. In addition, endorse, share, and promote existing posts and articles that feature your law firm.

Today, the majority of users rely on online reviews to find a law firm or attorney that they can trust. A solid online reputation and digital presence are crucial for attracting new clients. Content that appears in the top positions of the SERPs will help create a good first impression. With the help of the right reverse SEO techniques, you can build a strong defense against negative content. ■

### **—Sameer Somal and Laura Powers**

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## Leadership 2019

*Continued from page 2*

Firm chairs, managing partners, practice group leaders, and others who lead people must also recognize what goals their firm, or team, are capable of accomplishing and plan ways to reach them, according to Joel Rose, a consultant based in Cherry Hill, NJ. “Leaders need to focus on ideas and understand the abilities of the members of the firm and what they can do to achieve the firm’s immediate and long-term objectives,” he says.

The Edmonton-based international law firm consultant Patrick McKenna gets an up-close look at leadership from the various workshops he conducts and his annual First 100 Days Master Class for New Firm Leaders that he leads. He says another key trait leaders must possess and deploy is the thorough recognition of and ability to respond to the threats to the traditional law firm model.

“These threats include a failure to differentiate your firm in a meaningful way, the encroachment of the Big Four [accounting firms], and partners’ tendency to ignore changes in the marketplace,” McKenna says. “You must involve the partners more in understanding the marketplace. Lawyers live in their own little bubble, which is understandable, so as leaders you need find the mechanisms to expose them to the outside world. Break the window and let some fresh air in. Embrace cognitive diversity by welcoming new ideas.”

### Standout at Morgan Lewis

Interestingly, only one law firm leader was named more than once. Three respondents say they consider Jami Wintz McKeon, the chair of global megafirm Morgan, Lewis & Bockius, to be the best law firm leader in the country. Consultant Robert Denney, who’s based in the Philadelphia area, says he can’t

think of anyone in the last five years or so who has demonstrated as much “vision” and overall leadership skills as Wintz McKeon does at the largest firm in the world led by a woman. Another person praised Wintz McKeon’s willingness and ability to listen to and consider a range of perspectives from other people.

That attribute serves as an important criterion for another poll respondent who mentions Andrew Kassner, chair of Philadelphia’s Drinker Biddle & Reath, as one of the nation’s elite leaders. “From what I can tell, Andy maintains a balance of confidence to make decisions with a lack of arrogance, which allows him to hear and act upon other views,” s/he says. “He’s also very law firm-minded, rather than thinking primarily about himself and being inflicted with delusions of grandeur – unlike too many other firm chairs and managing partners.”

From his office in the Chicago area, consultant Ross Fishman identifies three leaders he sees as top-tier, all from Chicago-based firms.

Fishman names Jim Stevenson, the “fast-paced chairman” of Wiedner & McAuliffe “who is strategic, business-focused and measures everything to find ways to move clients’ cases to resolution faster”; Rick Anderson, the COO at the IP firm Fish & Richardson, “who is looking forward into how IP will change because of artificial intelligence and is striving to make the changes necessary to prepare the firm for a very different future”; and, Ron Jacobson, a practice group co-chair at Winston & Strawn, who leads with his “central concept that to be successful, attorneys should be ‘fearless’ in their career aspirations, and immerse themselves into the practice, training opportunities, and business development.”

For years, Orrick, Herrington & Sutcliffe’s CEO Ralph Baxter was considered a top-five law leader, and to many people the very best. His successor has had big shoes to fill but it seems Mitchell Zuklie has proven to be up to the task. “Following in Baxter’s footsteps could not be easy but Mitch has the tech sense and entrepreneurialism that’s perfect in this day and age,” a consultant on the East Coast says. “He makes sure from the cultural

standpoint that every employee is valued. And he started Orrick Lab, which I think is an incredibly thoughtful and strategic move in the tech arena.”

