



# Growing the Modern Law Firm

A Comprehensive Guide



# In This Guide

No matter your firm's size, geographic location or niche, there are ideas here for any law firm that is looking to grow.

**Today's** law firms face many similar challenges--Attracting and retaining professionals to help tackle a mountain of client work, transitioning from founding partners to rising leaders, standing out from the competition for desirable new clients, and keeping up with ever changing technology among others.

So, why are some firms thriving and growing, while others struggle to keep up? We've gathered top professionals specializing in various practice management categories to share their insight on what top firms are doing, and what growing firms need to be doing, to achieve success (hint: it all starts with your goals). Today's firm leaders need to focus on sophisticated and interconnected business development, marketing, internal processes and hiring and retention strategies that drive towards your vision.

No matter your firm's size, geographic location or niche, there are ideas here for any law firm that is looking to grow. What you won't find here is a quick-fix, or paint-by-numbers money-making scheme. Instead, you will gain a deeper understanding of the approach to making meaningful and fundamental changes that will set your firm on a course towards long term success.

# Growing the Modern Law Firm

A Comprehensive Guide

What mid-size law firms need to be doing right now to be the successful firms of tomorrow

# Strategy - Gaining Clarity on Firm's Vision, Purpose, Goals



**As** an owner of a mid-size law firm, do you know what you want for your firm? Assuming you do, is what you want shared by the other owners of the firm? How do you know? These questions drive at the core of what law firm owners need to reflect upon. While simple, these questions are often not easy to answer and they are important because if you don't know (or agree) on your firm's destination, it is almost impossible to know whether you and your management team are leading your people on the right path.

Having clarity around your firm's future (aka vision), why your firm deserves to exist (aka purpose) and what you need to do to get there (aka goals) is arguably more important today than it has ever been. The world has changed and will continue to do so at an alarmingly rapid pace. While managing the business risks associated with running a mid-size law firm have become more challenging, the potential rewards have grown for those who have organizational clarity. Here are some thoughts to help your firm capitalize on upside opportunities.

**Let's start with mindset.** Busy partners of law firms sometimes trick themselves into believing that setting the vision/purpose/goals of a law firm is "fluff", "squishy" and somewhat nebulous. I encourage you to think of it as setting the foundation for your firm on which all else rests. It requires some work to craft, but ultimately saves time and energy by keeping your firm focused in times where it might otherwise stray.

So let's start by defining what we mean by setting a **vision**? Think of this as putting pen to paper on what your firm could be

and should be in the next five years, if all the decisions the management team make turn out to be correct. What would that mean to you, your firm, your employees, your clients? What impact would that have? It's important to think big. This is where you get to agree on what perfect would look like! While we know plans seldom go 100% the way we expect them to, it is still important to define what that utopia would be for your law firm, Next let's look at defining **purpose** and what that means for your firm. Think of purpose as defining what your firm stands for and why it

# Strateq

has been able to grow to become a mid-size firm. What are the unique characteristics of your firm that cause clients to want to do business and the best talent to want to not only work at your firm, but also stay there. Often, firm's struggle to articulate their unique purpose, so engaging an external facilitator can make a real difference with such an exercise, especially in ensuring the output is authentic. Too many firms say things that they think sound right, but do not actually represent who they truly are. Once your mid-size law firm has clarity on its vision, defined its purpose and how it is unique, the fun begins deciding on the actions your firm needs to take to ensure its continued success. This is where strategic planning and **goal setting** comes into play. Think of the goals as the stepping stones to get your firm from where it is today, to the utopia outlined in the vision. The good news is that it does not need to happen all in one go. Setting attainable short and medium term goals is easy, but to ensure you accomplish them requires two things: firstly, the goals must be specific ("specific is terrific") and secondly progress towards the goals must be monitored. On-going monitoring involves identifying the right metrics and reviewing periodically. It is this on-going review process that enables the most successful firms to take the necessary corrective action to ensure they accomplish their goals and remain competitive.

Let's talk about **whose job it is to drive the firm forward?** Sometimes ownership might look to delegate the exercise of crafting the firm's vision, purpose and goals, primarily because these can be abstract and perplexing tasks, even for great legal minds. The reality is that the firm's vision, purpose and goals really must be defined by the firm's ownership. Enlisting the help of an outside expert, skilled at facilitating this type of process can be hugely valuable in saving time, resources and energy. So too can obtaining input from clients and key staff, provided it is managed in a way that ensures the feedback is authentic and unfiltered.

While firm ownership has responsibility for defining the future of the mid-size law firm, on-going monitoring of the strategic plan and day-to day support from a competent person internally is encouraged.

