Marketing, Ethical Business and Client Relationship Development

10 Tips From an Experience Commercial Leasing Lawyer on Building a Practice, Developing a Profile in the Industry, Dealing with Difficult Clients and Other things I Wish I Knew When I Started to Practice Law

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Good morning / afternoon. My name is Lisa Borsook and I am executive partner as well as chair of the leasing practice at WeirFoulds LLP, a law firm located in downtown Toronto. I'm here today to share some tips on client relationship development and other things I wish I had known when I started to practice law.

Let me begin with a quick explanation of my recent experience. I've spent the past 6 years as the firm's managing partner, where I was constantly keeping a lot of balls in the air at the same time, like all of us. I was managing the firm (or herding cats as they say), while simultaneously managing my clients and their expectations, and my household, which includes two boys, now teenagers, and my husband, who is a great partner, albeit not much of a shopper, or a cleaner, or an organizer – but I digress.

Now that I've moved on from my managing partner role, one would think that I would be ready and willing to return to a sole focus on my leasing practice (and maybe even get back to a regular working schedule), but those who know me know that this would never be the case. As of this year, I am now the firm's executive partner, a newly created role, and I am to spend a large portion of my time focusing on client engagement and development initiatives. This role gives me new tasks to juggle and demands that I think about client development on a daily basis.

Building a practice:

1. **Be yourself**: Know your strengths and weaknesses, and build your professional life accordingly. As you build your practice, build on your strengths to achieve success, self-assess, and try and get constructive feedback, from your colleagues and in the appropriate circumstances, from your clients.

2. **Be a team player:** Insofar as my practice is concerned, I do not work alone. My colleagues of partners, associates, paralegals and assistants are a team working in the service of our clients. We share war stories, we discuss new cases, and we consider client development initiatives. We check in with one another regularly to talk about professional challenges and make sure that the flow of work is being delegated to those who are best able to service the particular needs of the client – a happy client means continued work and potential referrals. And this is very important – we try and look at the larger good – what works best for the client or is in the best interests of the practice as a whole are our most fundamental concerns. One final comment: don't forget that the colleagues with whom you practice may be a great source of referrals for you.

3. **Client development is ongoing**. People move around and hopefully, work themselves up the ladder to a place when their sending business to you is a realistic possibility. When you are young, you have limited credibility as an expert in your field. So, work on building that credibility, while building your contacts. And as you get older, and the chances of someone actually sending business your way becomes more realistic, don't hesitate to ask for business. In my experience, most new work comes from referrals – people who are referred to you by your existing satisfied clients, or people who refer work to you because you are an expert in your field.

4. **Don't forget about you**. There is no such thing as too much learning! Always be on the lookout for professional development opportunities. Take steps to ensure that you are meeting the minimum standards of professionalism and competence. If you feel you are deficient in any areas, whether it is relating to your knowledge, skills, or anything that may negatively affect the client's experience, look for education and training activities that will enhance your abilities in those areas and speak to your colleagues (who as time develops, may also be a source of referral business for you).

I attend a lot of conferences. And I don't just mean conferences about commercial leasing. I attend real estate conferences and make as much effort as I can to understand a broader range of information than just my specialty, and correspondingly, I meet a broader range of people than just those who do what I do.

Finally, if you don't take care of yourself, over time, it will show. You will be short tempered, or look harassed, or get sick often. It is fundamental that you develop a balance in your life. How do you do that? Well, that is another discussion altogether, but in my view, it demands principally three things – get organized; prioritize; and delegate responsibly. And also, be clear about where you want to be, say 3 years from now, and how you plan on getting there. If at your particular stage in life, you are particularly ambitious about your career, then you should plan for and pursue those goals. If at your particular stage in life, you need to balance family with work responsibilities, then you should plan for and pursue those goals.

Developing a Profile in the Industry

5. **Be competent. Be professional.** Remember, it is a small world we live in and people talk – and you want to make sure they're saying good things! Always deliver the highest quality of service and competence to your client, and be honest and candid in your advice. And while I understand that regardless of how courteous you may be, your professional colleagues may nonetheless be critical of you (so many of my adversaries seem to think my client's position is my own intransigence!), it is important to try and be as civil as possible to your colleagues. Not only in person, not only on the phone, but in email – I have discovered that even email can have a "tone". Also, recognize your own limitations. This may mean declining to act, or collaborating with another lawyer to provide competent advice. It is your professional responsibility to ensure you have the full knowledge, skills and capabilities to act in the client's best interest.

