

THE VOICE AND PULSE OF BUSINESS LAW

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We know they are ready to respond to a communication crisis. But what about communicating in times of crisis? They are the voice and the pulse of law firms. Iberian Lawyer wanted to know how some of the main Legal Marketing and Legal Communication agencies work in our country in

these times of pandemic, and for that reason, we organised a virtual round table in which the guests answered different questions about Digital Marketing, Media Relations, Business Development and Digital Transformation



DIGITAL COMMUNICATION: LINKEDIN, WEBINARS AND "AD HOC" CONTENT

Firstly, we want to know if these times of pandemic, in which communications are exclusively online, have changed formats and if, thanks to this crisis, the true usefulness of digital communication channels is being "discovered".

Lidia Zommer, managing partner of Mirada 360: During the first weeks of the crisis we suffered an "infodemic", in which we generated fatigue in the audiences as a consequence of the fact that almost all the firms published the same type of content before each new norm about the Covid-19. The most used channels were email campaigns, social networks and webinars, the first two with a brutal increase in volume, and webinars as the great discovery of the sector, more out of necessity than pleasure. A mistake that we see repeatedly is the massive sending of communications without segmenting the audiences and without focusing on relevant specific information for each type of audience.

Carlos García-León, managing partner of Legal Reputation: The inevitable increase in the use of digital platforms for internal communication, videoconferences, webinars or social networks is reinforcing the importance of these channels which, at certain times, can be more effective for many reasons, such as reducing travel and trips, with the consequent economic savings. Undoubtedly, the strengthening of these channels will continue over time and will help the further digitisation of companies, including law firms. But, when we overcome this extraordinary situation, in no case will online communication channels replace 100% of the face-to-face culture in our country. Face-to-face meetings with colleagues, clients or journalists, attendance at seminars and in-person classes, networking events, etc. will continue to be fundamental, even more in the legal sector.

Juan Fernández, partner at Venize Comunicación: We have been hearing for years that firms have to join the technological revolution if they are not to be left behind. The unexpected situation we have faced will undoubtedly have taken its toll on many offices that were not prepared and will have made those who were prepared even more appreciative of the proper functioning of these channels, their usefulness and their importance. Historically, the legal sector has always been more

reluctant to focus its activity on these channels due to the importance of the face-to-face factor for lawyers, but after this experience, we will surely find a totally different paradigm in the way they carry out their activity. Those firms that were not prepared have been forced to adapt against the clock.

Marc Gericó, managing partner of Gericó Associates: The COVID-19 pandemic has forced global law firms to move into the new remote working environment in record time. Of course, some were prepared. However, we all know that this new habitat change has caught more than one-off balance. Group video conferences, the use of internal communication tools and even training sessions, both internal and external, have become essential to clients. Communications with clients via mailings have become more widespread, in a way that could be described as excessive.

David Muro, director of DM Consultores: Certainly, after the COVID19 crisis and the forced confinement to which we have been subjected, many lawyers have "discovered" the benefits of online channels and digital marketing. In our case, we have seen how firms and lawyers are giving greater importance to social networks, especially LinkedIn, and to audiovisual content to get their messages across to their target audience. Many of them did not know that a network like LinkedIn could make them reach so many potential clients or collaborators, generating value with their contents. Audiovisual pills through small videos, or online training sessions through webinars, are formats that are having a great acceptance among law firms, since the audiovisual component is now a differential factor, from my point of view.

PR | MEDIA RELATIONS: BALANCING QUALITY AND SPEED

The changing legal landscape of these pandemic times means that journalists now need more answers in less time. We asked the experts how the demand for information from the media is being met and whether the firms understand the need to offer content and, where appropriate, quality responses, in record time.

Juan Fernández: Speed without quality doesn't help. I think law firms have managed to strike a good balance between these two factors. Firstly, this has allowed them to quickly inform their clients in moments of great uncertainty while creating interesting content for the different media. Faced with such a saturation of content, the firms had to prioritise what content to publish, and be agile, offering attractive and different content. We have experienced an unprecedented situation in terms of what we have seen. Firms that have made an extra effort, without neglecting their clients, making themselves available to journalists, and firms that, however, due to the workload, have naturally prioritised other issues. Our work has also had to adapt to this situation, helping our clients in the creation and dissemination of this content and working closely with the journalists so that the requests and the transmission of the content were as fluid as possible. We had to be part of both sides of the team.

