



**ASSOCIATION OF CORPORATE COUNSEL – AMERICA
 SAN FRANCISCO BAY AREA CHAPTER
 CAREER DEVELOPMENT COMMITTEE
 MARCH 28, 2008 MEETING**

**“You Know the Expression ‘Straight from the Horse’s Mouth’?
 Let’s Hear What Our In-House Clients *Really* Think About Working With Us!”**

Panelists:

- Ed Abate, Senior Director Sales Operations, SiRF Technology, Inc.
- Spencer Chen, Associate Director Legal, Novacea, Inc.
- Denise Iwata, Director Corporate Communications, NEC Electronics America, Inc.
- Bart Ladd, General Manager Standard Solutions Business Unit, NEC Electronics America, Inc.
- Michael Shpizner (moderator), Vice President & General Counsel, Fujitsu America, Inc.

The Top 10 Practical Take-Aways to Put into Your Everyday In-House Practice ... Starting Today

<u>Perceived Problem</u>	<u>Solutions Suggested By Business Leads</u>	<u>Legal’s Response: Are These Solutions Realistic?</u>
1. Unnecessary time spent on “small picture” details, such as focusing on a single word	<ul style="list-style-type: none"> ·Balance legal correctness while retaining focus on business objectives; ·Allow clients to be creative; ·When reviewing marketing communications, allow company messages to remain compelling while meeting legal requirements 	
2. Lack of responsiveness in time-sensitive situations	<ul style="list-style-type: none"> ·Be sensitive to time constraints and responsive with appropriate level of support; ·Provide 24/7 accessibility 	
3. Failure to translate “legal speak” into clear, focused, and captivating communications	<ul style="list-style-type: none"> ·Educate/explain; ·Don’t lecture; ·Be succinct so that advice will be easier to comprehend and remember; ·Speak in plain English, not in legalese 	

4. Lack of clarity and focus in legal advice	<ul style="list-style-type: none"> ·Give advice, but do not pontificate about laws in granular detail or spout regulations (unless client is interested); ·Clients are not skilled lawyers; they seek protection and an explanation of the risks; ·Explain risks and benefits of certain actions to guide client to decision; ·Avoid “shades of gray” analysis and provide the bottom line (if possible); ·Create client check-lists to assist with future matters 	
5. Too focused on terminology and verbiage in contract negotiations	Have team member take on the role of the opposing side in a role playing exercise	
6. Lawyers do not interact in a “comfortable way” with us	Move away from the keyboard and get in front of the whiteboard!	
7. Lawyers are viewed as “outsiders”	<ul style="list-style-type: none"> ·Become part of the team; ·Build trust with the business clients; ·Put emphasis on interpersonal communication and relationship building 	
8. The lawyers don’t understand our business!	<ul style="list-style-type: none"> ·“Get in and mix it up with the sinners”; ·Integrate into the business units; ·Pull participants from the business groups into legal department activities 	
9. Legal acts like the “Sales Prevention Department”	<ul style="list-style-type: none"> ·Don’t be a blocker; ·Don’t focus on technical niceties; ·Be a facilitator/coach (capture key concepts; mitigate risk through procedural controls; analyze risk reasonably and practically/don’t overvalue legal concerns; involve client in decision-making so client owns the process; coordinate escalation path to internal approval); ·Listen and ask probing questions 	
10. Failure to understand and meet priorities and expectations	<ul style="list-style-type: none"> ·Smaller legal departments wear many “hats” and need to set work-flow priorities; keep clients informed and set expectations for response time; confirm understanding of client’s goals/timelines and priorities 	