

**Creating a
Cross-Serving Culture:**
Mastering Cross-Selling for
Lawyers and Leaders



DAVID H. FREEMAN, J.D.

Praise for *Creating a Cross-Serving Culture* and David H. Freeman, J.D.

“This book provides the most comprehensive and workable approach to cross-selling that I’ve seen. David’s relationship-based approach begins with the adoption of an attitude of service, and then proceeds to provide solid guidance on how to take action. He outlines how to inspire and motivate attorneys, and provides realistic ideas for clearing the hurdles that stand in their way. Armed with the smart tools contained in this book, lawyers and leaders will be able to significantly improve their cross-selling efforts.”

Betsy Beorn Spellman, CMO, Steptoe & Johnson PLLC

“David brings to the subject of cross-selling a practical and realistic approach to what is truly the holy grail of law firm business development. By combining his experience as a practicing lawyer with the wealth of knowledge he has around sales and leadership in the legal space, David provides not only the nuts and bolts of cross-selling, but also a proven strategy to address the cultural change that is essential to a successful cross-selling initiative.”

Felice Wagner, Director of Sales & Business Development, Berger Singerman LLP

“David’s focus on 13 key ‘Accelerators’ for future business development success provides law firms of all sizes with a useful road map that will drive real revenue growth and profitability improvement. No gimmicks; just proven business development concepts that will result in true ROI. This book is a must read for law firm leaders and business development professionals in the legal industry.”

Blain Banick, former AmLaw 100 CBDO/CMO

“In my opinion, David is the world’s leading authority on the practical aspects of maximizing cross-selling in law firms. In over 30 years in the legal industry, I’ve never met anyone quite like David. His ability to communicate with lawyers and to get them to make commitments around business development is a rare gift. When one of my former

firms engaged him to facilitate a partners retreat, his preparation and design led our lawyers to uncover literally tens of millions of dollars in both new business and cross-selling opportunities. The result was a room filled with focused partners who were highly engaged and motivated to act. Based on David's career successes, I selected him as one of only three WILEF-approved business development coaches for hire. He is singular in this ability."

Elizabeth Anne "Betiayn" Tursi, Global Chair and Co-Founder, Women in Law Empowerment Forum

"David's techniques and tools for business development are proven and effective. Addressing impediments and challenges, David offers lawyers a variety of practical step-by-step approaches to fit any practice area and deliver tangible results. For most firms, cross-selling is a large untapped reservoir of business potential, and implementing David's concepts can be the key to success!"

Rita Alli, Office Administrator, DLA Piper, and former President, ALA

"David brought to our attention the business development opportunities afforded by cross-selling our partners. With his guidance, we took just a little time to speak with one another as partners about our respective practice experience and capabilities, and we unveiled multiple new potential client engagements that were literally right at our fingertips, waiting to be uncovered."

Duane Fisher, former Managing Partner, Starn O'Toole Marcus & Fisher

"David can equip anyone to be a successful business developer and effective cross-seller. His strategies are clear, concrete, and easy to implement. He demystifies business development. David also is a great strategic thinker. He has provided invaluable advice on micro and macro business development initiatives. On top of all of this, David is a great motivator – the perfect person to get a team moving in the right direction."

Mitchell R. Harris, Chairman of the Insurance and Reinsurance Disputes Practice Group, Day Pitney

"We are a law firm with 10 offices in Ohio, Florida, and Illinois, and implementing a program to create synergy across our platform in order

to promote cross-serving of clients was a natural step in the evolution of our business development strategy to improve client service. We engaged David Freeman to support our efforts, and his insight, experience, and structured approach to the process of cross-serving clients has been a valuable exercise for our firm.”

Jeffrey J. Casto, Chairman and CEO, Roetzel & Andress

“Our partners were very complimentary of both [David’s] presentation and the working sessions at the cross-selling program delivered at our retreat. I didn’t receive a single negative comment after the session – a Warner first. [David] did an outstanding job of delivering value in a limited amount of time.”

Douglas Wagner, Managing Partner, Warner Norcross & Judd

“David Freeman presented to our firm at a retreat and again to our practice group leaders. He has a very straight forward demeanor with lots of tips and suggestions for attorneys. Based on his presentations, our firm started a cross servicing committee which has enhanced our firm’s ability to cross service our clients. It was David’s key tips and suggestions that helped our firm focus on this key area in client development and retention.”

