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**Changes in the
Profession**



Attorney or Shoesalesman? Seeing Opportunity in a Changing Environment

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In every challenge there is opportunity for a person who has the propensity to see the opportunity.

For instance, there is the story of two shoe salesmen who were sent to an island to sell shoes. The first salesman, upon arrival, was shocked to realize that no one wore shoes. Immediately he sent a telegram to his home office in Chicago saying “Will return home tomorrow. No one wears shoes.” The second salesman was thrilled by the same realization. Immediately he wired the home office saying “Please send me 10,000 shoes. Everyone here needs them.”

As legal practitioners, we have the ability to be flexible, and as trusted advisors, we have the inside scoop on what our clients need. For me, as a commercial real estate attorney, seizing the opportunities in this changing economy has meant helping clients answer different questions, but it has not meant a departure from my practice areas. For example, instead of reviewing and negotiating leases, it seems more likely that I will find myself helping a landlord resolve, or litigate, a dispute with a tenant who is unable or unwilling to pay rent. Instead of closing a real estate transaction, our clients need us to apply our skills in the arena of foreclosure. The clients have not necessarily changed, but circumstances, and therefore their needs, have transformed. So, our flexibility is essential to our clients.

Not only must we be flexible, but more than ever we must add value. This means we have to not only do an excellent job, but we also have to do so on a budget. It seems that structuring our fees in a way other than hourly billing is becoming a more important consideration for many clients. Perhaps the most important part of working with clients on fees is to be realistic and communicate with them – both in advance of beginning work on a matter, and throughout the process. Clients are usually willing to pay

a fair price, so long as the final bill is not twice what the attorney quoted initially. This means that if we are responsible for a file, we need to be involved in strategic questions, know who is working on the file, and how much time each person is spending on the file. It also means that we need to take a hands-on approach to make sure that attorneys and staff are handling a case in the most efficient and effective way.

Also, it is important to make sure your existing clients benefit from the same pricing structure that you would give a new client. As a business owner, there is little that is more irritating than discovering that one of our service providers, to whom we have provided patronage for years, is charging us 30% more than a new vendor would. When our clients have been loyal to us, we owe them the fairness of competitive pricing.

This is also a great time for senior lawyers to help others in the firm with marketing efforts. Does everyone in your firm know their “elevator speech”? Not only should every attorney know how to describe the firm’s work in 30 seconds or less, but receptionists, paralegals, and legal assistants should also

be trained in how to describe what the firm does best. You never know where your next client is, and the more liaisons you have touting the firm’s talents, the broader your sphere of influence.

Most importantly, attitude is everything. Our attitudes affect our staff, our clients, our colleagues, and our own sanity. Clients will not hire, or continue to work with, an attorney with a bad attitude, since a bad attitude is not going to facilitate desired results. No one will refer new business to any attorney he or she does not like. Staff will not remain motivated to work for Gloomy Gus. ■



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