**So, when should the process of defining the vision, purpose and goals of your law firm begin?** If you have not gone through this process already, it is not too late to get started. Quite often firms have many of the foundational ingredients already, but simply have not committed them to paper, communicated them and/or set processes to monitor progress. It is important to do this because skipping these steps is likely to cause your firm to waste time, money and resources. Furthermore, your firm is likely to lose ground to your

competitors who have invested the time, resources and effort to define their future firm and are already engaged in a process to get there.

**So how do you get started?** Start the conversation with your colleagues about what you would like the future of your firm to look like. Be open to the notion that what got your firm to where it stands today, quite likely will not be enough for your firm to continue to be successful in the future. Enlist the help of outside experts who can help you define and articulate what is right for your firm and hold you accountable for ensuring you push forward with putting your ideas into practice.

In summary, the successful mid-size law firms of the future have clarity on what they stand for, why they exist and have identified their vision for their future firm. More importantly, they have defined and are already actively working on the pathway to get there and leverage an accountability process to keep them on track.

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*By Dominic Grew [Elevate Business Coaching LLC](#) specializes in helping small and mid-size law firms grow their client bases, earn more profit and build strong accountable teams. "We are unequivocally not lawyers", says its founder Dominic Grew, "our clients hire us to teach them how to better build, grow and manage their firm and/or practice areas - the business management skills that so often are not taught in law schools, yet are crucial to business success." In 2022, Elevate Business Coaching was recognized by Massachusetts Lawyers Weekly as one of the top Business Development Coaching firms. Although based in Massachusetts, Elevate Business Coaching serves clients across the United States.*



**Marketing doesn't set your goals, it helps you achieve them! Before we talk about marketing, let's talk about your firm. Where do you see your practice in 1, 3, or even 5 years?**



**M**aybe you would like to increase the number of clients who hire you repeatedly for matters (deepen your ties and increase the lifetime value of the client), get known as the go-to firm in an industry or practice area, elevate the profile of your rising leaders to help them attract clients of their own? Perhaps you would like to spend more time working with ideal clients rather than saying 'yes' to everyone who walks in the door? For any of these goals, and more, marketing can help!

### **Marketing is One Word that Means a Lot of Things**

Social media, thought leadership, PR, recruiting, niche development, market research, branding, networking, advertising, sponsorships, online presence... These are just a FEW of the roles marketing takes on, and there are myriad activities within each of those areas! No wonder it's so easy to get bogged down in activities. And that's why clearly articulating your goals is absolutely critical for success. Whatever your firm's goals, it's important to thoughtfully choose the right mix of marketing activities.

Here are a few examples of common firm goals and how marketing contributes to achieving them. Whether you've never engaged in marketing, you're ready to move beyond the basics, or you're looking to increase revenue and profitability, your marketing activities can and should grow and evolve with you. That's why there is marketing from the essentials to advanced!

### **Goal: Increasing Lifetime Value of a Client**

Selling additional services to your current clients can be quite profitable while leading to deeper relationships with those clients. So, why are many of your clients not embracing more of your services? It's possible they may not know what other services they may need or know about your other offerings. In fact, though your clients trust and appreciate your firm, you may not be top-of-mind.

## **Marketing from Essentials to Advanced**

# Marketing



Overcome those obstacles by committing to your foundational marketing. That means regular blog posts, newsletters, and social media posts. These are opportunities to provide valuable information to your clients while promoting your services as a solution to the challenges they face.

Take a proactive approach by utilizing your client database to help codify your planning for each client. Bringing your clients the right idea at the right time will likely lead to further work (and happy clients), but if you miss the moment, they may look to someone else to solve a new problem. As an experienced advisor, you have a sense of the cycle of your clients' businesses, and how current events may impact them. Instead of being reactive, create an intentional outreach plan that will help you be proactive and show the client you can anticipate their needs. This could include a combination of a series of marketing emails, one-to-one outreach, and developing ebooks or guides that discuss how your services work together.

**Goal: Elevating the Next Generation of Leaders**

Your clients need to feel confident when working with the firm's emerging leaders, not just with the partners. When much of your business comes from relationships with founders and partners, it's important to make the next generation visible to clients and prospects. Doing so communicates to both clients and prospective new hires that you're invested in the long term vitality of the firm, and that you have a deep bench of experienced professionals. And, you guessed it, marketing can help! Yes, you still have to have your foundational marketing activities in place. Be sure you're including the next generation in your editorial planning. They should get

bylines on articles and tagged on social media. This will get their names, faces and specialization in front of your clients to help build their personal brands and validate their attendance at networking events and prospect meetings.

