



# **Personal Branding 2.0**

**SCILL Commission (with support of the Corporate Counsel  
Commission)  
Prague 2014 –Working Session**

## **General Report**

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## **1. INTRODUCTION**

### **1.1 Objectives**

The primary objective of the working session is to investigate which role personal branding plays in a lawyer's professional success on today's market. We will look at the topic from various perspectives, including that of a sole practitioner, a partner in a multi-partner law firm, and an in-house counsel. In an interactive moderated program important for both experienced and young lawyers, whether working as an attorney or in-house counsel, we will explore the creation, development and evolution of personal networks and relationships tools such as social media.

### **1.2 Approach**

The approach to the working session will be different to the "classic" AIJA National Report and we did not ask our individual reporters to their specific jurisdiction (or the region where they are located – *e.g.*, Europe, South-America, North-America, Asia *etc.*). This is only one of the elements that may characterize their answers, the other factors being the kind of practice they are presently working in (sole practitioner, mid-sized firm, large national firm, international firm, in-house) and their personal experiences.

Although the topic at first sight seems to be more aimed at private practitioners, personal branding should in principle also apply to in-house lawyers. A good personal brand helps in-house lawyers to represent the interests of their company, to select the best outside counsel, to recruit the best possible lawyers for their in-house team and, if the need arises, to find a new position as in-house counsel. Moreover, there is no doubt that also in-house lawyers are active on social media and are participating in professional associations.

### **1.3 Confidentiality**

Contrary to national reports with a scientific content the individual answers to this questionnaire will be kept confidential and not be published together with the other conference materials. The only persons that will have access to the individual answers to this questionnaire are the general reporters, the officers of the SCILL and Corporate Counsel Commission, the work coordinators and any persons involved in the organization of the working session (Itzik Amiel or any other speaker). The individual responses will be used to prepare the general report which will draw some conclusions from the individual responses, indicate general or regional trends, include some general statistics and mention some quotes taken from the individual responses (on an anonymous basis). In this general report, we wish to acknowledge and thank the individual reporters who have contributed to the general report and the working session by replying to the questionnaire:

- Janneke Bakker (The Netherlands)
- Leopoldo Pagotto/Marina Esposito (Brasil)
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- Hendrik Thies (Germany)
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- Sergio Calderara (Italy)
- Larry Markowitz (Canada)
- German Zakharov (Russia)

- Christian Presoly (Liechtenstein)

## 2. SYNTHESIS OF ANSWERS TO THE INDIVIDUAL QUESTIONNAIRES

### A. YOUR PRACTICE

#### 1. *Since when or for how many years have you been practicing law?*

Most of the individual reporters have more than 10 years of experience. A few individual reporters have between 3 and 10 years of experience. It is obvious that personal branding becomes more and more a point of interest when lawyers have already gained some relevant professional and networking experience.

#### 2. *What is your current position – please also specify if you are a sole practitioner (“SP”), associate/partner at a multi-partner law firm (“LF”), or a corporate counsel (“CC”)?*

Most of the individual reporters are partners or senior associates at multi-partner firms. A few of the individual reporters are solo practitioners and a few individual reporters are corporate counsel.

#### 3. *Have you had any career change in the past (from/to SP, LF, and/or CC) ? If you have, please provide details, if possible also with regards to the motivations that made you change your career?*

Most individual reporters have had one or more career changes in the past. Some individual reporters mention the fact that they moved from a larger law firm to a smaller law firm in order to have more chances to build a personal brand.

#### 4. *How would you categorize your practice (e.g., If SP: specialized, wide range; if LF: small, medium sized, large national, international; if CC: how large is the legal department)?*

The individual reporters that are solo practitioners are mostly specialized. The individual reporters that are working in a multi-partner law firm are working in medium-sized or large national law firms. The individual reporters that are corporate counsel work either in small legal departments or in larger more structured legal departments.

### B. ABOUT YOU AS A LAWYER

#### 5. *What is your mission in life as a lawyer?*

A large number of the individual reporters mention that contributing to justice and upholding ethical values is their most important mission as a lawyer.

Other individual reporters see their mission as a lawyer to build long-term client relationships, be a reliable, trustworthy advisor and give their clients peace of mind by providing high quality and timely advice.