6. **Establish yourself as an expert**: Understand the intricacies of your specialty; write articles for publications; and give speeches, presentations and seminars that offer value to your targets. By getting your name out there and sharing your thought leadership, your clients (and potential

clients) will begin to associate your name with your area of expertise. If you're the first person they think of when a matter arises, often this will mean increased business and referrals for you.

7. **Network, network, network!** Networks are a source of support as well as business development opportunities. And guess what, I'm going to crush a myth for all of you right now; it is possible to build a vibrant network of contacts even if you hate golf! Yes, relationships can be developed and maintained through shared leisurely activities, but whatever the setting, you need to focus on finding ways to get to know others and develop trust and credibility with them. This can mean joining professional organizations and associations, attending events, or registering for seminars and conferences. Put yourself out there, make connections and then maintain and strengthen the relationships you make.

It goes without saying that I network differently from a man, and probably differently from my litigation colleagues. Those people that I do meet, I try and follow, as they move from place to place, which happens a lot in the property business. And once I have made a contact, no matter how superficial, they go onto my list – which means they receive invitations to presentations, they receive newsletters and the like. And as I get to know them better, and their business better, I try and think of them – when I read a newspaper article, or some other piece of information that might be important to their business, and let them know that I am thinking of them.

In summary, start early and put yourself out there in the market frequently and repeatedly, with a continuously open and curious mind for getting to know people. The more conversations you can have with business people – about their business challenges – the more likely you are to uncover opportunities. And I would recommend that you not rest on your laurels. Clients do come and go, and often it has nothing to do with you. So, unless you are one of the lucky few who work in a firm with an institutional client base that is going to feed you work, day in and day out, it is important to think of networking and client development as an ongoing and perhaps even daily commitment and certainly part of your general professional responsibilities.

Dealing with Difficult Clients

8. **Manage expectations.** There are many things that can make a client "difficult". Whether it's a client who won't make any decisions, a client with unreasonable expectations, or the very worst type of difficult client – one who won't take your advice! Whatever the difficulty, it is important to always be clear about your role, the nature, extent and scope of services you can provide, and the associated fees. You have a duty to be honest and candid, and make sure the client understands everything you communicate along the way. And you have a duty to protect yourself and your firm – so make sure you take notes and put them away in circumstances in which the advice you gave may come back to haunt you! It is also important to manage the expectations of those professionals with whom you are dealing. It is wise to respond promptly to emails and phone calls, to meet the deadlines that you have set, and generally to be courteous and responsive in your dealings with other professionals, so that they too are not disappointed. A final thought – listen to what your clients are telling you. Seek their feedback and try and "partner" with them, to satisfy their requirements and meet their expectations but in a context that is realistic for you and your colleagues.

9. **Don’t burn bridges.** Sometimes difficulties arise as a result of the client’s experience with their lawyer. Try to avoid this by always keeping your client informed of what’s going on. If you are delegating work to a team member, make sure the client is aware, because in my experience clients like nothing less than having their work managed by strangers. Make sure billings are detailed to avoid questions or concerns. Always remain professional and try to remedy any difficult situation to keep the client happy (within the confines of the law, of course) because as I mentioned earlier, a happy client means continued business and referrals. And again, sometimes difficulties arise with other professionals with whom you are dealing. I would recommend that you endeavour to burn as few bridges as possible in your dealings with other counsel. The lawyer you are dealing with today may be general counsel for your client tomorrow!!!

10. **Be alert.** Just as you need to be honest with your clients, you also need to be honest with yourself. Avoid becoming involved with clients engaged in criminal activity, and never assist in or encourage dishonesty, fraud, crime, or illegal conduct. If something represents a justifiable cause for terminating the relationship, set boundaries and know when to get out. In the end, it’s your character, your professional reputation and your practice on the line.