**Goal: Niche Development**

If you're not already doing so, it's time to define your niches. Niches have a wide range of advantages. Getting to be known for a particular industry or type of client will have lasting benefits including making your marketing more effective and improving the quality of your referrals. Establishing your firm within industry associations and networking groups, working closely with many clients in this space, and authoring articles that are pertinent to this niche shows clients and prospects you really know your stuff.

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Once you've defined your niches, it's time to commit. That means saying 'no' to work that doesn't align with where the firm is going. Taking on work that doesn't meet your engagement requirements means that your team is spending time on work that's not moving the firm in

the direction you want to be headed in. It also dilutes the brands of the firm and the individuals who are working hard to be seen as specialists. It's not always easy, but this is an important part of a sophisticated marketing strategy.

### **Goal: Serving Desirable New Clients**

Who doesn't want to be working with their ideal client?! Do it right and you'll experience greater job satisfaction across your team, happier clients and increased profit margins. But assembling a roster of ideal clients doesn't happen overnight, and takes concerted effort when it comes to your brand, service lines, the experience of working with you and even the pricing models the firm implements.

To achieve this, your firm should already have a strong marketing foundation, clearly defined niches, a deep bench, and a mindset that will allow you to turn away less desirable work. From there, you can layer on additional and more complex marketing.

To reach those desirable new clients, your firm may want to embark on account based marketing (ABM). This is a fancy way of saying that you are so clear on who you want to be working with, you are willing to develop marketing campaigns just for those exact prospects. We jokingly say this is one of the double black diamond ski runs of marketing. It requires specialized professionals who work in various aspects of marketing including SEO, digital advertising, design, content creation, strategy and so on. For the right firm, this can be an investment with big returns.

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Another sophisticated approach to engaging desirable new clients could mean changing the way you approach the proposal process. When clients see you as a vendor, rather than an expert, they are likely going to price shop and go with the lowest bidder. Flip the conversation and help them understand the value you can bring to them, which will help get you out of the vendor seat. This is reinforced by your brand, the ability to demonstrate your experience meeting needs like theirs, and the quality of the conversation you have in getting to understand their goals. This process generally brings down the focus on deliverables (and hours) and hones in on how you are going to help them make substantive steps forward.

Note that you can't skip ahead to ABM and value pricing and expect to bring a slate of new, higher paying clients. These get layered on when the foundation is in place and the firm's identity is clear. Also, these are both long game activities that require a commitment of both money and time.

### **Conclusion**

Hopefully, now you can align your thinking about marketing as it relates to specific firm goals. Marketing builds on itself so every firm needs the essentials and then you can take steps towards those more complex goals on the table!

*By Alison Simons Alison (she/her) started [Simons Marketing](#) in 2013, which specializes in serving law firms and other professional services firms. In order to serve more clients, she attracted a team of really amazing people who focus on specialty areas within marketing because (get ready for one of her catch phrases) "Marketing is one word that means a lot of things"*

*and it's all too much for any one person to be good at. So, now she focuses on working directly with clients on strategies to help them reach their goals while overseeing more of the activities. Alison is a member of Legal Marketing Association, ProVisors and MassCPAs. She has presented multiple times at the MassCPAs annual conference, and has been featured on the Marketing Mistakes (and how to avoid them), and Stop the Noise podcasts.*



What you need to know  
for successful change  
management at your firm

# Continual evolution at the modern law firm

“Whether you think you can, or think you can’t,  
you’re right.” – Henry Ford

**About** now, you may be asking, “what does Henry Ford have to do with change management at law firms”? A lot! Henry Ford knew that if we think something is not possible, it isn’t. In fact, we will not even try! On the other hand, if we think we can, we will work at making the changes necessary to achieve our goals.

In my experience, law firm change management can often stop before it even begins due to the perception that meaningful change is not possible. This belief is often a result of past experiences, conflicting opinions about solutions, and the time constraints common within law firms. While this may ring true for you, please remember, successful change management can be the difference between loss of money, client dissatisfaction, public embarrassment, and malpractice concerns, versus outstanding profits, raving clients, a stellar reputation, and reduced stress.





**The opportunity for successful change management is first achieved when the project lead has applicable law firm experience, credibility, strong project management skills and “EQ” emotional intelligence, helping manage feedback.**

You may be a managing partner, member of the executive committee, the Executive Director, or you’ve been tasked with helping your firm solve a pain point. You want to ensure your firm remains competitive and mitigate dissatisfied stakeholders. You want success!

News of change management at law firms is often received with opposition, conflict, and resistance, making change within the law firms challenging. Here are a few of the reasons why I’ve seen change management go wrong:

- Lawyers are risk averse by nature.
- Lawyers are trained to find mistakes. Their successful training as a detailed lawyer contributes to projects being over-scrutinized, causing delays and even cancellation.
- Lawyers are busy (very busy!) and if they are involved in too many aspects of the project, the project will not move forward.
- Lack of internal resources to execute change.

