



## **What to Request from Law Firms**

**Diversity and Inclusion**

**Law Department Management**

**Skills and Professional Development**



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## Cheat Sheet

- **Sharing is caring.** Ten GCs talked to the authors about how law firms can help with legal ops and knowledge management, among other topics.
- **Collaborate on non-core issues.** From DE&I to ESG to pro bono, there are plenty of opportunities to work together.
- **Stay on trend.** With law firms working with many clients, you should ask to be alerted to relevant legal and regulatory trends (beyond the standard email update).
- **Share this article.** The more you help others, including your law firm lawyers, the more help will come your way.

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Outside counsel may not enjoy hearing that they should be provided services for free. After all, who likes doing client work *for free*? Please, bear with us for a moment.

Law firms know the law. After all, that's why clients hire them. But law firms have also acquired an incredible amount of non-legal knowledge and operational expertise, both from running their own firms and from observing their clients. These insights, if shared, could significantly benefit both firms and their clients.

So why provide that knowledge and expertise for free? First, access to these additional services can be a differentiating factor for a general counsel or in-house legal team selecting from several impressive firms. Second, providing these services to existing clients will make the relationship much stronger and "stickier." A general counsel will think twice about moving away from a firm if the department will lose free and incredibly valuable non-substantive legal assistance.

With that in mind, we asked 10 prominent GCs what they expect from their law firms. Combining their suggestions with ours, let's examine some specific ways law firms can add value beyond their traditional role providing high quality, responsive, and substantive legal work on a fee basis.

## **For smaller in-house teams, ask for management and operational expertise**

Law firms are, and operate as, a legal business. That is why they exist: to advance the law firm's business. In-house legal departments, on the other hand, operate as one of numerous departments that have as their collective goal the advancement of a larger enterprise. Because of their singular focus, law firms tend to give more thought to, gather more data on, and focus more resources on running an efficient legal business than many of their in-house counterparts.

"Legal ops" has become a buzzword for in-house legal teams of all sizes. Broadly speaking, legal ops refers to the various operations, processes, issues, and resources that in-house legal teams use to drive departmental efficiency and effectiveness. Examples include outside counsel management (e.g., alternative fee arrangements, outside counsel guidelines, e-billing), vendor management, legal technology solutions, headcount and budget management, change management, and culture building. For several reasons, in-house legal teams tend to deal with legal ops issues on an *ad-hoc* basis without the benefit of benchmarking and other data. Law firms can help by sharing information and expertise learned not only from operating their own businesses, but also from observations of their clients' in-house teams. Over time, this will also help firms adapt to their client's billing or operational systems, which in turn will help streamline things for the client.

For several reasons, in-house legal teams tend to deal with legal ops issues on an *ad-hoc* basis without the benefit of benchmarking and other data.

A related issue is that in-house teams often struggle to efficiently implement document and knowledge management systems. Law firms have learned how to do this out of necessity because of their need to retain and share such information internally, across various teams and practice groups and as lawyers transition in and out of the firm. Retention and access to this information is one of the core assets of a firm. Law firms should consider how to leverage their experience with best practices, knowledge of, and relationships with third-party vendors and systems to the benefit of their in-house

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clients.

This will also help in-house teams maintain and share their institutional knowledge. Remembering the circumstances when the last contract was signed is incredibly important. What were the business conditions when the contract was signed? Who were the personalities who made it happen? Being able to retain this information when there is turnover would be extremely valuable, especially to smaller in-house teams.

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The future will also bring an increased reliance by legal practitioners on technology and artificial intelligence. For example, numerous firms and vendors have begun to embrace natural language processing (NLP) to assist with document review and contract negotiations. Law firms can provide smaller in-house teams access to such tech more cost effectively than those teams could find and do on their own. It may be tempting for law firms to shy away from such advances as fundamentally in conflict with short-term revenue maximization. The better response may be to look for opportunities to lead or partner with others in these areas of advancement and ultimately to help their in-house clients share, implement, and benefit from these advances. Law firms can then focus on value-added strategic thinking, rather than administrative services that can be automated and interconnected, better serving their clients and forging stronger relationships.

## **Ask for data on market norms and results**

We have talked to general counsel who feel they have yet to see a law firm conduct proper data analysis on major litigations/M&A, so this this may be aspirational. But, this should be viewed as a big opportunity by law firms. With a major M&A file or bet-the-company litigation, nearly every relationship lawyer will have an immediate sense of the cost and range of outcomes the client would face. These ranges will overlap to a decent degree, even if they can be somewhat noisy in their estimates.