Paul P. Bolus, Practice Management Partner, Bradley Arant Boult Cummings LLP

“David Freeman has a keen understanding of the art of cross-selling and the benefits it brings. His professional background and experience allows him to articulate the case for team-centered business development in a way that motivates and inspires even the most reluctant professional. If you engage David, you will improve teamwork within your organization, and surely grow your business.”

Peter Kellett, Chairman and CEO, Dykema

“I’ve worked with a number of consultants over the last 30 years, and if you grade effectiveness on tangible, quantifiable results, David is the absolute best. He recognizes the unique nature of marketing legal skills both externally to our clients and internally to our different practice groups. Simply put, he gets it. And that’s what makes him such a valued advisor.”

Alfred Meyerson, Partner, Jackson Walker LLP

“What sets David apart from many business consultants is that he understands lawyers. He offers guidance and proposes solutions that work in the law firm environment.”

Eric Garner, Managing Partner, Best Best & Kreiger LLP

“David teaches partners that the most important part of business development is the follow through. David helped our lateral partners to understand that the best source of referrals is found in the office next door and with each one of their partners.”

Timothy E. Hoeffner, Partner, DLA Piper LLP

“David worked with us on one of our practice group retreats and it was my first introduction to him. I was impressed with his broad business development knowledge but particularly with his ability to generate interaction and discussion with our lawyers, so I brought him back several times to conduct additional business development trainings sessions. The feedback from his programs has been exceptional, and I look forward to finding more opportunities to utilize his skills in other areas of the firm.”

Jolene Overbeck, Chief Marketing Officer, Hogan Lovells LLP

“David Freeman was one of the best [business development consultants] we’ve ever used. His nuanced understanding of how to help lawyers provide better levels of service and grow their practices was outstanding, and his coaching has been extremely well-received by our lawyers. Lawyers relate to David not just because he is a licensed attorney, but because he applies a refreshingly realistic, down to earth, and practical approach to the subject.”

Thomas W. Turner, Jr., Managing Partner, Procopio

“David worked with my firm leadership and coached individual lawyers to maximize their business development potential. Three years later I still hear David’s wisdom from the mouths of those he coached at the firm. His ability to meet each lawyer where they are, and then move them toward more sophisticated, strategic thinking is truly his gift. But he does not stop there. His continued work with my lawyers pushed them to take action, and own both what they achieved and where they fell short, learning along the way. David is honest, candid, and motivational. Our firm has benefitted greatly from the

work we did with David, which has made my work as Director of Marketing & Business Development that more effective.”

Holly Lentz Kleeman, Director of Marketing, White and Williams LLP

“Lawyers listen to David. He helps them see that business development is not necessarily scary or antithetical to being a lawyer: it’s a skill to be learned and practiced.”

James G. Staples, Chief Marketing Officer, Miles & Stockbridge

“A dynamic and engaging presenter, David Freeman adapts his experience and knowledge to the unique and deeply specific needs of his audience, providing relevant, practical, and personalized business development approaches that can be immediately applied. It is truly an outstanding moment when I meet a consultant who walks the walk, and David presented me with that moment.”

Cindy Hayes, J.D., Director of Attorney Training and Development, Norton Rose Fulbright

“I had the opportunity to see the impact of David’s work at one of my prior firms, and recommended that he be engaged by two other firms I subsequently joined. As a COO who is responsible for maximizing financial results, David has proven to be an asset who has shown our lawyers how to confidently and effectively pursue their best opportunities.”

Richard Wolf, Chief Operating Officer, Parker Poe LLP

“Since working with David, my firm had the second, third, and fourth largest billing months in our history. As the founder of a small real estate law firm, I needed new approaches to attract clients, and his techniques have delivered in spades. I was especially looking for ways to stay top-of-mind with clients, prospects, and referral sources, and based on our work together, I developed a new website and an ongoing outreach process. David has been a treasure-trove of ideas for helping me grow my practice, and I would highly recommend his work to any lawyer who wants to take their practice to the next level.”

Rick Angel, Esq., Angel Law Offices

“Our firm has consulted with David for many years to improve our culture of business development and general firm leadership. He is knowledgeable, experienced and fun to work with. He is extremely strong on implementation, follow up and accountability.”