The opportunity for successful change management is first achieved when the project lead has applicable law firm experience, credibility, strong project management skills and “EQ” emotional intelligence, helping manage feedback. If you don’t have someone in house with these qualifications, there are plenty of outsourced resources to choose from. Don’t allow limited internal resources to limit your success.

Once you have a qualified project lead, the 4 components necessary for success are 1) Identifying the root of the problem/opportunity 2) Buy-in 3) Execution and 4) Maintenance.

**Identifying the root of the problem.** We tend to discuss the result of a problem, versus the root of the problem. We often work around the problem and solve for the wrong thing. It’s the long view with short term realities we want to focus on. Avoid a short term focus which repeats monthly with no long term plan.

Get to the root of the issue by asking unbiased questions of all stakeholders. When there are too many stakeholders, choose a trusted representative from each group and ask them to get input from their group. Keep it simple with an electronic survey and a deadline. Add multiple choice wherever you can. Tally results and you may be surprised at what you find. Often the original “problem” is not the real problem. Use these results as you transition to the buy-in. Data powers action!

**Buy-in:** In order of importance at a law firm, buy-in is one of, if not the most, important factors for success. It can also be the most difficult. Now that I’ve stated what any law firm manager already knows to be true, there are tools and techniques to get you to the best place possible to proceed with your project. This will depend on the project (required vs. optional), the billable hour time commitment, the project’s financial impact on the bottom line, and the firm’s financial investment in your project. This is where a strong “EQ” emotional intelligence comes in handy.

**Tips:**

- Be inclusive, I mean really inclusive. Budget time to listen to people that want a say. People listen better when they feel they have been heard. Truly consider all viable suggestions.
- Be open to changing what you thought was the best plan. In life we learn as we go, project management is no different. Be comfortable sharing changes and explaining why. An expert is someone that has made many mistakes and learned from those mistakes! You are an expert!
- Avoid doing what’s best for the strongest and most persistent individual vs the whole. In my experience, this is usually a rainmaker and capitulating on important changes to avoid a conflict is a slippery slope that not only jeopardizes the project, it jeopardizes your credibility.

- Research what other firms are doing and share this information. Lawyers take great comfort in knowing what other firms are doing.
- Choose your battles. Some details don't matter and can be a wonderful gift when deciding contrary to stakeholders on other more important decisions. *Getting to Yes*, by Roger Fisher and William Ury conveys this well and is a wonderful tool for any change agent. A highly recommended read!

Lastly, continually remind people of the benefits of the end result, stay on track, stay calm and carry on.

**Execution:** This is your moment to pull it all together.

Establish a project update and messaging cadence. Let people know the cadence at the beginning of your project. Our brains like to know what to expect. This simple step will also create a sense of inclusion and save time replying to inquiries.

Always share credit to those that have contributed to create a further sense of buy-in.

If you run into challenges, remember you are not the first person to implement a project. Reach out to professional organizations, message boards and other legal management professionals. We can always learn from others' mistakes and victories.

### **Maintenance:**

Another tool in a successful change initiative is a debrief and plan for post launch maintenance and user compliance. Your project debrief should include:

- What was the root problem?
- What happened and what was addressed?
- How can the firm learn and grow from this experience?

Share your non-confidential findings firm-wide. You will have different data for management vs. the entire team

Plan for bugs, communicate how to address hiccups and build in monitoring and remedies for non-compliance. Schedule your check-ins and continue to provide firm-wide and targeted updates.

In closing I can't stress enough the importance of communication, buy-in, and people management. A law firm's biggest asset is its people and every project's success depends on your people. You are the steward of change and remember "Expect the best, plan for the worst, and prepare to be surprised." ~ Denis Waitley. You've got this!



**By Margaret Burke** Margaret Burke has more than 20 years of experience with lawyers and law firms, with her last position held as Managing Director at a law firm consulting company. Prior to consulting, Margaret served as CEO at a law firm in Boston. Her experience includes launching and growing a firm, serving as a member of the Executive Committee, and leading finance, HR, IT, and Operations. She is a Certified Legal Manager "CLM" and holds a Masters in Business Administration. She currently serves as the President and Founder of [MB Law Firm Consulting](#) providing outsourced COO, consulting and project management services to law firms.



**The** backbone of every law firm is the people. The talent that you attract and retain provides the roadmap for both long and short-term scalability. The human capital piece breaks into three distinct parts which we will cover in greater detail: Recruiting Strategies, the Candidate Onboarding Experience, and Talent Development and Retention. True success will be achieved when all three of these pieces are weighted equally within the organization.