Two outstanding leaders come to mind for Nick Gaffney, the founder of San Francisco-based Zumado Public Relations: Andrew Giacomini at San Francisco’s Hanson Bridgett and Jay Edelson, at Chicago’s Edelson PC. “What I find most impressive about Andrew is that he has helped create a culture that is authentically committed to diversity and making diversity a strength of the firm,” Gaffney says, adding that Giacomini has many strong leadership traits including his full embrace of innovation.

Edelson is also known for his ground-making moves that are changing the way law firm’s operate, Gaffney says. He’s, however, also gained the respect of colleagues and counterparts for taking on important cases as a renowned litigator. “I admire Jay’s commitment to take on big- issue litigation,” he says “... such as suing the NCAA on behalf of former athletes suffering the horrible health effects of concussions sustained on the college football field; representing local communities and various organizations in their fights against the opioid industry; and seeking justice against a powerful longtime Illinois volleyball coach with a history of sexually abusing players.”

Here are some of the other leaders that sources say are among the very best:

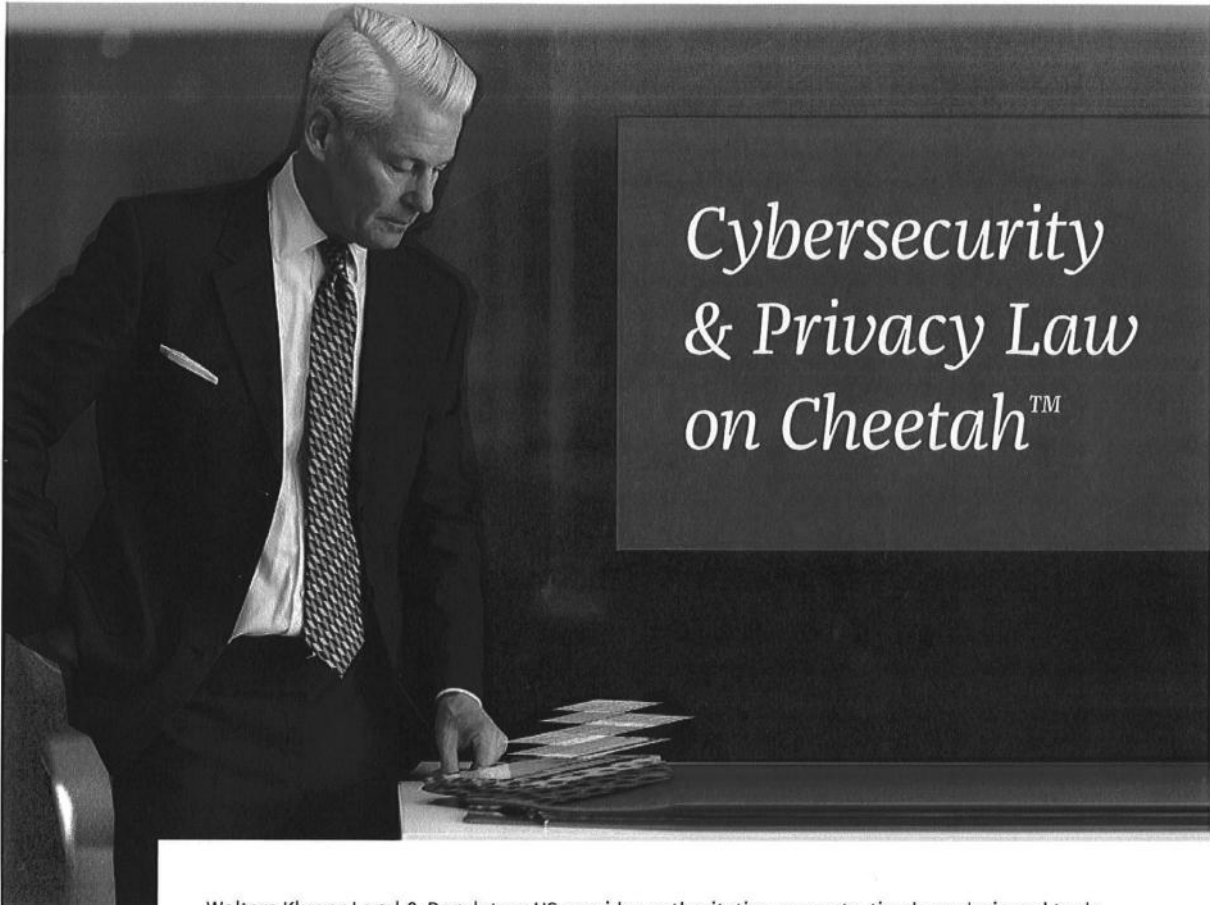
- “I think Brad Karp, the chair at Paul Weiss, who’s also the highest billing partner in his firm, is a very good leader,” says Jon Lindsey, a partner at the recruiting firm Major, Lindsey & Africa. “Chairman and managing partner Ken Doran, at Gibson Dunn, clearly has a real strategy and vision for the firm. He’s very ambitious about what the firm should be, and he and his partners have executed on those plans. And managing partner Wally Anderson at Hutton Andrews Kurth has got wonderful people skills, and he

