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Introduction

The majority of law firms do not track metrics meaningfully when it comes to the performance of marketing and business development activities. This presents a risk in that inefficient and low-ROI activities dampen profitability and the ability to compete. However, it also presents an opportunity because law firms who start tracking these metrics will position themselves on the leading edge in the industry, ahead of their competitors.

Legal marketers, often under-valued and lacking influence in the strategic planning of the firm, have an opportunity to create their own seat at the table by providing insights that become invaluable to firm management.

In this report, we make a case for:

- Why law firms should track business intelligence metrics.
- How these metrics can benefit the firm, the lawyers, and the marketing department.
- 18 specific Key Performance Indicators (KPIs) that legal marketers should track.
- How marketers should respond to each KPI to optimize efficiency and ROI.
- Various methods for tracking each KPI depending on the platforms you use, your bandwidth, and your facility with technology.



KPI doesn't stand for "Keep Postponing Innovation."

Key Performance Indicators (KPIs) are the business intelligence metrics that demonstrate how well a business is (or isn't) meeting its objectives. For the business community at large, measuring KPIs is a common practice.

Law firms have been slow to adopt KPI tracking; a <u>survey</u> by International Legal Technology Association (ILTA) suggests that approximately 74% of law firms don't track KPIs at all. For any other company generating the kind of revenue that most law firms do, the idea of not tracking KPIs would be unthinkable.

The Gartner report entitled <u>The Business Intelligence Imperative</u> insists that organizations in all industries commit to two pledges:

- 1) Do not go blindly forward, and
- 2) Equip yourself with perspective.

Law firms would do well to evolve alongside the modern businesses they serve.

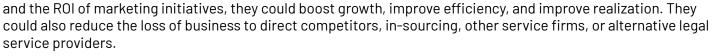
The Cost of Flying Blind

If law firms were still thriving in the business climate they enjoyed 30 years ago, they could afford the age-old adage: "if it ain't broke, don't fix it." However, in the modern age, the legal business model is indeed a bit broke.

In the twenty-first-century marketplace, corporations guard against such conditions by tracking KPIs. If Apple's retail stores suddenly started accepting 90% realization on iPhones because customers refused to pay full price, or if their employees' sales numbers declined due to under-performance, the company's KPI monitoring mechanisms would alert management immediately and appropriate action could be taken.

Managing the law firm as a business is like flying a commercial airliner. You might be generally going in the right direction, but if you ignore the instrument readings, you could easily end up hundreds of miles off-course in the long run.

If law firms had a disciplined approach to tracking KPIs such as client cross-selling opportunities, client growth rate, profitability by client,



Given the potential upside of tracking and optimizing key business metrics, marketers have an opportunity to move the needle meaningfully. Marketers are generally more tech-savvy and innovative than the lawyers at their firms, and they can capitalize on this by presenting an unexpected value-add to firm management: data-driven perspective.





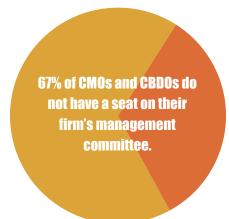
How Marketers Can Earn a Seat at the Table

Many legal marketers express a desire to help shape firm strategy, drive evolution, and act as business leaders rather than nudgers and project managers. But recent research shows that 50% of lawyers have a less-than-positive perception of their marketers' contributions to firm strategy, and 67% of C-level marketers do not have a seat on their firm's management committee.

Why? In our view, there are two reasons: one, most legal marketing and business development staff do not directly generate revenue. And two, many struggle to draw even an indirect line between their efforts and new business development revenue. Without this proof-of-concept, or justification of one's budget, many partners simply don't appreciate the full value that marketers bring to the table.

To move beyond "support staff" to "strategic advisor," it is incumbent upon marketers to create their own seat at the table. We posit that marketers can accomplish this by converting a sea of data into actionable intelligence

through the aggregation and analysis of key business metrics. Tracking metrics better equips marketers with the ability to:



- 1. Identify inefficiencies, wasteful expenditures, under-performing lawyers, or unprofitable clients.
- 2. Determine which marketing and business development initiatives generate the greatest ROI.
- 3. Enable new revenue by identifying leads and cross-selling opportunities.
- 4. Improve pricing models by tracking AFAs, discounts, and realization.
- 5. Demonstrate that the marketing department is a profit center rather than a cost center.

In an industry survey conducted by <u>LexisNexis</u>, C-level marketers identified **marketing analytics** as the #1 gap in their department's capabilities. Many marketers have become overly reliant on using spreadsheets, creating a system where manual data entry is required, and analytics don't update in real-time. To be perceived as strategists, marketers need to work strategically, moving away from the busy-work of Excel spreadsheets and starting to use smarter tools. Marketers have an opportunity to strengthen their position as business leaders when they use KPI Dashboards to clearly illustrate and support strategic recommendations.