### **Part I – Recruiting Strategies**

It is often said that recruiting is both an art and a science. Within the legal world, it is simple to think you can just go out and search within a specific practice area but the real skill comes with crafting a team that fits well both at a skill set level as well as a cultural level. Not all law firms are cut from the same cloth and the same person that finds success in an AMLAW 100 firm may not be the right match for a small to mid-sized firm and vice versa.

The first step in defining your recruitment strategy is being honest about what you want your team to achieve. A realistic goal would be to base it on the next 3-5 years. Where is the firm going? Is the goal to increase billable hours or expand into new practice groups? Are you looking for the next rainmaker (or 10)? Will the firm be hard driving or one that values work/life balance? It is imperative to set realistic expectations. Once the leadership team defines this, it will be easier to attract and, ultimately, retain talent.

# **The People Plan**

One important aspect is making sure that the goals and expectations are aligned throughout the firm while also keeping in mind that a culture created by Baby Boomers or Gen X may not be as appealing to Millennials or Gen Z. Who will your workforce be over the next decade? I once worked with an organization whose growth stagnated after 20 years. The managing partner went out and spent a lot of money hiring extremely dynamic, growth minded people. They were sharp, competitive and hard driving. Most lasted only a year or two and some left after only

a few months. The challenge? The managing partner's vision was misaligned with the rest of the leadership team and the daily culture within the organization. The result? Significant frustration on both sides. As the saying goes, you can't force a square peg into a round hole.

Firms handle internal hiring in many ways. In some, there is an HR team; in others, the hiring is done by a firm administrator or the partners themselves. Create a process and stick to it. Who are the decision makers? How many interviews will there be? Be clear with candidates up front as to what the process will be.

In a competitive market, long processes make it difficult to attract top talent as candidates will be interviewing at many firms and will typically want to make decisions as quickly as possible. Be prepared with a salary range and job description. Make sure each interviewer understands his or her role in the process. If you have inexperienced interviewers involved in the hiring process, make sure they have been prepped on questions to ask and those to avoid. The interview process should be inclusive and should try and avoid unconscious bias. If the firm's internal resources are unable to generate the right candidates, reach out to a recruiter that specializes in the legal field or engage a human resources consultant for assistance. Both will have a deeper network of resources to tap into for your organization and can help to guide your firm through the interview and offer process.

## Part II – The Candidate Onboarding Experience

Congratulations! You found the one so where do you go from here? Once a potential hire is identified, it is critical to move quickly. Time kills all deals. Once a verbal offer is extended, get the formal offer letter and benefits information out quickly and make the onboarding experience a welcoming one. Reassure your talent that they made the right decision in choosing the firm. Prior to the start date, send a welcome kit out. This might be as simple as some branded notebooks, pens and a mug. Other firms send food baskets or logoed clothing.

As with the interview process, have your onboarding procedures well documented. Who is responsible for what? Will it be virtual or in person? What will the training and shadowing look like and communicate that along with providing a roadmap of the first 30, 60 and 90 days. Connect the new hire with a mentor if you have a mentorship program. A team lunch the first few days is a great way to help welcome someone new. Schedule meetings with key people within the organization so the new hire knows who handles what. Every firm is a little different so don't make assumptions that this person will understand your structure from day one. Essentially, just take the time to make all new employees feel like they are an important piece of your puzzle.

## Part III – Development and Retention

It is nearly impossible to maximize growth if you are constantly trying to recruit, onboard and train new talent. Happy, engaged employees are key to success and they will act as ambassadors for the organization and enable you hire even better talent. On the attorney level, bar associations offer numerous training opportunities. Encourage learning opportunities for paralegals and support staff as well. Take the time yearly to review the company benefits. Are salaries and bonuses competitive to similar sized firms? Are the insurance benefits comprehensive? Do you offer a retirement savings plan? Can you offer a match? What does PTO and paid holidays look like? Do you offer anything unique such as a company trip, sabbaticals after a certain number of years of service, child care subsidies, etc.? Many organizations now conduct "stay interviews" which are a pulse check of how your current staff feels about the organization and their positions. Listening to employee input can go a long way even if you are not implanting every suggestion.

There is no one size fits all formula within the realm of human capital. The most successful organizations embrace change and growth requires a lot of change. What works in a 10 person firm may not work in a 30, 40, 50 person organization and the entire team must embrace this to move forward. As the famous author C.S. Lewis once said, "there are far better things ahead than we leave behind." When successful recruiting and onboarding pairs well with development, retention will happen allowing for both organic growth or the possibility of expansion through merger or acquisition.

