



David T. Brown
on Legal Help

Key steps can help you choose a law firm that is compatible with your needs.

Firm Decision

Choosing a law firm to represent your company is a necessary, but sometimes daunting task. Finding the perfect match requires some basic considerations.

CONTRARY TO COMMON PRACTICE, CHOOSING A LAW firm should not be based on name, size, reputation or word-of-mouth alone. In addition, even if a very large firm has historically been the type of firm your company uses, it may not be the best choice for your business. During your review process, it is wise to keep in mind some key steps to be certain that the firm you choose and its attorneys have the right expertise, style and service approach to ensure a good, long-term fit for your business.

KEY CRITERIA

The process of selecting a law firm is not unlike finding the right vendor, auditor or PR firm: it can be stressful. To prevent headaches, look for three major characteristics or “must-haves” to help differentiate the candidates:

DEPTH OF FOOD AND BEVERAGE INDUSTRY BACKGROUND AND EXPERTISE: A key question to raise when evaluating a law firm is, “Does the firm understand the food and beverage industry, or will there be a learning curve?” A firm with experience in the food and beverage industry will, of course, have an advantage, especially if it can offer specific knowledge of your particular segment of the industry. Although the issues impacting the business will differ from client to client, a firm with related experience likely has the expertise to efficiently handle your business and legal needs. In short, the less homework the selected firm must undertake, the more ROI you will receive as a result of its efforts.

KNOWLEDGE OF CURRENT INDUSTRY ISSUES: The law firm you select should not only understand the food and

beverage business, but also have its finger on the pulse of the industry and be knowledgeable about the current and impending issues that could impact the day-to-day operations of your business. For example, one of the biggest issues facing the industry today is the production of alternative fuels, mainly ethanol, and the effect on market dynamics for a variety of crops. The resulting increase in corn prices and the related decrease in wheat production have led to shortages and higher costs for flour, bread, etc. For businesses most impacted by these developments – such as those in the baking and restaurant industries – a law firm that understands the business and legal implications of these trends will help ensure continued profitability and success.

ABILITY TO LISTEN AND HELP STRATEGICAL-

LY WITH BUSINESS ISSUES: For business owners and general counsel, there are certainly issues related to their companies or industries that keep them up at night. In evaluating outside counsel, the challenge is to identify a firm that will not only listen to your concerns, but also provide strategic guidance for your business. As noted previously, partnering with a firm that offers a depth of food and beverage industry background and knowledge of current issues is a must. However, much of that knowledge is useful only when interpreted in the context of its impact on your business. The best legal counsel will have the innate ability to understand your needs, provide assistance in developing your business and help you strategically plan for the future.

YOUR LEGAL QUARTERBACK

As it is on the gridiron, the quarterback is the most pivotal position on your legal roster. A “legal quarterback” is the manager of the team who can provide not only legal counsel, but also overall leadership and direction to you and the various parties handling your legal issues.

This attorney has the instinctive ability to serve as a strategic business advisor, with in-depth knowledge of your business, a deep understanding of your long-term goals and keen instincts about the implications of various issues to your bottom line.

The legal quarterback will even take off his or her “legal hat” from time to time to give you objective viewpoints on all business concerns, ranging from human resources issues to new product development. In an effort to further understand your needs, this advisor should personally meet with you regularly to provide broad, big-picture counsel.

THE RIGHT FIT

With the criteria of both knowledge and approach established, the next question is one of size: How do you know what size firm is right for your business? For

many reasons, the mega-firm model may not be the best fit for your company.

As large law firms continue to acquire mid-sized and smaller firms, the resulting “gigantism” has left some clients feeling overlooked. Clients and their attorneys often face conflicts and culture clashes when working with merged firms. In addition, law firms often alter their strategic objectives during the consolidation process, resulting in compromised service and diminished value for their clients.

A better option for certain businesses may well be a mid-sized firm, which can offer service excellence, value and stability. With a focus on responsiveness and results, middle-market firms can deliver to

clients the knowledge and experience of senior-level attorneys, with a rate structure that is attractive to clients that demand high value. In addition, the agility of middle-market law firms enables them to stay close to their clients and understand their needs without the distractions of working to achieve growth for growth’s sake.

In addition, the wide-ranging, expensive worldwide resources available at mega-firms are often not necessary to address the day-to-day business and legal needs of many companies. Mid-sized firms frequently offer a pool of talent with different areas of expertise and the ability to provide counsel on a variety of issues ranging from intellectual property to FDA compliance.

If a firm has limited depth and/or experience in a particular area, it can also call on its network of strategic relationships to ensure that clients are receiving the services they need. Mid-sized firms can also provide global counsel through membership in international networks of select, business-oriented law firms that are well-positioned to provide legal advice and litigation capabilities in virtually any critical area.

The task of choosing a law firm should be less daunting when you consider a firm’s expertise, experience, style and approach to service, rather than its marketplace profile alone. A firm’s ability to handle the complex issues in the food and beverage business and provide sound recommendations for your company is paramount to ensuring your operation remains successful. In the end, this might require you to look beyond outdated notions of size and prestige, instead focusing on the benefits of working with a firm that is genuinely aligned with your goals. ☺

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