David Muro: Now everything is needed yesterday, that is to say, it is very important to get ahead of the competition to get there first, but it will be useless without quality content. Firms must be fully aware of the areas of expertise they actually control, meaning quality content, because they have good knowledge of what they are talking about, and because it is generated in a clear, simple and direct way, so that it can be understood by the vast majority. Creating a subject or a specialisation area in an opportunistic way is just a temporary solution. In our case, the firms are fully aware of the need to incorporate the generation of media content into their day-to-day work, and to give it, when possible, the same importance as the technical legal work. I think it is important to generate content for a blog, for example, but the media content will greatly strengthen the firm's brand image, since it is a third party who certifies that your content is sufficiently useful or valid to publish.

Carlos García-León: The large amount of new legal regulations in very short periods of time and the fact of having to work from home together with the family, where maximum concentration is not

always possible, has increased the time invested in analysis, but it is something inherent and necessary for any lawyer. As for the quality of the content or the informative urgency at the moment of communicating, we give priority to both aspects, because the search for that balance is part of our work as a communication agency: to quickly attend to the journalist who works in an immediate manner or to a client who is waiting for a legal recommendation, but always with a clear and quality message that values the lawyer's expertise. The vast majority of lawyers perfectly understand that we are living in an exceptional situation and that these are times of great effort to combine more than ever legal advice to clients, the management of their subordinate professionals and the necessary and rapid transmission of their expertise through the different channels and media, all this in addition to teleworking and in the shortest time possible. A difficult, but necessary combination.



María Jesús González Espejo: Being the first to inform about new developments has been the objective of many firms and this has required them to devote many resources and work against the clock, finding in more than one case that the poor quality of the rules required the regulator to publish a modification in the following days, which made the firm redo the analysis work and communicate different information to clients. Given this high possibility of rectification, speed may not be the best strategy in any case. The first days of confinement have been a challenge, not only because of the flood of queries, but also because of the need to set up 100% online offices. In any case, we have attended to all the journalists who have contacted us to ask us questions. Our philosophy is that we have to be with the press even in tough times. It is time to support each other.

Lidia Zommer: Lawyers have thrown themselves to communicating like never before. Professionals in the busiest areas (basically Labour) have been aware of this opportunity and have taken advantage of it, while those in the Litigation and Commercial departments are preparing themselves very hard, knowing that this temporary block of the courts can lead to more clients and cases when judicial activity is activated and the doors are opened to the procedural avalanche that will be initiated. We have attended to frequent requests from the mass media, such as television, for our Labour clients, who have recorded themselves with their mobile phones, with their partners as emergency cameramen. The clients have made the most of it and have appreciated all the received training to improve their communication skills and have provided useful, concise, and perfectly adapted messages in each channel.

STRATEGIC MARKETING: SOLIDARITY COMES FIRST

The firms' strategic messages have also changed, seeking a balance between doing business and being empathetic and supportive of those most affected by the pandemic. But the line

between advertising and ethics in this delicate situation is thinner than ever. Legal Communication specialists tell us about their experience in this regard.

Marc Gericó: Such a balance is delicate. At Gericó Associates we have felt that law firms, in general, have not been reluctant. Rather, they have been open to new initiatives, especially driven by (i) a technical downturn in the economy, (ii) by external advice, and (iii) when they have seen that a competitor could get ahead of them. When we stop to analyse the communications launched by some firms, we perceive a lack of a roadmap and a shocking vision. Finding a differentiating strategy—and, of course, one that does not violate the deontological code—is paramount in order to attract the attention of potential clients and, therefore, new opportunities.

Carlos García-León: Commitment to society is one of the values most firmly rooted in law firms and has been carried out for many years. Lawyers perfectly understand the importance of being empathetic and human in such an exceptional situation, like the one we have all been going through for a few months now, and all decisions are made with the current circumstances in mind. And, without a doubt, in the face of a situation that is out of the ordinary, a decisive strategy for a normal scenario is not valid, nor are plans approved before this crisis. For example, in these serious moments that we are going through, devoting a large part of their external communication to disseminating their achievements, awards and positioning in various rankings, or carrying out actions with the sole purpose of attracting clients is not, in my opinion, the most appropriate thing for firms to do.