managed two mergers almost simultaneously. The Integration of those firms was so complicated and time-consuming but everything went very well.”

- One respondent ranks Elliot Portnoy, the global CEO for Dentons, the world’s largest firm, as at least one of the top leaders in the profession. “His name comes up in the polling of other lawyers that I have done,” s/he says. “For one thing, that guy will respond to an email from people in no time. I’m amazed that even on Saturday or Sunday, I will get a response within the hour. I’ve never seen that kind of responsiveness from a leader of a firm that large. He’s also innovative in his thinking and acting and spends a lot of time visiting the lawyers.”
- Another leader at Denton’s earns praise—Mary Wilson appointed in April as the firm’s US managing partner. “She’s very promising and I think she’s going to be strong because she’s extremely smart, and she’s asking all the right questions,” the source says.
- At the start of this month Donna Wilson assumed the office of CEO and managing partner at Manatt, Phelps & Phillips. “She will place a focus on firm culture, encourage flexible working arrangements, and she seems to know everyone by their first name,” says a survey participant, who also says two other leaders stand out—CEO Mark Kelly and managing partner Scott Wulfe at Vinson & Elkins. “They focus on different things, and they are suburb.”
- Finally, consultant McKenna says Angela Hickey, CEO of Levenfeld Pearlstein “certainly deserves recognition” for what she has helped accomplish at this Chicago firm. “It’s one of the most impressive small law firms I’ve ever come across,” he says, crediting Hickey for innovative programming. “They have laid out a very detailed, thoughtful lateral hire integration program. Angela has been there a long time in various roles and has earned a lot of respect, firm-wide.” ■

– Steven T. Taylor





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## Of Counsel Profile

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### Hoop Dreams ... Dashed

**Of Counsel:** What attracted you to the legal profession, Ruben? Was there a time when you knew that you wanted to become a lawyer?

**Ruben Smith:** It was when I realized that I wasn't going to play basketball in the NBA. And I'm five-foot-seven on a good day. [laughter]

**OC:** But Ruben, some team might have needed a short, quick guard.

**RS:** Yes, in my mind, I was convinced of that. From fifth grade until I got to college, basketball was the love of my life. I realized in high school that I better start thinking about something else.

I was born in Mexico and came to the United States when I was very young and lived in El Paso, Texas, which is a common place for people from Mexico to live. Imagine that – with a name like Smith. My stepdad was Douglas Smith and was a police officer in Texas and then got tired of doing that so we moved to Death Valley, California, and after a few years, to Huntington Beach, which is where I grew wanting to be a basketball star.

I went SC (University of Southern California) for undergrad school and didn't know what I wanted to do. I thought I wanted to be a doctor but in my first year of pre-med, I realized, it was not what I thought it would be.

