

Competing Against Size

When new market sectors and growth opportunities emerge, many firms scramble to set up, beef up or redefine their practice areas. Each hopes to position itself as the “go-to” firm. Armed with more clout and fatter wallets, large, established firms find it easier to dominate the field. Many of them already are perceived as major players in related areas. As one of the practice group leaders from Milbank Tweed explained, “It’s not that we’re better lawyers; it’s just that we get to bat in Yankee Stadium more often.”

How Can Small Firm Lawyers Compete?

Constantly look for ways to enhance your expertise by serving the needs of existing clients. Increase your number of professionals by laterally hiring the right talent to build “bench strength.” Or find the means to network with other small players around the country.

In the interim, you are likely to confront the spoken or unspoken resistance: “You’re fairly small and not known for any expertise in this area. Why should we take a chance with you or your colleagues?”

How you respond to doubts about your practice group’s future can determine whether your practice group has a future. Suggestions:

- *Convert your existing clients into glowing testimonials.* Existing clients already trust and respect your capabilities. Offer them concessions in exchange for endorsements.

- *Provide the assurance of personal attention.* Clients are unhappy when their important matters are handed off to partners or junior professionals on the team—individuals they don’t know well. Assure the prospective client he or she always will be dealing with you.

- *Bring an outside expert to your side of the table, when necessary.* Many large accounting and consulting firms are masters at this. Look older and wiser by bringing in an acknowledged academic, retired industry executive or some other luminary as a consultant to supplement the resources of your team.



“You’re fairly small and not known for any expertise in this area. Why should we take a chance with you or your colleagues?”

- *Target only one discrete aspect of the transaction.* Partner with another firm that brings a different but complementary competence to the transaction. Then offer the defined expertise of the two firms to get the job done.

- *Offer a limited-risk initial engagement.* Propose a smaller test matter or only a part of the total transaction. Work on a value-based fixed fee. Some of your

larger competitors may not want to stray from a billable-hour position.

- *Offer the client a guarantee. Remove the risk.* Guarantee that if the potential client is not completely satisfied, you will reduce your fees accordingly. Then make sure your client won’t need to exercise the guarantee.

- *Add a personal touch.*

Turn your practice group’s small size into an advantage. Show the client how you structure your work so that every client receives maximum attention. Emphasize that you don’t have to cover excessive overhead—multiple offices, large administrative support, partner perks—so the client is getting value and results with minimum overhead. Demonstrate that you can respond to requests quickly, with familiar voices at your end of the telephone.

Offense, Not Defense

Finally, don’t be caught trying to explain how your team “can do it better, faster and cheaper.” These defensive reactions have never been reassuring to clients. Instead, try taking an offensive position. Detail why your practice team may be the best choice for the client’s unique transaction and needs. Position your strengths so adult, intelligent clients might be reassured to engage your services. ■

PATRICK J. MCKENNA (patrick.mckenna@ibm.net) is a cofounding partner of The Edge Group in Canada and author of *Herding Cats: A Handbook for Managing Partners and Practice Group Leaders*. Visit him at www.practicecoach.ai.