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Associates can add value to a firm's pitch to in-house counsel

Making pitches for new work is part of the business of law. Whether pitching to current or potential clients and whether seeking to land a bet-the-company case or a role as regional or nationwide outside litigation counsel, law firms need to successfully pitch their services and expertise to flourish in this ever more competitive legal market.

Last month in our Associated Perspectives series, we discussed how the opportunities to add value and cultivate relationships with clients can extend beyond billable work to pro bono initiatives. This month, we look at how associates can bring added value to in-house counsel by participating in a firm's pitch to a target client and, as a result, help to bring in billable work while also developing mutually beneficial relationships with current or potential clients.

In-house counsel can be well served by asking firms who pitch work to include an associate on the pitch team. Generally, it is the associates who take on the day-to-day responsibilities of the litigation under the supervision of partners. An associate can highlight his or her experience and expertise on relevant subjects to provide meaningful and detailed information to in-house counsel regarding how the matter being pitched will be handled at the firm on a day-to-day basis and how the associate's knowledge and experience can provide efficiency without sacrificing quality.

Thus, the in-house counsel will be able to make a more informed decision about hiring a firm that includes an associate on the pitch team versus one firm that does not. In addition, an associate has an opportunity to establish relationships with the client or potential client which can pay dividends for all parties involved down the road, whether or not the

pitch is ultimately successful.

Pitches highlight an associate's value

A pitch provides in-house counsel with the opportunity to evaluate a firm's experience and expertise in particular practice area, and including an associate who would be handling the day-to-day aspects of the litigation can aid in-house counsel in this evaluation. If an in-house counsel has requested firms to pitch, for example, the defense of a consumer fraud class action, the in-house counsel would benefit from knowing that a firm offers a well-rounded litigation team that includes an associate who has taken the lead in researching and drafting a successful motion to dismiss or opposition for class certification in a similar matter.

The in-house counsel would know that the associate who will be handling the day-to-day aspects of the litigation has an understanding of the particular area of law at issue and will not be starting from scratch when it comes time to research and brief a motion to dismiss or opposition to class certification.

Associates also add value by participating in a live, in-person pitch. In such a setting, an associate can add color to his or her experience, highlighting those aspects of previous cases that he or she worked on that are most relevant to the potential client's current needs. In-house counsel can also ask an associate questions about the firm's possible litigation strategies based on the associate's experiences in similar matters and the associate may be able to share the strengths and weaknesses of applicable arguments that have been made at key points in similar cases in the past.

An associate can add value by providing the potential client with insight into certain aspects of the firm's client service with which an associate may have unique famil-



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ilarity. For example, an associate may be able to highlight that a paralegal with whom she regularly works has extensive e-discovery experience and by leveraging that experience, the firm can save the potential client discovery costs. By asking a firm to include an associate in a live pitch, in-house counsel can evaluate whether the associate is a creative and strategic thinker who will add value to and be an integral part of the litigation team handling the matter.

Forming important relationships

The chance to participate in a live pitch also provides in-house counsel and associates with the opportunity to establish mutually beneficial relationships. In the course of preparing for the pitch,

associates will have extensively researched the potential client, learning about its business, organization, locations, goals, litigation needs and competitors from a variety of sources ranging from the potential client's website to litigation databases to news articles.

In-house counsel can use the pitch as an opportunity to further educate associates about their company and provide additional information regarding their business goals and the associate can further the dialogue by offering to explore ways in which the firm — and the associate — can help the potential client reach those goals.

If a junior in-house counsel or business person attends the pitch, it presents a particularly good opportunity for such an individual and the associate to begin developing a professional relationship with a peer. This is a relationship that can be cultivated as the two individuals progress in their respective careers with potential benefits for both parties down the line.

Maintain the relationships

Whether a firm ultimately lands the case, associates and their in-house counterparts can maintain and build on any relationships that they formed during the pitch. If the associate's firm lands the case, the associate will have the chance to work directly with the client and establish the client's trust by delivering exceptional legal services.

However, even if the firm's pitch does not prove successful for one reason or another, nothing prevents the associate and his or her in-house counterpart from developing the professional relationships formed during the pitch by, for example, the associate inviting in-house counsel to CLEs that his or her firm offers. One never knows when a litigation need may arise and relationships formed during a pitch can be called on when it does.

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