**6.** *List five accomplishments in your professional life you are proud of.*

Most individual reporters mention court victories or other results such as transactions or settlements they obtained as their most important accomplishments in their professional life.

Others mention the fact that they were able to build a reputation in a particular field and were recognized by law firm directories for their expertise in that field or were appointed into certain leadership roles.

Also, the acquisition of own clients is something most individual reporters are very proud of.

**7.** *What do you see as your top five talents and strengths?*

The talents that are mentioned most often by our individual reporters are:

- Writing and speaking skills;
- The attention to detail;
- The ability and willingness to work hard;
- Client dedication;
- Networking and marketing skills;
- Communication skills;
- Empathy and listening skills;
- Creativity;
- The ability to identify and solve problems;
- The ability to lead teams and motivate associates;
- Flexibility and responsiveness;
- A combination of multidisciplinary and specialized legal knowledge;
- Industry know-how;
- The ability to speak different languages; and
- Their business-oriented approach and strategic advice.

**8.** *What do colleagues praise you for at work?*

Our individual reports say they are mostly praised for:

- Being a team player;
- Providing high-quality legal advice;
- Being solution and result oriented;
- Their hard work and client dedication;
- Their responsiveness;
- Their open-mindedness;
- Their mentoring of young lawyers;
- Their creativity with respect to business development; and
- Their ability to bring in new clients.

9. *What do you see as your main development needs with regard to your professional role?*

Most individual reporters indicate that their professional development needs are mainly in the areas of:

- Internal management;
- Leadership skills;
- Time management;
- Communication;
- Use of social media;
- Marketing and business development;
- Team building; and
- Recruitment.

It must also be that personal branding requires a lot of hard work and is stressful as quite a few individual reporters are of the opinion that they could use training in how to cope with stress or how to find a better work-life balance.

**C. PERSONAL BRAND**

10. *What do you consider as the most important characteristics of a good personal brand for a lawyer?*

The most important characteristics of a good personal brand for a lawyer are considered to be:

- Being knowledgeable and updated (professional competences);
- Being pro-active and follow up;
- Being authentic;
- Being able to provide a track record in a particular field of law or industry sector;
- Being recognized by peers;
- Being well-connected;
- Being on the selection list of potential clients;
- Being communicative and visible;
- Being consistent;
- Being reliable and trustworthy;
- Being able to distinguish yourself from other colleagues; and
- Being able to add value.

It is noteworthy that our individual reporters are of the opinion that in order to have a personal brand you need to have a specialization in a particular practice area or industry sector but at the same time to also have a good all-round knowledge and be able to be a trustworthy business advisor to your client.

**11.** *Is it important for a lawyer to have his/her own personal brand next to e.g., the brand of his/her firm or company?*

Most individual reporters find it important to have his/her personal brand next to, e.g., the brand of his /her firm of company. It is also your personal insurance. You may not always stay with the same firm.

It is obvious that individual reporters who work in larger firms find the firm brand more important although even they recognize that also in a larger firm you benefit when you have a strong personal brand and stand out. Self-evidently, in larger firms the personal brand should be aligned with the corporate identity.

The smaller the firm the more important the personal brand of a lawyer becomes. In small partnerships the brand of the firm is often the sum of the personal brands of the partners.

In the end, clients often instruct lawyers and not firms. Sometimes a firm brand can add some legitimacy or reinforce a personal brand.

**12.** *How is branding different for a lawyer in private practice and an in-house lawyer?*

As a private practice lawyer you are often a business owner and you need to attract external clientele. As an in-house lawyer it is important to gain the trust and respect of your internal clientele. Therefore, the branding for an in-house lawyer is more internal branding towards his/her colleagues and the persons to whom he/she reports.

Moreover, a personal brand can be important for in-house lawyers when they want to change employers or ever want to return to private practice. Hence, an in-house lawyer might brand himself/herself to other business partners that could be interested in hiring him/her in the future.

In general, the individual reporters have the feeling that for a private practice lawyer a personal brand is more important and that in-house lawyers have a more collective perspective and attach more importance to the company brand. In-house lawyers should prove their value to their employer and branding towards third parties is for them less important unless they have in mind a career change. So, in-house lawyers have most of the time other priorities than personal branding whereas for a private lawyer it is usually one of his top priorities.