Lidia Zommer: In these days of confusion and questioning, customers are looking for information, but they can't trust everything that comes their way. We are living an "infoxication" by the COVID-19: many issues are not clear, generating legal insecurity, there are many opinions in networks that lack knowledge and the legal framework changes permanently because the government is taking action almost on a daily basis. In this environment, we have recommended three key principles to our customers: i) total availability to customers: personal, with calls or direct messages; ii) sending only relevant information for each segment; iii) focusing on internal communication. We have collaborated with our clients in the creation of transversal working groups on the crisis, made up of head partners of each of the legal areas involved in order to design dedicated services and a specific promotional plan.

Juan Fernández: Despite isolated examples of firms that have tried to "take advantage" of this situation, as the Madrid Bar Association denounced, what we have seen is that firms have focused their strategy and messages on accompanying their clients. In this sense, we believe that law firms have adapted very well to a new situation with a good capacity to react, putting aside issues that were on their agenda in 2020 to focus on matters that demanded the highest priority.

María Jesús González Espejo: I think the ideal situation would have been that the strategic messages during this complex period would have sought a balance between doing business and being empathetic, but honestly, in my opinion not all organisations have chosen that line of communication. These days we have witnessed several advertising campaigns, whose messages were either totally contrary to the ethical principles of the legal profession or seemed to ignore what was going on. These behaviours have been brought to light by the Altodo Association, the Madrid Bar Association (ICAM) and the General Council of Spanish Lawyers (CGAE), who have been forced to remind the firms that advertised free advice, that it is the Free Justice institution the one responsible for responding to this need.

David Muro: As you say, it's a delicate situation. There are many firms that want to do their bit and offer free legal advice to certain groups, companies or sectors, in a supportive way, but you have to know where the limit is without being opportunistic or aggressive in your messages. The ICAM and

the CGAE have talked about these initiatives by certain firms, claiming that they are against the legal profession code of ethics. At a time when so much legal light needs to be shed on society, and the economic crisis following the health crisis needs to be anticipated, our experience is that firms are fully aware of the need to adapt their strategies and messages, providing really useful content that responds to the needs and doubts of society, both companies and individuals.

INTERNAL COMMUNICATION: ASSERTIVENESS AND EMPATHY

Fostering corporate culture and team feeling “in the distance” seems to be another major mission for legal communication agencies in these days of uncertainty. Legal Marketing specialists tell us the secret to keeping the firm's values alive.

María Jesús González Espejo: Technology is being key to maintaining a lively relationship with customers. In our case we use various channels, adapting to each client's culture. For some Whatsapp is the favourite channel, others prefer video calls, others email. We continuously send information that we consider of interest to our clients and we are also interested in their personal situations. At this time, we believe that we are not as much service providers than we are friends and advisors to our clients.

Marc Gericó: In our consultancy, we had to develop internal communication plans in express time. We are also trying to be in constant communication with our clients, showing more closeness and support than ever before, as the current moment is very sensitive. Slowness in the decision-making process, a badly communicated or not communicated decision can cause an internal crisis of unsuspected magnitude. Hence the need to bring all the creativity of our consultants to propose the most appropriate actions.

Juan Fernández: Our agency was born with this way of working highly integrated, so it has not been particularly difficult. Despite the fact that we are very involved with our clients, we invest time in getting to know all the lawyers and even spend time inside their offices on a weekly basis. When this is not possible, as it has been the case, we continue to be just as present (and persistent) through other means such as video calls, emails, telephone, etc.

It is a fact that many firms are already seeing their resources depleted, and some have been forced to communicate unpopular measures to their employees, even dismissal decisions. But how are these decisions communicated? Do the agencies also advise on these tasks, or is it the in-house staff who take the unpleasant part?

Carlos García León: Internal communication has become one of the essential tools to effectively address the crisis of COVID-19, with people at centre stage, being essential that the firms inform, motivate and involve all employees at all times. The firm's empathy with its professionals and the transfer of a team and unity message have been and are being crucial during this exceptional situation, both in the hardest moments of the health crisis, where the health of workers and their families has been the main concern of the firms, and in periods of confinement and teleworking, gradual opening deadlines or at the time of implementing a series of organisational, economic and or employment adjustment measures. From our agency we help firms to ensure that the messages are clear and appropriate, that they are transmitted with empathy and assertiveness, through the most appropriate spokespersons, in the most effective channels and always communicating with transparency and at the right time to avoid rumours. Good internal communication should be an antidote to uncertainty.