Fortunately, while still in school I got a job working for a company called TELACU, an East Los Angeles community union involved in economic development for East LA, and

for two hours I would interview families about their lives. It was in a neighborhood where people were afraid to walk on the street because there were gang shootings all the time. Even though I got paid good money, it was always a concern. But the job gave me a good perspective on life and what I wanted to do and that's when I changed my major to public affairs.

I then decided to get a master's degree in inter-government management and spent a semester in each Sacramento, Los Angeles, and DC. I didn't do what a lot of people do and jump right into law school. I took my time to figure out what I wanted to do. In DC, I got a job at the White House in the Office of Hispanic Affairs, in the Carter Administration, for a couple of years and that changed my perspective on things.

One of the people I reported to went to Harvard Law School and he kept telling me, "You've got to go to law school." And, I saw that any time there was a major decision to be made, lawyers were always involved. It seemed to me that lawyers were making all the decisions. I applied to Yale Law School and was fortunate to get accepted and attend Yale. By taking my time [after undergraduate school], I was able to find out what my passion was, pursue it, and become a lawyer.

**OC:** That's quite a journey. And then you got hired by Morrison & Foerster.

**RS:** Yes, I decided I wanted to go into real estate law and got a position in the real estate practice at MoFo. It was a great experience but it was not what I thought it would be. I rotated to different departments and then moved on to practice at a smaller firm in Orange County called Jackson, DeMarco & Peckenpaugh.

I was the lawyer assigned to do the development of two planned communities – one at the end of development and one at the beginning. The project created two new cities and that was the kind of real estate law I wanted to practice and was lucky enough to do all the

commercial development for the end of one planned community and through the entire process of the other community. It was a great experience and enabled me to get involved in what was in some ways public policy because when you build a city, there are many issues that require a lawyer's help. I learned a lot and really enjoyed the work.

## Putting the Band Together

**OC:** You became a partner at that firm, and when did you decide to start up your own shop? Maybe you could talk about the genesis of your firm.

**RS:** Okay but I have to back up. When I was in law school I was in a special program, the Coral Program for Fellows within the Coral Foundation, which chose 12 Latino law students every year. A few of the students and I in that program said that we need to have a place someday where we can work together and create our own Latino-owned firm. So that's where the seed was planted. We said we'd keep in touch. Ultimately, some of us did come together when we started the firm. We kind of put the band together, as some of us say.

Ray Alvarado was a unique individual in that he was Alvarado but he looked like Smith – he was six-foot-two, blond hair, blue eyes, and didn't speak Spanish. His father was Mexican and his mother was Irish. He was 20 years older than me and back then it wasn't kosher to speak Spanish or be bilingual. His father was a police officer in Los Angeles, was conservative, and didn't allow him to speak Spanish.

So we looked around to see who some of the prominent Latino lawyers were at the time. Another lawyer was Wally Davis, another Smith, *[laughter]* and he spoke fluent Spanish. When we formed the firm, Ray and I would interview folks, and they'd looked at us kind of funny like, "Did you guys get your names mixed up?" It turns out that this was a

great way to challenge people's stereotypes of what Latino lawyers were.

Ray left his 20-lawyer firm – where he was the main lawyer – to form this firm with me in 1993. We started with five lawyers and three offices. We knew we wanted to have a large practice and had a grand vision that we could be a national firm and believed in what we were doing.

**OC:** You knew before you formed Alvarado|Smith that diversity was going to be very important. When I look at the lawyers' photos and read the names on the firm's website I can see that you are very diverse. Of course, not many law firms can make that claim. When you think about both the things that have gone right in increasing diversity in the profession and the challenges we still face, what comes to mind?

**RS:** Let me start with the negative. When we started, firms that were minority-owned got a few extra points to be able to get some of the government work; there were some companies, although not a lot, that gave a preference. But in the mid-90s there was a thing called Prop 209, which did away with the preferences.