Almost every enterprise in corporate America recognizes the value of data collection and data analytics. Every company is now a technology company. Law firms (especially large law firms) have massive pools of data from actual cases/M&As/litigations that they can use to help improve the range of estimates and outcomes that relationship partners provide to their clients. Additionally, this information is precisely the kind of data source that an Alibaba or Google would presumably be very interested in mining to look for patterns and ranges to improve that predictability, i.e., data analytics.

This is yet another potential business line available to law firms, similar to how bankers use deal tables and client coverage teams to inform their clients. Law firms could share this information to bring ideas to their clients proactively.

## **Collaborate on “non-core” issues and skills**

### **Diversity, Equity, and Inclusion (DE&I)**

Most law firms have established significant diversity and inclusion DE&I programs for their firms, including formal DE&I mentorship programs. For in-house teams, having access to a playbook on

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implementing such programs would be a huge value-add. Forward-thinking law firms could go even further and offer to mentor diverse members of their clients' in-house teams.

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Similarly, many general counsel and their teams would be excited to mentor diverse associates at the law firms they use. We have both done so on occasion and have also suggested this to many of the firms we use. However, few firms have shown sustained interest in doing this, despite the potential for such cross-mentoring to increase the “stickiness” of the client relationship, beyond other benefits.

DE&I initiatives also help foster a better legal pipeline and will assist firms recruit and retain the best legal talent. Better and more diverse legal talent will help firms win more pitches and generate more business in the long run.

## Pro bono partnering

Many in-house counsel love to do pro bono work but may not have the bandwidth or resources to develop their own pro bono programs. Law firms often have very robust programs. Partnering on pro bono work is a great way to find out what is important to clients, support those efforts, and develop relationships that can lead to future work.



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## Environmental, social, and governance (ESG)

All of corporate America is looking to address the concerns of customers, shareholders, and other owners relating to ESG. But it can be difficult to devote the necessary time and resources to get an ESG program off the ground while monitoring constant changes in the ESG landscape. Large law firms, especially those with ESG practice groups, can help here by sharing best practices and other materials with their clients. This can also be a great opportunity for outside and in-house counsel to work together on pro bono matters that will benefit society and the law firm-client relationship.

### Presenting and communication

Law firms train their lawyers to be effective communicators in a variety of contexts (litigation, transactions, client development) to a variety of audiences (courts, counterparties, clients). Much of this training can be repurposed to help in-house lawyers learn how to communicate more effectively to management, investors, boards, and others.

For example, Perkins Coie's Client Advantage Program includes free presentations and communications training tailored specifically to in-house clients. Such expertise can be invaluable to the success of general counsel and their in-house legal teams and can also benefit law firms, who may gain valuable insight into their clients' communication styles and preferences.

### Ask to be proactively alerted to legal and regulatory trends

Law firms send stock "legal alerts" to the world so that their clients can be aware of new legal and regulatory issues and risks. The hope is that some percentage of these alerts will lead to billable work for the firm. The problem, however, is that in-house teams receive countless alerts every week — sometimes several on the exact same topic — and do not have the time to pinpoint those that are particularly relevant to their internal stakeholders. Outside lawyers can improve their success rate by controlling the volume and topic of alerts that are sent to their in-house counterparts. In addition, they can include cover emails that summarize succinctly how and why the alert may be relevant.

In-house counsel can help by educating their law firm counterparts about their business strategies and pain points. We have both found success doing this over our careers. For example, one of the law firms [Mark](#) (one of this article's authors) worked with at MassMutual handled many class actions brought against that industry. The firm was able to provide proactive advice based on the trends in this space, which allowed the team to avoid significant litigation faced by others and be well prepared to defend litigation that did arise.

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Similarly, while at WeWork, [Stephen](#) (this article's other author) worked with a few law firms at the onset of the COVID-19 pandemic to identify and advise on potential areas of risk and opportunity for flexible workspace companies. That proactive work proved to be critical to the company's ability to successfully navigate those issues over the next couple years and led to a fair amount of work for the firms as well!

As another example, something like a supply chain issue, government policy change, or

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transportation issue (i.e., ports problem) in a country where business is conducted could cause delivery delays and warrant an excusable delay provision review. If the in-house lawyer knew about this and raised it with the client, it might give the client a way to work around the issue, or at worst they'd ask for the excusable delay provision review.



If the in-house lawyer knew about a supply chain issue and raised it with the law firm lawyer, it might give the law firm lawyer time to work around the issue. *MAGNIFIER / Shutterstock.com*

Finally, there are some legal skills that can benefit not only the client's legal team but its business leaders too. For example, a CLE or training in negotiation skills has value to the entire in-house legal team (lawyers and non-lawyers), the procurement team and other business leaders.

## **Ask for help getting up to speed quickly**

Because they work with many clients, law firms often see new trends. They recognize where the market is moving and have developed policies and programs that can easily be shared with their clients.