*By Maura Mann Maura Mann is President of two staffing firms, [The Nagler Group](#) and [KNF&T](#), where she is responsible for the client service strategy and execution that has resulted in award-winning growth and achievement for both companies. The companies specialize in placing in the areas of human resources, legal, financial services and administration and are part of the BANKWStaffing family of companies. She also oversees the Strategic Accounts team for the BANKW.*



*Prior to joining BANKW Staffing in 2011, Maura held leadership roles with multiple local and international staffing and recruiting organizations where she led teams focused on accounting & finance, legal and administrative staffing. Maura also ran the East Coast operations and training for a Fortune 500 organization's legal staffing division. She loves meeting new people and always networking, professionally and personally.*

*Maura is a member of ProVisors, a national networking organization where she is the assistant group leader for the Boston Women's Affinity group and sits on the Executive Committee for a group based out of Woburn, MA. She also sits on the board of the Massachusetts Staffing Association and is actively involved in the Northeast Human Resources Association (NEHRA), the Society for Human Resource Management (SHRM), and the Greater Boston Chamber of Commerce. She is a member of the Diversity Workforce Coalition and founded BANKW's Diversity, Equity, Inclusion & Belonging Committee.*

*Maura is a proud Boston College alumna, a member of the Boston College Club and is involved in a local charity, 100 People Who Care. Outside of work, Maura is a diehard Boston Bruins and New England Patriots fan as well as a busy hockey and lacrosse mom. She lives in Tewksbury with her husband, son, and adorable labradoodle named Loki.*



# Inclusion as a business imperative

“We hire only the best people.”

“Anyone can get ahead here based on their ability.”

“I don’t see people treated differently here.”

**Every** firm speaks about wanting to hire the best talent but, is unconscious bias hindering your ability to do that? Meritocracy is often touted but, if this were true, there would already be greater equity and inclusion at the top of the organization. Often we hear statements such as those printed above. But are leaders actually turning a blind eye to the challenges of rising with the organization. Therefore, “meritocracy” may be the ideal, but since equity is not happening, leaders and the system are likely unconsciously biased about the ways in which meritocracy is not happening. For example, who gets the opportunity to go in front of big clients? Who gets visibility with partners? Who has a chance to be “taken under a wing”?

Overcoming this requires a mindset shift to consider **Inclusion as a business imperative** – a strong diversity and inclusion strategy can help your business attract top talent and drive innovative results. Yet top organizations are still struggling to implement diversity and inclusion initiatives, often failing to define actionable steps to reduce systemic barriers.

### **There are many reasons why organizations aren't stepping up to the plate.**

- Addressing hidden assumptions about merit isn't easy to do.
- Some leaders may deny any diversity problems at their organization, instead pointing to a meritocratic hiring process without recognizing the unconscious bias that may be present. (If it were so meritocratic, wouldn't women and people of color be fairly represented in senior leadership already?)
- Making operational changes around talent processes feels daunting.

**Yet top organizations are still struggling to implement diversity and inclusion initiatives, often failing to define actionable steps to reduce systemic barriers.**

### **And the benefits?**

They are numerous and keep piling up.

- Employees who feel able to bring their whole selves to work are 42% less likely to plan on leaving for another position within a year. (Forbes, 2022)
- Innovation comes from diversity – not homogeneity. (Hewlett, et al, 2013)
- Diversity in Management is particularly positive in businesses with multiple product lines or industry focuses. (Lorenzo, et al, 2017)
- Cognitively Diverse teams decide faster. (Reynolds & Lewis, 2017)
- The 20 most diverse companies in a WSJ study had an average annual stock return of 10% over five years, versus 4.2% for the 20 least-diverse companies.
- Cognitively Diverse teams have stronger decision commitment and decision quality. (Olson, et al, 2007)

### **So how to move forward?**

- **Step 1:** Look at this challenge of homogeneity in organizations as a business problem and tackle it head on with strategy, investment and impact. Not volunteers. Define what Inclusion means for your organization. Maybe you want to hire more women. Maybe you'd like to hire people of color. There are a large number of lawyers from big firms who feel disillusioned. You could become the firm that is a great place to work, grow and lead for those that typically feel "less than" at large firms.
- **Step 2:** figure out where you are. In most change efforts figuring out where you stand today helps to determine where you need to go. You assess. How do people perceive your firm today in relation to inclusion? What processes are working to help increase inclusion? Which are blocking it?
- **Step 3:** Envision where you want to be. What does success look like? What would an inclusive culture feel like? How would you evaluate success? In essence at this step, you identify clear strategic goals that enable you to know where you are going.





- **Step 4:** Plan how to achieve your vision given where you are. Just like you would any other strategic initiative. This step could include systemic process improvement, focused training on particular groups such as leadership, and could also include further areas of study, such as a pay equity investigation or running job advertisements through a bias checker device. Each of these subprojects should be conducted with clear objectives, measurements, and feedback mechanisms.
- **Step 5:** Systematize and implement the changes across your organization and talent pipeline management. It's where it becomes embedded in your culture and is part of your DNA. Now you can start to share with the world your success in this area and become a talent magnet.