We were okay but the problem that we encountered was a stereotype: If you were a minority-owned firm, somehow you didn't have the quality. You weren't as good. Fortunately, we were able to say, "Not only did we go to good law schools but about 90 percent of the lawyers in our firm at the time came from big firms – Riordan & McKenzie, Morrison & Foerster, Rogers & Wells and on and on. We were able to counter by saying, "Hey, we're the same lawyers who used to do the work for you. Now we can do it more efficiently because we don't need to have a senior partner, a junior partner, a young associate or two to handle the matters."

That was our entree into trying to get some of the larger clients, and fortunately, it worked. We got work and as a result built a

good name. At the same time the RTC was formed, if you recall.

**OC:** Right, the Resolution Trust Corporation.

**RS:** Yes, and because a lot of us came from firms that had extensive financial institution experience, that was a natural for us. We were able to get quite a bit of work from the RTC and developed great relationships there. That ended and we transitioned from that.

Along the way some large companies wanted diversity because they could see that their clients were a diverse population, and they wanted their employees and lawyers to reflect that. One point we'd make in a marketing pitch for litigation was, "Hey, if you're in litigation in East LA, you're going to want someone who understands Latino culture because somebody who doesn't may miss something. There are a lot of examples of cases that didn't go well because somebody misunderstood either a language or an interpretation." So we'd make the case that with diversity, you're going to have better representation because you'll have cultural awareness and diversity of ideas.

We experienced a diversity of ideas quite early on within the firm. We were up to about 60 lawyers a few years ago and at our annual meetings we'd have about 11 different languages that our languages spoke. That kind of diversity brings new ideas.

## Ebb and Flow of Growth

**OC:** Why have you trimmed down the ranks of your lawyers? Did people leave for various reasons? Did you want to make the firm smaller? Did the recession have anything to do with it?

**RS:** Let me quickly walk you through that. After we'd grown to about to about 25 lawyers, we met a law firm in Miami with about 120 lawyers. We came together and formed a

national firm, ultimately of almost 300 lawyers in 17 offices in 11 or 12 states. It was a huge success and no one had ever seen a minority-owned firm of that size with a lot of experience and good, quality lawyers.

Unfortunately, one of the main partners in Miami ran into a problem with the state bar [*he explains the details of the predicament*] and we decided it wasn't going to work out, that maybe we should bail, and we did. At that time, we then became a firm of about 40 lawyers.

When the recession hit, we were fortunate in that we had kept all the clients we had, and we had a major bank client, Chase Bank. At that time there was so much work in the lending industry in the litigation area that we were just inundated. We had about 3,000 cases dropped on us so we knew we had to grow fast. We got up to 62 lawyers.

But that number started to dwindle as the economy got better. The work from Chase began to dwindle too, and we were getting a little scared because that constituted about half of our income. We were no longer a national firm, and Chase made it clear that they wanted a national platform and, if the partner who handled their work didn't move to a national firm, they'd have to find a new lawyer. So he left us, which lowered our ranks back down to about 30 lawyers.

**OC:** I'm guessing that when that lawyer left he or she took some associates with him or her.

**RS:** Yes.

**OC:** Ruben, let's get back to the diversity issue. Why has the professional been so slow to hire and promote minority and women attorneys, particularly when compared to the corporate world?

**RS:** I think, quite frankly, it's a matter of people going with people they know and trust, which makes it very difficult for that door to open. People stay with people they



feel comfortable with and sometimes that happens to be along racial lines, actually most of the time. And until they have the opportunity to work with somebody that maybe they wouldn't normally have given an opportunity to, they see that they can do good, quality work and perhaps provide different experience and better representation because of the diversity they bring. I think you find that some GCs and in-house counsel see the value in diversity – not just for their customer base and marketing and policy perspective but from a legal services delivery standpoint.