For example, one general counsel was developing a patent innovation program for his company to reward their inventors. His outside counsel helped him develop a program with the right guardrails (e.g., what innovations qualified and what didn't, when payment should be made, etc.) and a market-appropriate incentive structure to pay employees as well as help determine what kinds of guardrails to put in place (e.g., what should qualify, what shouldn't, when to pay, etc.).



One GC launched a patent innovation program with the help of outside counsel. Andrii Yalanskyi / *Shutterstock.com*

The firm also helped provide a training for the engineering organization explain what kind of inventions are patentable. Finally, they kicked the tires around Hackathon ideas, reviewing them to determine if there were patentable ideas. All this was done for free. What it led to was many more patent ideas being surfaced — guess who got all the work doing the prosecution?

When in-house counsel move into roles with different or increased responsibility, the change often includes coverage over areas of law with which they've not had prior experience. Full-service law firms can provide in-house counsel a concise, targeted walkthrough of a new area of law — sufficient to provide general familiarity and the ability to issue spot. These individualized or small-group sessions are likely to provide much more utility than self-study or a CLE. Providing in-house lawyers trends and industry benchmarking information allows the in-house team to look smart and current, and enables them to understand their own business more effectively.

Law firms can also help newly hired in-house counsel get up to speed on their own business. For example, if part of a new role requires understanding of government contracting law, one can search and find some books to provide a framework, but it will probably take multiple weeks to get through them given other work responsibilities. A brief but effective presentation or walkthrough, that provides a good foundation in government contracting, can save significant time and cost.

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Mark wasn't a securities attorney when he became general counsel of Fisher Scientific. But he met with his account partner at Skadden (a governance/securities expert) in New York for dinner on a monthly basis. Mark's list of questions was long, but the advice he received was invaluable — well



worth the price of the dinner!



Meeting for dinner on a monthly basis can result in invaluable advice — well worth the price of dinner!  
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Firms sometimes miss the mark here. One general counsel commented that she just recently joined a new company and wished some of the outside firms had reached out with an overview of what they know of her business and what work they do for her. It made her so irritated when she had to ask them, and even when she did, it wasn't inclusive of the entire firm's services — the response was limited just to that one lawyer she reached out to. What a missed opportunity!

## **Ask for assistance building your team**

In-house teams are often looking to hire new colleagues. Law firms may know talented attorneys within their lawyers' networks with the right skillset, industry experience, and eagerness for new opportunities. In those instances, a simple introduction can go a long way. Sometimes, the candidates may come from the firm. There are occasions in which an attorney at the firm is performing incredibly well but has no desire to pursue the partner path.

Law firms should have an organized way to inform these attorneys of opportunities with their clients, and vice versa. This practice is common in other industries (such as accounting firms) but for some reason happens less often in the legal industry. The benefits of such arrangements are clear. In-house teams gain access to the law firm's pipeline of talented lawyers who come "pre-vetted" by the work the firm has already done for the client, and the law firm embeds friendly lawyers who know the law firm well and may provide them with work down the line.

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Several general counsel have had success with their law firms providing secondments for free or at a significantly reduced cost.

Several general counsel have had success with their law firms providing secondments for free or at a significantly reduced cost. This can be a win-win for the firm and the client. The lawyers may have expertise in areas the law knows well, and the company is lacking. The secondees get an opportunity to learn about the client's business and staff. Upon returning to the firm, they bring an expanded knowledge of the company, in-house needs, and relationships. Sometimes, they end up staying with the client to work full-time! There is zero downside in asking the firms you may choose to use if they will offer such programs.

## **Ask for introductions to in-house counterparts and industry leaders (networking)**

Nearly all in-house counsel find it valuable to meet new people and expand their professional networks. Alumni networks, bar associations, and affinity groups provide some of this — but law firms are a relatively underutilized resource in this area. Firms often have relationships with many clients in similar industries who face similar challenges. Connecting such individuals to each other — whether informally, through one-on-one introductions, or more formally, through roundtables or networking events — is incredibly valuable to in-house leaders.

In Mark's role as senior client advisor at Perkins Coie, he has probably connected every general counsel he works with to at least one other in-house legal leader facing a similar challenge. These connections are usually sparked by an email with the subject heading "A Favor?"

Interestingly, these meetings cover more than legal issues. For example, he has asked general counsel to advise on how to implement a procurement/contracting process, how to convince other leadership of the importance of legal team hires, how to show the rest of the C-suite that general counsel can provide strategic business value, and a many other "non-legal advice" issues. He has yet to receive a "no." Additionally, those general counsel who assist others often end up having their own issues or challenges and find that others are equally willing to be connected to them.