Remember, you want to make your firm better and stronger. For that you need the best talent. That means diverse talent; not building a homogenous team. Our research shows that organizations demonstrating a high degree of inclusive leadership are 56% to 138% more likely to see increases in key metrics, including customer satisfaction and employee engagement. Tying these benefits directly to inclusive leadership can illustrate to business leaders the full potential impact they could realize with increased visible support for the initiatives.

At the end of the day, the key is to start. Where will you begin your journey to increase your competitive edge for top talent?

*By Jodi Detjen* Jodi is an accomplished organizational consultant, researcher and educator with a foundation in operational change management. Her mission is to help realize inclusion in the workplace as soon as



possible. Jodi is Associate Dean of Innovative Programs and Education, Associate Professor of Practice in Management and Academic MBA Program Director at Suffolk University, Boston, MA. Jodi also is co-Managing Partner of Orange Grove Consulting, a firm focused on Organization Inclusion. She has worked in organizational development for over 25 of years transforming the way people work at small and large companies.

She is co-author of the 2021 book, [\*The Next Smart Step: How to Overcome Gender Stereotypes and Build a Stronger Organization\*](#) and [\*The Orange Line: A Woman's Guide to Integrating Career, Family, and Life\*](#).

Jodi earned her B.Sc. in Management Science from Virginia Tech, an MA in International Development Policy from Duke University and a Doctorate in Business Administration at Temple University.

[www.orangegroveconsulting.com](http://www.orangegroveconsulting.com)

**Law** firms of any kind deal with personal and confidential information all the time. Given this, they're subject to compliance requirements that have been developed and implemented as protection measures – for the firm itself and for anyone the firm comes into contact with. As an integral component of compliance, cybersecurity is way more than just an IT issue – it's much more of a risk management issue. Yet while cybersecurity is incredibly important to ensure compliance, compliance regulations offer no specific cybersecurity requirements. Still, for law firms to ensure overall compliance, they should adopt a consistent and comprehensive approach to cybersecurity.

A law firm which ignores or neglects these mandates does so at its own peril – opening itself up to the increased risk of hefty violation penalties, potential litigation and severe reputation damage, which could lead to a loss of trust and ultimately a loss of clients.

Unfortunately, it is a matter of when, not if, a breach will occur. According to Cybersecurity Ventures, if it were measured as a country, then cybercrime – which is estimated to have inflicted damages totaling \$6 trillion USD globally in 2021 — would be the world's third-largest economy after the U.S. and China.

## **Cybersecurity and Compliance for Law Firms: The Threat Is Real**





## Types of Cyberattacks Explained

While cyberattacks can take many forms – including malware, phishing, ransomware, cross-site scripting, denial of service, session hijacking and man-in-the-middle attacks, and credential reuse, the most common are malware, phishing, and ransomware.

**Malware:** Malware (or spyware) is software installed on your computer without your consent to monitor or control your computer use; this information is then captured and passed along to cybercriminals. If your computer seems to suffer from a barrage of pop-ups, a browser that takes you to sites you don't want to visit, random error messages, and sluggish performance, chances are your computer is infected with malware. Robust anti-viral programs and 24/7 monitoring are the best protection against malware.

**Phishing:** Online scammers that send spam or pop-up messages to your computer and try to get you to provide personal or sensitive business information are phishing. Spear phishing is a more sophisticated version of phishing, as the email appears to be from someone you know or is routed through a trusted email address. Ongoing training of everyone (from partners down) is the best defense against phishing and spear phishing attempts, as your team can become familiar with what phishing looks like, as well as more aware of the need to be cautious.

**Ransomware:** When ransomware strikes, criminals encrypt your computer system and deny you access to your data and files unless a ransom is paid. The average ransomware

demand in 2021 was more than \$220,000, a 43% increase from the previous year. (And given the success of cybercriminals, we only expect this number to continue increasing at a dramatic pace.) Strategies to ward off being a victim of ransomware include implementing cloud storage, continual backups and business continuity planning.

## Protecting Your Firm and Clients

So how does a law firm begin the process of protecting itself and the clients it serves?

**Risk Assessment:** Start with a comprehensive risk assessment to detect vulnerabilities and compliance needs. By determining where the weaknesses are, a law firm can develop an effective remediation plan.

**Security Stack:** Additionally, implement a “security stack,” which is designed to work in conjunction with your anti-virus, anti-malware and firewall. A good security stack will help to detect if cybercriminals have already planted a foothold onto your network. Practice regular vulnerability attacks on your infrastructure to find out where the weaknesses are so that they can in fact be mitigated.