On the surface, "tracking analytics" can seem like a complex and exhausting endeavor, especially for firms that have historically been slow to adopt new technologies. However, the beauty of tracking KPIs is that it does not need to be intimidating or expensive. Most firms already possess all of the raw data they need, but simply lack the formulas, analysis, and action steps that follow.

This guide intends to provide marketers with a set of **18 useful KPIs** that are easily calculated, aggregated from platforms they already use, immediately actionable, and strategically valuable. We will also explain **what you can do** with those metrics to cut costs, identify opportunities, and grow the firm.



Key Performance Indicators for Legal Marketers

When calculating KPIs, one needs to begin by answering four questions to ensure the metrics are relevant, clearly understandable, and actionable.

Who is the audience? The CMO, the firm's leadership, or its clients? KPIs should be calculated in order to be used by the intended audience. Presenting KPIs that are irrelevant to the audience can create distraction and waste time.

What is represented? Should the visualization demonstrate the performance of the firm, a subsection of the firm (such as a practice or industry group), the marketing and business development department, or an individual attorney? KPIs should tie into the firm's strategic plan, marketing plan, or individual attorneys' business plans. If tracking a metric will help you get closer to the goals therein, it should be measured.

How frequently is the KPI reported? If reported too frequently, the data becomes noise. If too infrequently, the analysis is too late to inform course-corrections.

Finally, **what should you do about it?** Each KPI should have a clear set of action steps that emerge when it gets too high or too low outside acceptable parameters.

In the following pages, we answer these questions for five major areas of law firm performance:

- I. Pursuits and Proposals
- II. Business Development
- III. Events
- IV. Research and Competitive Intelligence
- V. Marketing Tech: CRM Database and Experience Database



I. Pursuit & Proposal KPIs

When collecting data about pursuits and proposals, there are a number of characteristics to record that when analyzed, answer the questions of how, when, why, and from whom the firm is getting its opportunities to pitch. That said, we suggest that there are only two key performance indicators: the number submitted and the win rate. It is important to indicate that proposals and the resulting KPIs are supported (by the marketing department), to differentiate them from pitches made by attorneys without help from the marketing department. Another important consideration is the term "win rate." There are many outcomes to a proposal opportunity that are out of control of firm personnel. We urge professionals to use the term "win-rate" more judiciously and more frequently use the term "outcome".

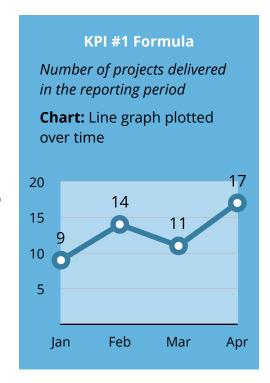
Large firms with sophisticated budgeting departments may choose to calculate outcome rates based on estimated revenues. Small and midsize firms are likely looking at outcomes based on a simpler binary count of "business won" or not.

Marketers can track these types of metrics in several different ways. Most proposal management systems can likely produce these kinds of reports, but they would have to be run manually during each reporting period. Excel spreadsheets can also be used, but this would entail manual data entry and graph plotting during each reporting period. <u>PIPELINEPLUS</u> includes KPI Dashboards that pull data from your various sources so you can track these KPIs automatically.

KPI #1: Total Supported Pitches and Proposals

This metric tells us how many pitches and proposal projects were completed in the period and annually. It is also referred to as the production volume.

- 1. Watch the trend of total volume over time. Is it increasing or decreasing? Does it match economic conditions? If not, discuss with Finance when forecasting revenue in coming quarters.
- 2. If it is not consistent with information coming from other firms, address inconsistencies with firm leadership as soon as possible.
- 3. If total volume over time is decreasing, create firm-wide initiatives to drive volume (e.g., incentives, gamification, skill-building workshops, internal communication about proposal wins).
- 4. If your staffing level is not appropriate to the volume, make changes to staff deployment, create crunch-time procedures, and communicate to relevant departments such as Library and the Firm General Counsel's office.
- 5. Create staff training modules to address quality if it suffers during peaks in volume.

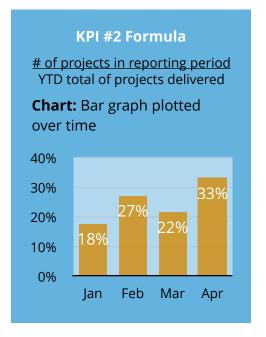


KPI #2: Periodic Volume of Pitches and Proposals

What percent of the pitches and proposal projects were completed during the reporting period?

