

## How to Focus on the Key Drivers of Partnering Programs

There are four key drivers that greatly influence working relationships with law firms, whether or not these relationships are conceived within a formal partnering program. These drivers provide focal points for continuously improving the performance of the broader legal team, with an emphasis on leveraging strengths, increasing coordination and collaboration and motivating the team to achieve more.

### A. Review and Realign Roles and Responsibilities

Some roles and responsibilities traditionally assigned only to outside counsel are reassigned to inside attorneys.

- For example, in some partnering programs, inside attorneys sit second-chair at trial so as to bring their expertise of internal practices to bear during the trial and increase their trial experience.
- In other departments, all settlement offers are made and managed by inside counsel.
- Likewise, some roles usually assigned to inside attorneys are delegated to outside counsel.
- For example, an especially expert outside attorney may be designated as the “case leader” for a particular type of case in which he or she supervises both inside counsel and other law firms.

### B. Build Trust and Intimacy Within the Network

In an effective partnering program, there is a significant commitment to understand each other’s needs, resources, objectives and constraints. Great emphasis within the overall legal team is placed on:

- Identification and utilization of expertise from within the network regardless of who has it, even if the attorney is not explicitly assigned to the case;
- Information sharing about goals and performance, as well as problems and opportunities arising in cases and teamwork practices;
- Continuous improvement to eliminate inefficient practices through candid discussion and energetic exploration of better ways of doing things so that best practices are jointly identified, implemented and measured; and,
- Joint development and implementation of performance metrics. Law firms and other firms participating in the program receive detailed and detailed feedback on competencies and performance using the metrics.

### **C. Create Shared Rewards and Recognition**

In traditional client-law firm relationships, inside and outside attorneys have differentiated systems for rewards and recognition. In comprehensive partnering programs, emphasis is placed to a greater degree on rewarding the teams that deliver results, including rewards for both inside and outside lawyers through bonuses, advancement within their management ranks and public recognition.

- Inside lawyers want to feel confident that their strong performance in supporting partnering will lead to positive salary treatment, good bonuses and opportunities for promotion.
- Law firm staff want to feel confident that their client will assign more work, advocate their firm to other clients, and help the firm achieve reasonable profitability on the work the assigned.

### **D. Focus on Proactive and Preventive Activities**

Whereas in traditional relationships between clients and law firms, law firms usually wait to be asked to go beyond the assigned case to offer advice, in the comprehensive partnering model, outside and inside counsel are both expected to take the initiative to find ways to head-off legal problems. Both inside and outside lawyers try to identify undue legal risks and bad practices, and provide advice and assistance to clients to help them utilize alternative business practices that are less likely to create legal entanglements. Again, inside and outside counsel are rewarded and recognized for preventing new litigation as well as for winning current cases.

### **Key Points**

These drivers go to the heart of creating a seamless community of legal professionals efficiently producing the best results:

- Assign the most qualified people to roles and responsibilities irrespective of whether they are inside or outside counsel;
- Build a team culture that overcomes the traditional inside-outside distinctions;
- Create shared rewards and recognitions to fortify teamwork; and,
- Focus everyone on continuous improvement and anticipating problems that can be prevented.