

# Managing Your In-House Career

## 8 Tips for In-House Counsel

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### 1. Learn the Business

- Resist complacency.
- Learn about the industry and competitive landscape.
- Read competitors' proxy statements, 10-K's, 10-Q's, etc.
- Learn the basics of revenue recognition and what the hot buttons are for your industry segment.
- Understand the gross margins of your company's products and the features that distinguish them.
- Express to clients your desire to understand the company's core business.
- Visit the centers of operation and learn about clients' daily challenges.
- Volunteer to attend client meetings and participate in strategy development.
- Learn how employees get their information and how management practices what it preaches.
- Leverage e-mail and other communications methods to stay aligned with and informed by clients.

### 2. Become a Business Partner and Trusted Advisor

- Find solutions to problems within the legal framework – don't just identify them.
- "Most clients want their in-house lawyers to give them a good answer today and not a perfect one next week, unless they really need a perfect answer."
- **EXERCISE YOUR GOOD JUDGMENT AND COMMON SENSE:** Anticipate the consequences of decisions *beyond* the legal department.
- Be proactive by helping clients understand the legal environment in which they operate:
  - Develop and offer training on laws and regulations.
  - Early Warning System: create a process for identifying and reporting on legal risks.
  - Contribute to and review business plans and policy creation.
  - Assist with developing compliance procedures.
  - Solicit regular feedback from the business team on internal legal department and outside counsel performance.
- Service mentality: the goal is empathy.
  - Meet deadlines.
  - Return phone calls and e-mail promptly.
  - Update clients regularly.
  - Share a sense of urgency.
  - Be willing to "do windows."
  - Deliver to the business what you expect from outside counsel.

### 3. Deliver Outstanding Legal Work

- Exceed expectations – legal competence is a minimum.
- Maintain and develop your skills, and attend conferences and seminars to stay current.
- Provide sage legal and business advice.
- Triage: learn to juggle a dynamic workload and prioritize the most urgent matters according to the needs of clients.

#### **4. Communicate in Business Language**

- Successful in-house lawyers speak in plain English. Warren Buffett's introduction to *A Plain English Handbook* advises to "write documents as though you are writing to your sister." For more information, see <http://www.sec.gov/pdf/handbook.pdf>.
- Your client only needs to know how to stay in the safe harbor or what you think are the major exposures in a lawsuit. They have neither the time nor the desire to learn the law.
- Always describe the business impact of your advice.
- Distill complexity in order to articulate concepts to all audiences from the plant manager to the CEO.
- Remember that your client wants an answer in order to make a decision.

#### **5. Build Internal Relationships**

- Get out of the office:
  - Be visible in the organization and make sure your "fan club" is diversified.
  - Network internally by taking clients to breakfast and lunch and attending company social events.
  - Network externally by being known in your field of expertise.
- Participate on internal committees that provide an opportunity to work with other departments.
- Ask for feedback from your clients.
- Speak up if you win something, whether it's a trial or a successful result in a large transaction. Let others know you and the legal department have scored a point for the company.

#### **6. Get Management Experience**

- Management and leadership skills become increasingly important as a lawyer progresses in a corporate department.
- The current trend in-house is to manage the legal department like other business divisions.
- Successful in-house lawyers must be able to a) direct how the legal department operates as a part of the company and as an independent unit, and b) to motivate staff to deliver excellent performance.

#### **7. Develop Cost Awareness**

- The legal department is a cost center. Minimizing the legal budget is always of paramount importance.
- Get familiar with the budgeting process, understand the constraints, and make every effort to work within them. This is the primary basis on which the legal department and its members are evaluated.
- Be creative:
  - Push work down or out.
  - Dedicate legal department staff for certain functions, such as HR.
  - Be familiar with and embrace technologies for document, knowledge and case management.
  - Practice preventive law (training, dispute resolution procedures, contract administration).

**8. Diversify Areas of Expertise, In Terms of Both Law and Business**

- Get out of your comfort zone by accepting assignments that require getting up to speed in new areas.
- Take on cross-functional projects that provide you with different perspectives in the organization.
- The ability to competently manage all areas of law and business is one of the most important and universal characteristics of a general counsel.