**13.** *Do in-house lawyers take the personal brand of a lawyer in private practice into account when selecting external counsel?*

Most individual reporters think that in-house lawyers take the personal brand of a lawyer in private practice into account when selecting external counsel (certainly when it concerns a specialized matter). Sometimes private lawyers are recommended to in-house counsel because of the personal brand they developed. In certain instances in-house lawyers will select a large firm because of the complexity or size of the assignment or if it is a sensible matter and they want to have the guarantee and show to their shareholders, board or banks

that they are backed up by a large law firm with a strong corporate brand (“cover-your-“behind”” aspect). In such cases, the corporate brand can be more important than the actual quality of the work and they may instruct so-called “Magic Circle”, “White shoe” or “blue-chip” firms. However, for other assignments, they will usually look at the degree of specialization, the track-record, the reputation or personal legal and non-legal skills of a lawyer. So, definitely, for private lawyers in smaller firms or solo practitioners a personal brand is very important to be selected by in-house counsel.

Our individual reporters that are in-house counsel point out that selection on the basis of a personal brand is one thing but that private lawyers also have to prove that they offer real service, provide useful advice and are reliable once they are selected. Usually, they are involved progressively and can get more work if they perform well.

- 14.** *Did you create a personal brand and, if so, how did you do it? If not, what is the reason for this, do you intend to change the situation and, if so, how do you want to do it?*

Most individual reporters are of the opinion that they are creating a personal brand or are in the process of doing so. It is clear that in order to create your personal brand you need to start with establishing your own mission and vision. Then, it requires a lot of hard work and commitment to materialize this mission and vision through different marketing techniques (presentations, articles, social media). Moreover, you need to provide sound, knowledgeable and practical advice, provide good service, deliver on promises and add value. In the end, it will also be your personality, personal talents and skills that will determine your personal brand.

- 15.** *Could you describe your personal brand ? What is your elevator pitch?*

Most individual reporters are able to describe their personal brand and then cite some of the characteristics mentioned under point 10 but find it more difficult to present their elevator pitch or are of the opinion that their elevator pitch might vary depending on the circumstances. Some individual reporters find it important to engage in a conversation and find out what a potential client needs rather than giving a standard elevator pitch. Other individual reporters would find it useful to receive training in putting their elevator pitch together.

#### **D. MARKETING MIX**

- 16.** *Please let us know in a few lines:*

*(a) Whether or not you use the following marketing tools; (b) how frequently you use them; (c) whether or not you consider these marketing tools efficient; and (d) your personal tips in using these marketing tools:*

In general, our individual reporters believe that all the below tools may be efficient and that ideally you use a mix of them. Their effectiveness also depends on the frequency and the manner in which these tools are used. Often, individual reporters cannot point to any

particular work or business opportunities that came their way as a result of a particular marketing tool.

(i) *Presentations / speaking engagements (including lectures, e.g., at university)*

Most individual reporters find this an important marketing tool and, although it takes a lot of resources, try to give 2-4 presentations a year.

(ii) *Writing books / articles*

Most individual reporters find this a useful marketing tool but only very few have actually done it or do it on a regular basis. It does not always give direct results but it backs up your personal domain in a particular domain and obliges you to keep up-to-date. It is considered to be time-consuming.

(iii) *Newsletters*

Most individual reporters have at some point written articles for their firm's newsletters. Some of them doubt the effectiveness of such newsletters. It might be a good way to keep in touch with your clients and prospects. They have to be done properly (*e.g.*, right audience, right level of technical information). Otherwise, newsletters might be deemed annoying.

(iv) *Attending to events organized within the local community*

A number of individual reporters are active in industry associations or local chambers of commerce. They say that it does not always directly result in new work, but that it is very important to attend these events in order to show that you are around. You may have to select the most important events, *e.g.*, the New Years' reception, speech of an important entrepreneur.

(v) *Attending conferences*

Most individual reporters find attending conferences a useful marketing tool and attend 2-4 conferences a year. They say that it is important to be consistent and that it can take a while before you get something out of it. Some say you should not focus too much on marketing when attending these conferences but rather on building a professional network you can use when you have questions in other jurisdictions.

(vi) *Active participation in professional associations (such as bar associations, AIJA) or other business networks (such as industry branch organisations, chambers of commerce)*

Most individual reporters agree that in order to get the most out of it is better to engage actively an association (*e.g.*, take up a leadership function, give presentations, prepare reports) than to be just a passive member.