## On the Horizon

**OC:** You've had so much success and, no doubt, will continue to succeed. Where do you see Alvarado|Smith going in the next few years?

**RS:** The decision we've made is to go back to a national platform and continuing the course we've set off on – and bring together other diverse firms. One of the first big clients we got was really because we were a large firm at the time. We could get bigger deals, even though several of the lawyers who worked on that big client's transaction were members of the same 25-lawyer firm [before it merged with the large Miami firm]. The key now is to maintain those relationships and continue to handle those large transactions, despite the fact that we're not one of the white-shoe firms. We're just as good and we can add more value.

We've been very fortunate to have some incredible cases and clients who want to use us. We have handled two recent deals, and we're working on a third one right now, that involve about \$2 billion.

**OC:** In addition to being very good lawyers, do you also think you generate some of this work because the clients want to hire a diverse firm?

**RS:** I think there are some companies that have made diversity a priority, and we've been

able to get in the door and stay with them. One of the companies we do work for now is a Fortune 100 company, and I think we're going on 15 years with this company. They went from retaining 600 law firms to 300 law firms and now only have 18 law firms – although they use more than 18 – but they use 18 core firms and we're one of those. That's an example of having had the opportunity and being able to deliver, and that's the company where we've been able to do a couple of deals in the billion-dollar-plus range.

A lot of companies are asking firms to be more efficient, and I think we've done a good job of doing that. I see it time and time again when we're in litigation – I'm not a litigator but I sometimes oversee litigation cases – and I see the number of lawyers on our side and then see the number of lawyers on the other side, and yet we get good results at a lower cost for our clients. Part of it is our structure. Larger law firms have a lot of lawyers to feed and, as a result, they've got to bring in a lot of people on the cases. I think we're responding well to Corporate America's challenge of being more efficient.

The other thing we intend to do in the coming years is to continue to become the law firm of the future. There's no question that technology continues to change dramatically. We recently partnered with an artificial intelligence firm to assist us in doing things with an artificial intelligence platform, for example, in dealing with depositions. We're working with a program that speeds up the work. Normally to summarize a one-day deposition, it may take 30 hours of a paralegal's time. But now with this artificial intelligence, we can get it done in 10 minutes.

If you don't change the way you practice law, and incorporate new technology, you're going to get left behind. I see us as a firm that embraces the technology that's out there. This serves as an equalizer and will allow us to continue to be competitive with the big firms. ■

—Steven T. Taylor



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## Of Counsel Interview ...

# Thriving Minority-Owned Firm Offers Clients Diversity of Ideas

In the 1980s, Ruben Smith and a handful of other law students involved in a program that helped train aspiring Latino lawyers expressed a goal among themselves. Someday in the future, they wanted to create a Latino-owned partnership and practice law together. Less than a decade later that dream was realized with the creation of Alvarado|Smith, which today is California's largest minority-owned law firm.

As co-founder and managing partner of the firm, Smith energizes his colleagues with his intelligence, positivity, leadership skills, likeability, and enthusiasm. "Ruben's a technician of the law, he's well-trained, and very smart; so check, check, and check," says partner Raul Salinas, who met Smith when both were law students, at different schools, and was among those who talked about forming a minority-owned firm. "Beyond that, what distinguishes Ruben above the rest – he brings a passion. His personality breeds confidence."

Salinas says clients and prospective clients are drawn to Smith and have faith that he'll always look out for them and their interests—characteristics that are particularly important in this market. "These days you have to like the lawyer and trust your lawyers' judgment. Ruben meets both criteria," he says, adding that Smith's enthusiasm and energy extend beyond the legal profession. "Both Ruben's passion for community outreach and events and his activity level surpass anyone I know."

Recently, *Of Counsel* spoke with Smith about his career—he counsels clients in commercial, financial, and real estate transactional matters—his upbringing, the public service work he's done in California and the White House, the creation of the partnership, the importance of diversity in the profession and other topics. What follows is that edited interview.

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