

Leading Marketers Weigh in on Rethinking Law Firm Pitches and Proposals

By [Steven M. Bell](#) on December 13, 2022

During the pandemic, buyers of legal services not only increased the number of Requests for Proposals (RFPs) issued, but also deployed new technologies to automate the buying process and heightened their focus on a firm's commitment to issues beyond those that are strictly legal. As a result of these and other developments, 'Rethinking Pitches and Proposals' is overdue.

Four authorities addressed this topic during a session at the recent LMA Northeast Regional Meeting in NYC. Panelists included Jay Abrenica, Director of Business Development and Marketing at Sidley Austin; Doug Lancet, Managing Director of Marketing and Business Development at Robins Kaplan; Brandie Knox, Principal and Creative Director of Knox Design Strategy; and Anthony Ferry, CEO/Co-Founder of experience management platform Ikaun.

One of the first topics the panel addressed is how firms can be more strategic in deciding which proposals to pursue and which to forego, given the fact that law firm marketers encounter dozens of RFP opportunities each month – a number impossible to accommodate for already busy marketing and business development (BD) staff.

The panel acknowledged that many firms have already implemented policies so that marketers will know, in advance, whether or not to respond. Even so, the panel recognized that it is sometimes difficult for BD professionals to turn down partners who believe that responding to proposals is vital to growing their practices. One solution to avoiding overload and politics is to tier the levels of support, offering customized treatment of strategically important proposals and lesser levels of support for others.

Other suggestions included:

"Be sure to consider all of the gating issues," says Ferry. "On a huge proposal in which we invested tons of time, we ended up as the number one responder on all the RFP criteria except for one: We had not done the work for a Top 20 firm and we lost on that one issue. It was a huge lesson."

"Ask: Can we do the work profitably?" offers Abrenica. "We need to understand that before responding to an RFP."

"One way for BD professionals like us to be more strategic is to work with attorneys to proactively seek out panel opportunities rather than just reacting and responding to RFPs," said Lancet. "By collecting and warehousing information about panels – including what types of work they cover, how work gets assigned to panel firms, and when those panels refresh – we can help bring dollars in the door on opportunities that we otherwise might not even know existed."

"The most important consideration is alignment," says Knox. "A firm should have a solid sense of its strengths, weaknesses, and its strategic direction as it decides to proceed...or not. Is this opportunity going to propel the firm toward its three-, five- and 10-year goals?"

The panel provided suggestions for rethinking the proposal process once the 'go' decision has been reached.

“When an RFP arrives, make your first stop the financial and pricing team,” says Lancet. “They have the knowledge and resources to help determine how to win while maintaining profitability. BD professionals should do this even if the RFP doesn’t explicitly ask for alternative fee arrangements.”

“All firms have methods for storing and retrieving content,” says Ferry, “but with the emergence of SaaS, this field has evolved rapidly. Today’s cloud-based information technologies are affordable, require very little effort on the part of the firm’s IT team, and quickly produce highly relevant information – some of which might have not been findable in the days of manual retrieval.”

“All pitches – even ones where content gathering is automated – require some massaging,” adds Abrenica. “Content generation and experience tools are to proposals as Spotify is to music. If you’re in the mood for some James Taylor, you type that into the search and you get a lot of JT suggestions. But you still have to scroll through the various playlists to select the song that you really want to listen to. Same for content tools and proposals.”

“A simple solution for practice descriptions and bios is exporting website content into custom Word templates,” says Knox. “This can be done on the admin side of the website, which cuts down on managing redundant information, providing a single source of truth.”

The panelists agreed that even though proposal response is being rethought, most proposals still require basically the same components and structure: executive summary, analysis and proposed strategy, experience, team bios, and pricing. But the emphasis clearly is shifting.

Lancet recalls watching an in-house-counsel friend wade through a stack of a dozen proposals from law firms. “She would read the opening, then flip immediately to the back of the proposal to see the law firm’s fee,” he recalls. “To me, this suggests that we should do the buyer a favor and just put the fee proposal near the front.”

“Pull the reader in and make them want to read it,” suggests Knox. “Make it easy to read. If a general counsel is flipping through, as Doug noted, how can you display the content so that it is more scannable and points to a few key takeaways? Lengthy bulleted lists on each page will not do this.”

The rethinking of proposals applies to other arenas as well.

“Expertise and credentials are table stakes,” contends Abrenica. “There are new issues that have become critical considerations for buyers – issues like DEI (diversity, equity and inclusion) and ESG (environmental, social, and governance).”

Both of these issues require careful treatment, the panelists agreed. “Clients pay close attention to how many members of the pitch team end up in the group of attorneys actually working on their matters,” says Lancet. “Firms should never paper their proposal with lawyers who are included only to make the team look more diverse but don’t end up on the case or matter.”

While some buyers issue RFPs that offer the ability to respond only digitally, there still is room and plenty of merit in focusing on design. “High-touch proposals offer the opportunity to truly differentiate, perhaps even integrating elements of the prospect’s brand into the response,” says Knox. “Designers help distill dense information into a more digestible, scannable composition. For example, callouts, simple information graphics, or use of typography provide emphasis to critical content if the reader is performing a quick scan – these are visual attention-getters.”

“We’ve started integrating video clips into the documents,” adds Lancet. “It’s another way to communicate efficiently and to stand apart from the crowd via a human dimension.”

“We’ve helped firms develop custom ‘tool kits’ of grab-and-go branded assets that can be dropped into a response and customized accordingly,” says Knox. “Examples include icon sets, a variety of table formats to accommodate data, process and practice diagrams, timeline samples, and quote styles. These are just a few examples of visual applications that can be leveraged to efficiently take narrative and bulleted content to a new level.”

Work on proposals does not conclude with a submission, the panel agreed. For instance, some proposals discourage contact by lawyers at the proposing firm with personnel at the buying organization. “Even so,” says Abrenica, “you can’t exactly put existing relationships on hold while a proposal process unfolds, perhaps over a long period of time.”

Win or lose, points out Ferry, it’s important to do a postmortem and to include the buyer in the process. “You can’t get better if you don’t know exactly what you did right and where you came up short,” he says. “And, even if you didn’t win this one, making the effort to understand the outcome leaves a favorable impression with the buyer and perhaps positions you to win next time.”