(vii) *Visiting colleagues / current or potential clients or referral services*

Most individual reporters find this a useful marketing tool but few of them conduct these visits on a regular basis.

(viii) *Social media*

Most individual reporters find social media a useful marketing tool. However, most of them only have a profile or use it as a sort of address book rather than actively engaging on it to gain more visibility.

## **E. ONLINE NETWORKING / SOCIAL MEDIA**

**17.** *What do you see as benefits of online marketing (for yourself, if in private practice; for lawyers you may retain, if you are an in-house lawyer)?*

Our individual reporters describe the benefits of online marketing as follows:

- it is low cost;
- it is efficient;
- You have a global coverage;
- it is important to have an online profile as potential clients will check you out even when you have been recommended;
- you can reach potential new clients;
- It is also useful for recruitment;
- you can share news items and successes;
- you can obtain recommendations;
- it is a useful tool to maintain to your contact database;
- it allows you to engage in conversations with potential clients;
- you can get in touch with old contacts and friends; and
- you can obtain recommendations and ask past clients to provide, and post, testimonials about your good work.

In-house lawyers have less need to do online marketing, but in this day and age, when nearly everyone is on social media, it is certainly not impossible to also find in-house lawyers with an online presence.

**18.** *What do you consider as the pitfalls of online marketing (for yourself, if in private practice,; for lawyers you may retain, of you are in-house lawyer)?*

Our individual reporters point to the following pitfalls of online marketing:

- overkill of notifications;
- irrelevant reporting;
- you have to be careful not to overwhelm;

- it is time-consuming;
- you have to be careful that you do not harm your reputation by telling too much or being too informal: an important element of brand management is reputation management;
- you must be careful with the inflation of contacts (inviting people you do not know or what to do with invitations from people you do not know); and
- the benefits are only perceived in the long run and it is hard to measure effects.

**19.** *Examples of social media. Please describe in a few lines (a) whether or not you use the following social media ; (b) how frequent you use them ; (c) for which purpose you use thus social media ; and (d) whether you consider this social media efficient:*

We see that our individual reporters use the following social media:

(i) LinkedIn, Xing, *etc.*

Most individual reporters have a profile on LinkedIn. They consider it extremely useful to maintain their “address book”. Quite a number of individual reporters post messages or news items and some participate in group discussions.

(ii) Facebook

If individual reporters have a profile on Facebook, they use it rather for personal than for professional purposes.

(iii) Twitter

Not many individual reporters use Twitter on a regular basis. Some individual reporters struggle to find out how they can make good use of this medium. Those individual reporters that do find Twitter enormously efficient in terms of generating contacts, work and raising profile.

(iv) Blogs

Only few individual reporters have experience with blogging. Some think that it can be a good way to market and to become a “thought leader” but feel that it takes more much time than they can devote to it.

(v) Webcasts / podcasts / webinars

Some individual reporters have participated in webinars which they find it great in being easy and efficient.

**20.** *What are your tips in using social media for legal marketing?*

Our individual reporters give the following tips for using social media in legal marketing:

- your profile needs to look good (pay as much attention to it as you would do to preparing a CV);
- you need to focus and have a clear social media strategy (which messages? Which tools?);
- you need to be consistent and provide regular updates;
- you need to use it just enough so that people will remember you;
- you need to engage not to broadcast;
- you need to think before you write and not say anything you would not say when networking face-to-face;
- Add an analysis and provide solutions;
- you can put social media icons on your business cards;
- follow companies you work with; and
- avoid advertising.

Some individual reporters point out that social media is one thing but that it remains very important for personal branding to just have a good website with some links to interesting articles or a list of recent cases.

## **F. NETWORKING THROUGH PROFESSIONAL ASSOCIATIONS AND BUSINESS NETWORKS**

- 21.** *How do you perceive the difference between (a) networking within your firm / company; (b) networking with existing clients / customers and (c) networking outside any of (a) and (b)?*

Most individual reporters perceive that, in general, there is not so much difference. You should treat all your contacts as clients (but for different purposes).

- (a) Is more cross-selling (sharing client contacts, providing introductions) which should be self-evident which in actual practice does not appear to be that way (often done informally during coffee-breaks, door-frame talks, lunches, after-work drinks);
- (b) Is sometimes forgotten but given the 80:20 rule is often the most efficient. For clients who do not instruct you on a daily basis or are based abroad you might look for special occasions to engage with them (*e.g.*, informing them about a new court decision which is of interest to the business of the client).