Susan Brewer Esq., CEO, Steptoe & Johnson PLLC

“As an attorney himself, David Freeman walks in the shoes of associates, partners, and new laterals. His process and techniques are meaningful and memorable. In fact, over the years, many attorneys requested refresher courses – and only from him. As a firm, he helped us to enhance cross-selling between practice groups and offices. He also showed individual lawyers how to increase their business, and he gave them the courage and tools to go after it in a way that fit with their individual strengths and personalities.”

Barbara S. Kaplan, Former Director of Marketing, Saul Ewing LLP

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Executive summary

Sometimes, things that look simple on the surface can be extraordinarily difficult. Cross-selling is a prime example. While it seems as though it should be relatively easy to get more work in different practice areas from your existing clients, in reality it can be a complex and frustrating process that is littered with organizational and interpersonal obstacles. There are landmines everywhere.

To address this problem, this book is designed to shine a light on issues you may face individually or as a firm leader, and it provides scores of practical tips to help you become a true master of cross-selling. It is a street-smart guide for pursuing your best opportunities for new revenue, and within these pages individual lawyers will discover specific tactics for landing more work, laterals will find tips for making a major impact in new firms, and law firm leaders will find a blueprint for engaging the firm in a cross-selling culture shift.

Chapter 1 provides a new perspective on cross-selling, and clearly describes why it is so vital to the health of both your personal practice and your firm.

Chapter 2 discusses specific techniques for increasing the amount of lawyer time and energy devoted to cross-selling. It provides advice on building the initial business case for cross-selling activities, as well as tips for growing support for these activities in your firm.

Chapter 3 uncovers the common obstacles that keep firms and individual lawyers from getting the most out of their cross-selling efforts. It also includes a short exercise on identifying the main obstacles to cross-selling in your own firm.

Chapter 4 is a detailed chapter that outlines 13 high-powered “Accelerators” that can overcome many of the obstacles identified in Chapter 3 in order to significantly improve the quality and quantity of cross-selling activity across your firm.

Chapter 5 is a call to action. It concludes the book with advice for the successful implementation of a cross-selling culture in your firm.

The Appendix which is designed for firm leaders, offers a practical, high-level checklist of major activities that will drive greater cross-selling success.

Scores of approaches that have been collected from the author's work with nearly 200 law firms over a 20-year period have been included in this book, as well as insights from leaders who have provided input based on a survey conducted specifically for this project. This book is packed with examples and tips, and applying the lessons contained in it will help you navigate the complex, but hugely rewarding world of effective cross-selling.

About the author

David H. Freeman, J.D., a former practicing lawyer, is the award-winning CEO of the David Freeman Consulting Group and founder of Law Firm *CultureShift*[®]. He is a best-selling author, speaker, consultant, and coach who has shown thousands of lawyers and professionals how to become more effective leaders and rainmakers.

For three consecutive years, David was recognized nationally as the top “Law Firm Business Development Consultant and Coach” in *National Law Journal* surveys, and for over 20 years he has worked with hundreds of law firms worldwide, including over one-third of the AmLaw 200. He is the author of three books in addition to this one:

- The Law Firm Leader’s Reference Guide for Creating a Business Development Culture;
- Secrets of the Masters: The Business Development Guide for Lawyers; and
- Weekly Reminders for Revenue-Focused Leaders.

David is a highly rated speaker, trainer, and consultant, and his expertise has been recognized through appointments as an elected Fellow in the College of Law Practice Management, and as the exclusive business development coach for the Women in Law Empowerment Forum (WILEF). He also brings a deep understanding of how to engage the organizational and human factors that drive successful implementation based on several years as a change management, strategic planning, and Balanced Scorecard consultant for mid-sized and large corporations. He brings all of his expertise together in his proprietary Law Firm *CultureShift*[®] process, a whole firm methodology that dramatically increases client and revenue-focused activity throughout a firm.

Chapter 1: Introduction

It's 1:15pm on a Tuesday afternoon, and you have just left a firm meeting where the message from the managing partner was loud and clear: "We must generate more revenue to stay competitive and grow. Therefore, each of you must find ways to bring in more matters". While you agree with the need to find additional work, you already devote significant time to maintaining and building your existing practice. So, the question becomes, what else can you do to efficiently attract more business?