The New York office of Perkins Coie has put in place a program called the "Lions Group." The Lions Group hosts general counsel (short presentations and cocktails), with a focus on diversity, to hear from leaders in the in-house practice. Topics include items such as what to do as a new general counsel and how to best prepare for and see future general counsel opportunities and compensation discussions. No surprise, it became a great event to meet other general counsel, network, and share ideas. It is not a "sales pitch," but shows that the firm is working to assist in the success of their clients.

## **Ask for growth opportunities**

In addition to advancing internally, many in-house attorneys are open to considering external opportunities for advancement. Law firms can assist them to be positioned for such opportunities by helping build their profiles as industry thought leaders, e.g., providing speaking or publishing opportunities. Clients also often make their law firms aware of external general counsel searches (sometimes even before the current general counsel knows). It is clearly in the law firm's interest to place someone in that role who will add value and be successful, and who is known by the firm.

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Both of us have been introduced to roles in this way. Mark was provided his opportunities as general counsel at Fisher Scientific and MassMutual by a well-known and respected attorney he worked with. Stephen was encouraged to apply to his current general counsel role at Odeko by a law firm partner he had developed a strong working relationship with. And, of course, in all these instances, the law firms that assisted with the placements ended up strengthening their relationships with their clients.

In his role as senior client advisor, Mark works with over 60 general counsel. At any given time, some are looking for expanded and bigger opportunities. In addition to receiving coaching and mentoring, it is helpful to hear when Perkins Coie becomes aware of general counsel opportunities and to receive suggestions on how to be positioned to best obtain them. Over the last year alone, Mark has helped several such attorneys move on to bigger and better general counsel roles.

In-house attorneys often don't know how to best position themselves for future general counsel or in-house opportunities. Mark has written [articles](#) for ACC on how to best [position yourself to be a general counsel](#), how to be successful as a [new general counsel](#), and how to be successful as a [new in-house attorney](#) — articles that Stephen has found incredibly helpful in his own general counsel journey! Mark also has strong relationships with major legal recruiters and connects them with interested in-house attorneys, for free, as part of the Perkins Coie Client Advantage Program. More firms should do this.

Once a GC is in their new role, firms could do what the consulting firms do and provide a GC development program/bootcamp.

Once in the new position, firms could do what the consulting firms do and have a GC development program/bootcamp. Deloitte and EY do this for finance executives (Deloitte also does it for general counsel). The model is there. As one general counsel commented, "If someone from any of my firms would've reached out to me and asked to assist with my 30-60-90 plan with some MBA/PowerPoint gurus, she would have been indebted for life."

## Share this article

Many law firms are missing significant opportunities to add value to their in-house counterparts. Many have not put in place any overall strategy or approach to offer these services to their clients or potential clients. And if done at all, it is done on an *ad-hoc* basis. Yet, all firms have knowledge of opportunities, programs, and training that could provide incredible value to their clients. Although not traditional "legal" work — and often not billable — it can lead to more paid work, and at the very least makes the relationship closer and "stickier."

Outside counsel often have networks, connections, and marketing teams that can effectively nominate general counsel or their legal teams for recognition and awards. This is valuable to the general counsel, their legal team, and the client since it can highlight their leadership and status as thought leaders in the in-house legal world.

Share this article with the firms you use. And ask them what they are doing to help the company, the legal team, and you — succeed — for free.

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[Mark Roellig](#)



Senior Client Advisor

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Mark Roellig was previously general counsel of four Fortune 500 companies and is now a senior client advisor at Perkins Coie. In this role he is available to provide, at no cost, advice on operations of an in-house legal organization and leadership issues to GCs and the leaderships teams of clients

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or potential clients of the firm.

## [Stephen Mar](#)



Chief Legal & Administrative Officer

Odeko

Stephen Mar is Chief Legal & Administrative Officer at Odeko, a late-stage private company that provides comprehensive operations solutions to thousands of coffee shops, cafés and other establishments. Mar oversees the company's legal, HR, comms, corporate development, corporate governance and risk functions. He also serves on the Board of Directors of the NYU Law Alumni Association and maintains an active practice consulting and advising companies (especially startups) and business and legal leaders.

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Prior to Odeko, Mar was VP, Global Head of Litigation and Investigations at WeWork, the world's leading global flexible space provider, where he helped lead the company through a multi-year turnaround and a de-SPAC process culminating in WeWork's public listing in October 2021. Before that, Mar was a lawyer at Sullivan & Cromwell, where he represented multinational public companies in high-stakes litigation, investigations, and crises.

Mar enjoys writing and speaking on a variety of legal and leadership topics. You can follow him on LinkedIn [here](#).