Networking outside (a) and (b) needs to be planned in advance: *e.g.*, attending of local events, arranging of opportunities to hold speeches, going for lunch with prospects, attending conferences, *etc.*

- 22.** *What are the differences in networking between a lawyer in private practice and an in-house counsel ?*

The networking for a private practice lawyer is more direct. The in-house lawyer will usually have less selling attitude.

The networking for a private practice lawyer is more directed towards the outside world. The networking of an in-house lawyer is more within his own company.

Private lawyers focus on getting more clients whereas in-house lawyers basically only have one client. A private lawyer must prove to be of good value to his company.

However, it is also for an in-house lawyer important to have a personal network as his/her professional situation may change. Moreover, an in-house lawyer should network to understand who is best positioned to assist him/her on a particular issue, help the in-house lawyer to gather information that may be important to manage his/her department or resolve an issue, but also help the in-house lawyer to change employers if he/she wants or if he/she needs to do so.

**23.** *How can you network through professional associations or business networks, and how do you get the most out of it?*

- The key is commitment and active involvement;
- You need to frequent events regularly (2 to 3 times a year);
- It is very useful to get involved in the leadership of the association;
- You need to gain respect and show that you are knowledgeable and reliable;
- You need to take any assignment seriously: you may not lose your credibility;
- You need to share information;
- You need to be patient and not expect immediate results;
- You need to stand out;
- You need to create genuine friendships and show interest in other people's concerns;
- Do not be selective in your contacts: referrals may come from an unexpected source;
- You need to be a connector; and
- It is important to keep in touch in between conferences.

**24.** *How do you perceive the difference in networking as member of a large global or regional firm or as a member of a smaller local firm?*

As a member of a larger firm it might be easier to receive introductions. Networking as member of a larger firm is more focused on the firm brand than on the personal brand of the lawyer. In a large global or regional firm you need to work with your established network firms or offices whereas in a smaller independent firm you can choose the best local law firm to work with.

Sometimes it is more difficult to network when you are in a smaller firm because of the lack of reputation.

Networking is still interesting at a larger firm but is really quintessential in a smaller firm. Indeed, the smaller the firm the more important the personal networking and branding will be.

When you are networking as a member of a large global or regional firm, you are more inclined to talk about and to promote the qualities and capacity of the firm. As a member of a

smaller local firm, you tend to primarily talk about your own practice and experiences and only in the second place about the firm.

## **G. OTHER PARTICULARITIES**

**25.** *Please describe in a few lines the particularities you see with regard to the personal branding or networking by lawyers in your particular jurisdiction, e.g., taking into account the applicable legal framework in general or for lawyers in particular (including ethical rules).*

- In general, rules of professional conduct for lawyers state that legal advertising must be consistent with maintaining public confidence and respect for the administration of justice. In many jurisdictions, lawyers are still not allowed to advertise freely. Lawyers still have to comply with ethical rules and act with dignity and to ensure that their advertisements have an informative purpose. In such case, the best marketing tools remain to provide good quality and service and to get recommendations.
- In certain countries such as Russia, ethical rules are not so well-developed. Therefore, it is very important to maintain your own high ethical standards when developing your personal brand. The legal community is very small and it is important to always maintain your integrity and dignity. One small ethical mistake may reflect badly on you for a long time.
- It appears that in certain jurisdictions, such as in Eastern Europe, marketing and brand building still follow traditional patterns and that online marketing is often underestimated in those countries. In the same markets you still have a lot of general lawyers which do not have a real specialization. This often implies that they have no clearly identifiable brand.
- It appears that there is more and more interest for personal branding and marketing through social media.

The legal framework for lawyers or ethical rules in relation to personal branding and social media is not really a topical matter anymore. A few years ago, when social media came up, there was a lot of interest and discussion regarding confidentiality and the lawyer-client relation. At this moment social media appears to be socially accepted.

There is still a lot of interest in social media as a marketing tool. It would seem that this topic is still in development. Lawyers in general are considered to be conservative. This is also something you see in relation to personal branding and social media. There are some progressive initiatives, but there is still a lot to gain by law firms in this area.