Marketing Department Response

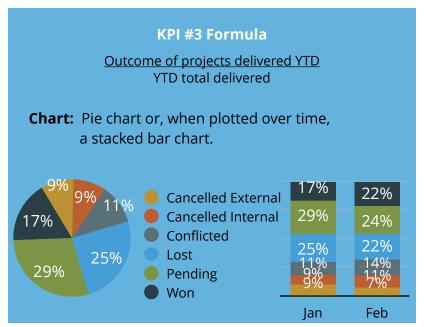
- 1. Watch for peaks and valleys outside a normal expected range.
- 2. Communicate with firm leadership about what might have caused an aberration. Is a new lateral very active with proposals? Did a government regulation change causing a spike in proposals? Is a particular industry suffering economic loss? What do you hear from the legal marketing community outside the firm?
- 3. Watch for repeated patterns in the year. Dial back other marketing department initiatives during peak months and redeploy proposal staff to other initiatives during valley months. Manage attorney expectations about service levels and response times for peak periods.



KPI #3: Outcome of Pitches and Proposals

What percent of our total pitch and proposal projects resulted in the various outcomes*?

- 1. Watch the patterns over time.
- 2. Create solid Go / No-Go procedures to minimize Lost and Cancelled-Internal.
- Create solid and timely procedures to collect outcomes on pending proposals.
 Create a designated outcome for pending proposals for which no outcome can be obtained in a timely manner.



^{*} Outcomes can include: Won, Lost, Pending, Conflicted, Cancelled External (client decided not to go forth with the matter or decided not to hire outside counsel for the matter), Cancelled Internal (aka No-Go. The firm decided not to go forth with the proposal for any reason other than conflict).



KPI #4: Proposal Win Rate

What percent of our pitches and proposals sent result in a win?

Marketing Department Response

- 1. Collect and analyze factors affecting win rate from both attorneys and professional staff.
- 2. Analyze win rate as a function of origin. (Hint: where the origin is client-requested, the win rate is usually higher). Translate the story into BD development lessons for attorneys. Share in workshops and in one-on-one coaching.
- 3. Be prepared to speak about this in depth. It is a topic leadership and most attorneys will want to discuss.



On average, how quickly do we prepare proposals? Over time, are we becoming more or less efficient at preparing proposals? In which months does it take longest to prepare a proposal?

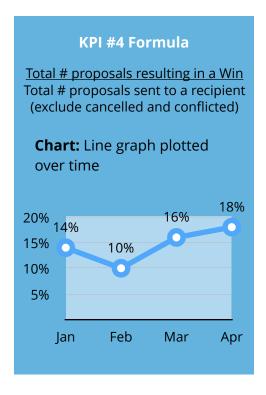
Marketing Department Response

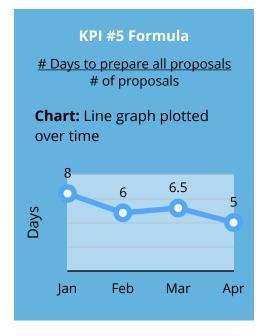
- Manage expectations of attorneys new to the process as to how long they can expect it to take. Let first-time attorney leads know what they can do to speed up the process (if needed).
- 2. Keep leadership informed of any attorney who consistently submits help requests in a window shorter than the average preparation time. Communicate with that attorney about service level expectations and the department's expectation on attorney contribution.
- 3. Know the time drivers. Is it waiting on research? Is it waiting on attorney contribution? Is it collecting experience? Consider how you can introduce efficiencies into these areas.

Other Important Proposal Project Characteristics

- Origin (Requested, Proactive, News or Litigation Monitoring)
- Practice / Industry area(s)
- Attorney requesting
- Attorneys included / roles assigned
- Party(ies) to the matter (including experts, judges, etc.)
- Matter geography (e.g. jurisdiction, state/region, country)

Again, various proposal characteristics can be counted and compared monthly to YTD not so much as performance indicators but as analysis of trends. For example, firm leadership might look at the attorneys requesting proposals and those included and their roles assigned as an indicator as to whether diversification efforts are working.





II. Business Development KPIs

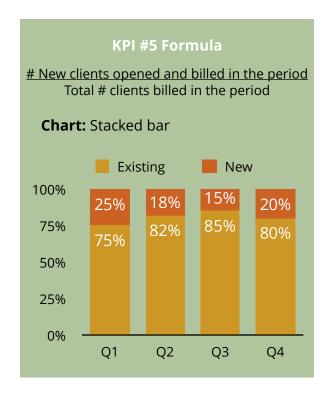
These metrics can be tracked using CRM, a pipeline management tool, or billing software in some cases. Excel can be used to track any of these manually, but the time required to maintain spreadsheets may outweigh the potential benefits of tracking the metrics. <u>PIPELINEPLUS</u> KPI Dashboards can integrate with all of the aforementioned platforms to display these metrics automatically, in real time.