Lidia Zommer: Maintaining an internal fluid communication is especially complex to articulate when all professionals are teleworking, even more so when offices must make painful decisions to preserve the future. None of the usual plans applies in these circumstances, so we have implemented intense internal communication campaigns giving transparent, real and homogeneous

information with a unified direction to steer during the crisis, identifying the concerns of all professionals and determine messages that carry realism, but at the same time, hope. In our recommendations, we have prioritised the use of direct cascade communication channels, with clear, concise and precise messages, including information about specific measures and strategic lines of action for business development to be implemented when the confinement is over.

BUSINESS DEVELOPMENT: ALLIANCES, MERGERS AND REFLECTION ON PRICING

For those responsible for agencies in the legal sector, advice from these agencies on possible business formulas to alleviate the impact of the crisis is particularly valuable in this situation of business and economic uncertainty.

David Muro: We believe very much in inter-office collaborations. These collaborations, if well worked out, can end up in integrations or mergers, and it is a formula that we work on. The most recent case to be highlighted is that of a client: Alier Lawyers, which has decided to carry out an official integration, despite the crisis. The integration of the firm Alonso Asociados into Alier allows them to strengthen certain strategic areas of expertise, such as Commercial, Corporate, Banking or Insolvency law. I believe that there will be a lot of movement in the sector in this sense, and many firms will decide to assess corporate options with other firms, in order to strengthen structures, practice areas and share risk and venture. But mergers and integrations are not easy, neither at the time of the signature nor after it. It is necessary to unify criteria, processes, business model vision, customer service protocols, pricing system, etc. There is a lot to do after an integration or merger is formalised.

Marc Gericó: We are currently working on a merger process which is totally confidential. Even though we are living in a situation of uncertainty, we have to take into account that a merger is a long term action and therefore the partners will have to focus more on how it will affect the balance sheet and the business assets and less on profit and loss account. Since we are in a new macroeconomic context of crisis, firms cannot make the mistake of becoming obscured in the "new" portfolio of clients -and income- that they will get after the merger process and seeing only the cost savings of this type of operation. They should value the human capital (talent) that would supposedly become part of the resulting firm and be very clear about the added value that the merger would bring to their clients.

María Jesús González Espejo: Our speciality is advising on innovation and business development, and from the moment the pandemic was declared we started to support our clients in managing teleworking; establishing appropriate information systems to keep their clients up to date; anticipating events that may impact their business and that of their clients and even automating some services. Among the concrete actions we have carried out is a project that we have called Robot ERTE, for the automation of the management of ERTE (temporary layoffs) for the clients of one of our firms we work with. In addition, several Courts of Arbitration of Madrid have chosen the collaborative platform High Q, advised by our Institute.

Lidia Zommer: Now is when it is most necessary for law firms to be market-oriented, identifying areas that will be most demanded and preparing its teams with knowledge and skills training, lateral integrations, alliances or acquisitions of smaller firms with complementary and necessary expertise in the short term future. This type of consulting is perhaps the most valuable thing we deliver to clients. We have also reflected with our clients on the most effective pricing policies for the crisis and post-crisis, at a time when customer loyalty is essential, but when it is also vital to preserve the firm's business and profitability.

Juan Fernández: Our agency also specialises in Business Development issues, however, what we have seen is that right now clients who were developing this type of issues (Mergers, search for international lawyer networks, development of best friends networks) have put them on hold until

they return to develop their activity on a regular basis.

Sara Molina Pérez-Tomé, managing partner of Nize Partners: At the business level, the pandemic is having economic consequences in the short and medium-term. The VUCA environment, in which organisations are currently operating, is characterised by volatility, uncertainty, complexity and ambiguity. Thus, the need arises to seek future models that allow for the sustainability of structures in order, among other reasons, to avoid layoffs and closures on a large scale. This requires reflection on a number of factors. (See box).