There are many sources of potential work out there – existing clients, prospective clients, former clients, referral sources, industry contacts, family, and friends – so your job is to find the populations that will provide the fastest, easiest, and best returns. Since it takes significant time to build the requisite trust needed to make someone comfortable hiring you, you should start with your warmest leads. You should cultivate those who already know, like, and trust you and/or the firm. People who listen to your recommendations, who have sampled the firm's work, and who have demonstrated a propensity to use the firm on an ongoing basis. Your hottest targets, therefore, are the current clients of the firm.

With firm clients you have direct or one-degree-of-separation access to decision makers. They are often open to listening to new ways the firm can help them. The firm's relationship lawyers should also be thrilled to have opportunities to better serve their clients, while at the same time increasing their personal originations and providing additional revenue for others in the firm.

Heidi K. Gardner, a Distinguished Fellow at Harvard Law School's Center on the Legal Profession, studied millions of data points from multiple law firms and found that "[m]oving from one to two practices serving a client triples the revenues from that client, and the addition of each subsequent practice continues to generate fees."¹ She also adds that, for rainmakers, "[t]he more colleagues in other practices that a partner involves with his own clients, the more the rainmaker's origination revenues grow in subsequent years from existing clients".

Cross-serving also benefits the receiving lawyers, as further described by Professor Gardner: “[M]y analysis shows that the more a lawyer collaborates on client work that others generated, the more his own revenues grow in later years, regardless of his office, practice group, tenure and present-year revenues”.

Existing clients are truly your lowest hanging fruit. In studies conducted by the BTI Consulting Group, they found that the typical law firm has only about 23 percent of the business they could be getting from an important client: “The key to new business is right in front of you. The typical law firm has about 23% of the business they could be getting from a top client... [And with the right approach] you can go from capturing 23% to 75% of the work available to you”.²

Retention and loyalty

By providing a wider range of services to your existing clients, you are also employing a powerful anti-poaching strategy. In one study conducted by Redwood Analytics, they found that the more practice areas a client used in a firm, the less likely they were to leave that firm.³ It makes sense: the more points of contact, the tighter the connection. Also, when your firm serves clients in many practice areas, it blocks other firms from gaining a stronghold to steal away your work.

Serve the best interests of the client

The needs of clients are relatively simple; they want results and value. If they are looking for lawyers to handle a new issue, you can save them significant time and heartache if you can introduce them to the right people in your firm. If they are going through convergence and reducing the number of firms they are using, you can help them achieve their consolidation goals by efficiently providing a wider range of the services. If your mindset is all about serving your clients’ needs, you can align your goals of earning more of their work with their goals of paying reasonable rates to get good results and value.

How well do we cross-sell?

Before going into greater detail, let's be clear that the major precursor to getting work in other areas is the delivery of excellent legal results. Without this critically important first step in the value chain, little else you do will matter. Since becoming a great technical lawyer is outside the purview of this book, for the sake of this process, let's assume you have this foundational base covered, thus allowing us to explore other factors that drive success.

Given the logic and value of cross-selling, you would think firms would excel in this area, but few seem to do it extremely well. In my observations while working with nearly 200 law firms, I've found there are significant gaps when it comes to excelling at some of the key activities that support an effective cross-selling culture. Using my proprietary Culture Xray[®] (a survey tool that anonymously captures the perceptions of firm members relating to their internal culture of business development), I have accumulated 1,239 survey responses from lawyers and leaders from dozens of firms worldwide. On a scale of 1 to 5 (where 1 = I totally disagree with the statement, and 5 = I totally agree with the statement), the average scores for major cross-selling activities were generally disappointing, especially given their importance to the firm:

- “Our group effectively communicates our services to targeted firm clients who are not currently using us” – 2.83 out of 5.
- “Our group effectively informs other groups in the firm about the services we provide” – 3.12 out of 5.
- “Our group works well with other firm offices to pursue business development” – 3.17 out of 5.
- “Our group works well with other firm practice areas to pursue business development” – 3.21 out of 5.
- “Our group actively solicits feedback from our most important clients” – 3.42 out of 5.
- “I am well-informed about the range of services provided by others in the firm” – 3.49 out of 5.

Imagine how much more work your firm could attract if you raised your performance in some, if not all, of these areas!