**Training:** The best protection is only as good as the humans who run the infrastructure, so it is critical to train all employees (from partners down) to be the frontline of defense against cyberattacks – for your own firm and for any clients you advise. Every organization should engage in regular training to identify and detect

suspicious emails and phishing scams. It's good business practice, and insurance companies are now requiring some form of employee training for cyberinsurance coverage. If there is a breach, your carrier will want to know if you have provided employee training.

The importance of training cannot be overstated. Information security is people, process, and technology, not firewalls, encryption, and antivirus. Employees must be trained and retrained, and clients and business partners must also be educated to ensure the expansion of a firm's cybersecurity protection. All end users in the firm should be engaged in some form of ongoing education.

Given that 83% of all malware is delivered through email, simulated phishing is a great training tool. Much like phishing, where realistic emails are sent in an attempt to trick recipients into sharing passwords and other sensitive information, a firm can utilize software that sends a simulated phishing email. If an employee clicks on the link, a “security short” – or 90-second video – pops up, explaining what the user should have noticed about this email to realize its true intent.

Simulated phishing emails can be sent out on a weekly or biweekly basis, and are randomized so that no two employees get the same one. The security shorts can also be saved up, to avoid interruption of time-sensitive work.

**Cybersecurity Policies:** In addition to ongoing employee training, it is crucial to have basic

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policies to minimize outside hacks. A Written Information Security Program (WISP) is essential for compliance and is best-in-class business policy (and a requirement in Massachusetts); this explains what your organization is doing to avoid a breach, what your security stack is made up of, and more. In addition, plans and policies including a mobile device plan, a bring-your-own-device plan, an acceptable use policy, a work from home policy, and a going back to work policy, for starters. Just as crucial – your firm needs to ensure acceptance of all of these plans and policies by everyone in your organization, from principals and partners to administrative assistants and receptionists.

Law firms should also establish “exit procedures” for employee turnover (if not already developed) that includes the immediate removal of ex-employees from the active directory. Scan the network daily for suspicious log-in attempts by ex-employees and others, and generate an alert for each incident. Internal IT security policies that limit storage of credit card and other personal identifying information should also be developed.

**Ongoing Monitoring:** Monitoring is another key in legal cybersecurity efforts. Dark web monitoring is vital for ensuring that data from your firm (and your clients) are not available to the highest bidder. With employees working from home, system monitoring is more relevant than ever to ensure comprehensive security. Network monitoring is also vital – the earlier a foothold is detected in your system, the more effective your cybersecurity efforts can be in thwarting the cybercriminal.

Networks should be scanned daily to look for software that is missing the latest security patches, and generate alerts for machines that need updating. Automatic scans can also be set up to check security settings on each machine to ensure that your security policies are being enforced. Automatic alerts when two-factor authentication is not turned on where it should be can also be generated.

Law firms of any size or practice focus can experience a range of cyber infiltration – there is no such thing as a law firm that is “too small” (or “too big”) – and the sweet spot for cybercriminals may be the mid-size firm. It takes a lot for a legal practice to remain competitive and profitable, and it only makes sense to protect the firm – both for the success of the firm, and the trust of its clients. With the appropriate technology, and efficient and safe access to that technology, a law firm cannot only ensure cybersecurity compliance, but can move to the next level of success.

*By Konrad Martin* Konrad Martin is the CEO of Tech Advisors, a firm he founded in 2002 with his brother Kevin. Under Konrad's leadership, Tech Advisors has gained recognition as a leading technology solutions provider for small to mid-sized businesses, including accounting and law firms. Tech Advisors was also named an MSP (Managed Service Provider) 501 Winner in 2022, and a Top 250 MSSP (Managed Security Service Provider) in 2021.



*A nationally recognized authority in the field of cybersecurity, Konrad is also the author of two books on cybersecurity and numerous articles for regional and national magazines. He uses his publications and other platforms to educate audiences on the field of cybersecurity and the reality that cybercrime is a sophisticated and organized industry.*

# In Conclusion

Committing to your firm's longevity may seem daunting, but it doesn't have to be! Having a clear vision of your future will guide you towards the solutions that will meet your needs. If you would like more guidance, all of our authors are here to help. Learn more about them and their work on their firm websites.

Thanks to all of our contributors:

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[Elevate Business Coaching LLC](#)

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[The Nagler Group](#) and [KNF&T Staffing Resources](#)

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**Konrad Martin**, Co-Founder & President

[Tech Advisors](#)

“Cybersecurity and Compliance for Law Firms: The Threat Is Real”

**Alison Simons**, Founder

[Simons Marketing](#)

“Marketing from Essentials to Advanced”