

Protecting a Law Firm's Brand Is Harder Than Ever

By E. Leigh Dance and Pamela Cone | May 3, 2019

Firms must live up to their reputational promise in the eyes of clients and stakeholders. Here are tips on how to do that.



There's no avoiding the reality that your law firm's actions and perceived ethics today are judged constantly by your clients and stakeholders. At some point, one legal professional in 800 is likely to make a big mistake or break a law.

Even when unintentional or misinterpreted, these incidents create doubt and diminish trust—and are often trumpeted far and wide, presenting a threat to your firm's performance and reputation.

C-suite executives are defining their strategies with the knowledge that in this highly politicized world, an organization's perceived behavior on a popular issue can go far beyond an argument that ruins the family Thanksgiving. It can severely damage a company.

Since ethics are more often a part of the corporate legal chief's title or responsibilities, your buyers are far more attuned today to how a company's ethics can affect reputation, share price and regulatory actions. They increasingly scrutinize the perceived ethics of their providers, and law firms are not immune. We don't see enough law firm leaders actively addressing this reality.

What Do You Stand For?

Your pro bono efforts are impressive but not enough. Your actions must recognize that your brand today is not just the superior legal advice you provide to clients that know a few of your lawyers. Like other customer-facing enterprises, your firm's brand is increasingly shaped by what you stand for.

To strengthen and fortify your reputation today in the eyes of your employees, clients and communities, you need to actively and credibly show that your firm lives up to its reputational promise. And show it proactively, not through window-dressing or only for damage control.

Social Responsibility and Sustainability

Culture is at the heart of your ethics, and the fabric of today's organizational culture is woven with social responsibility and sustainability. It's no longer just nice to have, but rather a necessary investment in order to do business in 2019 and beyond.

We encourage Big Law leaders to discuss and adopt a few of these suggestions:

- Choose issues or themes that connect to you and your clients' core business or passion, as well as what your stakeholders (including employees) care about. Develop a social responsibility program around those issues and themes. In the wise words of Marsh & McLennan Companies general counsel Peter Beshar, "If we can find a way to contribute on the most complex societal challenges of our times, it will, one way or the other, redound to the benefit of our company."
- Be proactive and inclusive. To ensure credibility, involve a generational mix to identify your firm's ethics themes and core values. These values should reflect your DNA and guide how your people do what they do. Walking the talk is a straightforward way to strengthen culture so that your community and stakeholders come to understand what you stand for. That greatly increases chances that they will give your firm the benefit of the doubt when (not if) that big mistake hits. At that point you will need to show how you enforce your convictions with action. Transparent communications around those convictions and actions play an important role.
- Get involved with an overarching issue that companies care about: climate change. Leaders in insurance, real estate, logistics and infrastructure increasingly discuss their concerns about the fast-rising costs of climate change-related events. Many are speaking out about how climate change dramatically affects their financial projections. A long list of global multinationals have signed the UN Global Compact, committing to review the environmental, social and governance practices of their supply chain—including legal service providers. Is your firm ready? Consider adopting the UN Sustainable Development Goals. Partner with your clients to brainstorm ways to embrace those goals that are most material and relevant for your firm.
- Set standards and celebrate achieving them. Law firms can look to their clients' in-house legal teams for bright ideas. One example is Fortune 150 DXC Technology, whose global legal leadership team identified and described eight qualities, or attributes, for DXC Legal professionals. "We wanted to have a common set of standards to guide how we interact with each other and our clients globally,

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every day,” explained Emma Johnston, Australia legal director and a co-leader of the initiative. “Trustworthy” is one of DXC Legal’s eight qualities, defined as, “We have integrity. We have good judgment. We take ownership and responsibility.” Another quality is “Respectful,” defined as, “We listen. We are courteous. We are ethical and fair. We appreciate diverse perspectives. We are self-aware.”

- Move from “transactional” to “transformational.” Some law firms have comprehensive social responsibility and sustainability programs. More often, firms engage in siloed or random activities that may include pro bono, a diversity and inclusion initiative, an office green team, or volunteer activities in the community. This scattershot transactional approach fails to create a clear impression of what your firm stands for. You will achieve a much greater impact with a holistic approach: defining and enforcing your standards and values (including high quality), aligning with the UN’s goals, partnering on CSR with clients and other organizations, and connecting each initiative to your key issues and themes. That will positively transform your brand and protect reputation. Make your plan and begin acting. Recognize that your approaches to build the firm’s brand and reputation must change—and then get going. Defending your reputation only when the crisis of conduct hits—whether real or perceived—is not a winning strategy. Observe how the most respected global companies are doing it.

The sooner you become proactive, the greater your opportunity to influence your stakeholders’ impressions of your firm. Do the right thing.

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