BOX 1

REFLECTIONS FOR LAW FIRMS IN TIMES OF BUSINESS UNCERTAINTY VIA SARA MOLINA, FROM NIZE PARTNERS

- **Change of business model:** It implies a high technological component that responds to the economic needs, new invoicing systems, etc. This is where the New Law models (Legal Army, Lawyers for Projects) allow us to be more competitive, mainly due to the intensive use of "Legaltech", the reduction of fixed assets, new organisational roles and project work.
- **Impact on partners and partnership:** In the past few weeks, Cuatrecasas has recapitalised and Linklaters has announced that it will not distribute profits in this quarter. Furthermore, a "Legaltech" phenomenon, which is necessary in these circumstances, and the capital increases could give access to partners without a direct relationship with the legal world.
- **Change in the way we work and in leadership:** Relationships with teams are now more digital than ever. The lack of tools and procedures for teleworking to distribute tasks, assign responsibilities and establish an agile process of continuous improvement is not competitive. Moreover, digital leaders are needed who, in the midst of uncertainty, are capable of motivating teams by understanding the changes taking place in their organisational environment, in the market and in customers.

DIGITAL TRANSFORMATION: PETER AND THE WOLF

As in Esopo's fable, the wolf arrived when we least expected it and a large part of the sector, which was waiting for "a more opportune moment" to undertake its digital transformation, has been dragged along by the tide of the coronavirus, despite the fact that experts had been warning of the imperative need to carry it out for years. These same experts tell us that there is a lot to be done and that, without a doubt, what has happened will mark a before and after.

María Jesús González Espejo: The need to undertake the transformation was sufficiently demonstrated. In recent months, the Institute for Legal Innovation had already noticed a change in many organisations and professionals' mentality in the legal sector. I believe the crisis has brought the need to put digitalisation at number one on the tasks list.

Lidia Zommer: Digital transformation is an issue that we have been talking about in all the forums of the sector for several years, but it had been widely postponed because it went against the conservative and self-satisfied culture of a sector with good margins, like ours. However, during these weeks, we have attended a lightning-fast training course. The activities that, to the frustration of the already digitised excited lawyers, were not undertaken, (cloud storage, teleworking, project management applications, document sharing, videoconferencing, etc.), have now been adopted in a very short time almost without pain or visible damage, overcoming the most entrenched cultural barriers. Confinement has produced a powerful redesign of the way our industry works, a redesign that I am confident is here to stay.

Sara Molina Pérez-Tomé: Indeed, the negative impact of resistance to change has been highlighted at this time. Working on projects, the use of methodologies such as "design thinking" or certain "agile" practices are very useful to work in these times. These last ones, in particular, have their origin

in the execution of software development projects, but they are very current in the VUCA environment in which we are now more immersed than ever. Agile methodologies handle a series of tools that can be already "installed" like the "Kanban" with containers "To Do, Doing, Done" that we can find in tools like Microsoft Teams, Asana, Trello... already implemented in many offices at the technological level and that must be worked from the organisational culture. Technology is the spearhead that has allowed to continue working remotely, but the reality is that it is necessary to implement additional tools to those already used to optimise the collaboration between all staff, document management and task automation (among many other possibilities) for greater value delivery to the customer.

Marc Gericó: No doubt about it. As a practical example, I was told a few days ago that in Mexico there had been firms that have skipped all the government's obligations and recommendations because it was absolutely impossible for them to work remotely. There have been firms that have clearly seen that they were not prepared for this, and I am fully convinced that this has happened not only in Latin America but also in Spain and in other European countries. The fact that it is such a conservative profession still weighs heavily. The concept of going from being a law firm to a legal services company is one that some people have not yet been able to put into practice.

Carlos García León: Digital transformation is essential for law firms to be more competitive. Law firms have been aware for years of the necessary digital reform and many have been pushing many measures in that direction. But there is no doubt that the new situation has precipitated the implementation or the final push of those that were not yet in place. The firms that had undertaken technological processes with guarantees before this crisis have adapted more quickly and better to this exceptional situation, and those that had not undertaken or completed the process of digitalisation will now accelerate the process.

David Muro: Absolutely. At a time like this, firms have had to reinforce the technological aspect. Being technologically savvy doesn't just mean working in the cloud. I think it is a way of seeing and dealing with customer relations and with the team, of managing the files and the organisation of the office in all its areas: Financial, Labour, Marketing and Communication or even Business Development. Many firms have been reluctant to undertake such a transformation, in which they did not believe excessively, or simply thought they did not need it.

Article by Desiré Vidal.

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