KPI #6: Client Acquisition

What percentage of your clients are new clients?

Marketing Department Response

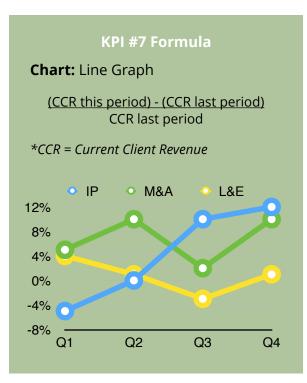
- 1. Establish a baseline expectation. Watch for aberrations or downward trends.
- Analyze weaknesses in the sales funnel leading to new client acquisition. Are the attorneys meeting enough new contacts? Are they properly managing their referral sources? Do they know how to ask for and close business with prospects.
 - Design training, programs, and coaching to address pipeline issues.
 - Have business development managers keep the topic top of mind at attorney meetings.



KPI #7: Client Growth Rate

Are our current clients growing? At what rate?

- Decide if this metric should be analyzed for the firm as a whole or by practice group.
- 2. Educate attorneys about client growth expectations. Teach them to look for opportunities to grow an account.
- 3. Foster strong attorney connections across the firm so that they have colleagues to turn to when a cross-sell opportunity presents itself.
- 4. Evangelize the success of growing client accounts. Do this for both large and small clients to illustrate how it is done.
- 5. Have clients come to speak at attorney retreats about what prompts them to increase their utilization of an outside counsel firm.

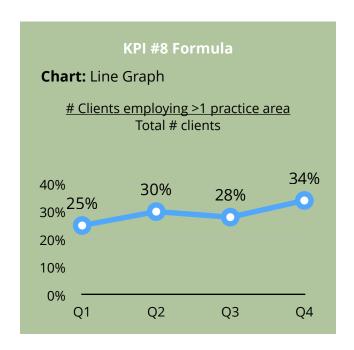


KPI #8: Client Expansion, Cross-Selling

What percent of our clients are generating revenue from more than one practice area? What percent of our clients are cross-sold?

Marketing Department Response

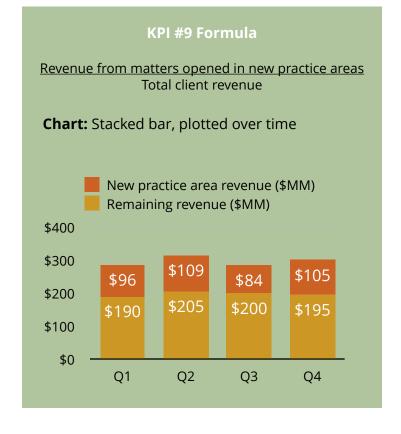
- 1. Same as above. Also, discuss with the comp department about what incentives exist or could be created to drive collaboration and cross-selling.
- 2. Encourage attorneys to form connections with colleagues within the firm so that they can have a variety of names on hand to reference in cross-selling conversations.



KPI #9: Client Expansion, Revenue

What percent of current client revenue is a result of cross-selling?

- 1. Same as above.
- 2. Look for accounts where the revenue increased dramatically as a result of cross-selling. Promote that as an internal success example.
- 3. Demonstrate that total client account value is highly correlated to cross-selling. Market that fact at retreats and in trainings.





III. Attorney KPIs

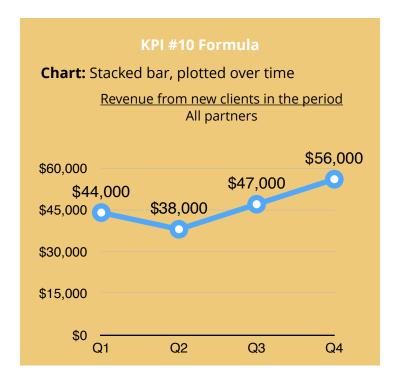
Attorney KPIs will typically come from timekeeping software and finance software. Data from these two sources can be combined and tracked using Excel, or <u>PIPELINEPLUS</u> can integrate with both systems and display these metrics automatically.

KPI #10: Attorney BD Productivity

On average, how productive at developing new business is a partner in the firm? Is our firm becoming more or less productive at developing new business?

Marketing Department Response

- Compare with individual attorney productivity reports to spot individuals who may need BD coaching help. Determine if they are managing their pipeline well.
- Communicate this number or at least questions about the topic during lateral hiring and onboarding.



KPI #11: Attorney BD Efficiency

How efficiently do attorneys use non-billable hours to get new clients? Are we becoming more or less efficient at business development?

- 1. Analyze where the marketing or admins could offload inefficient marketing time from attorneys (e.g. corresponding with reporters about PR opportunities, scheduling BD travel).
- 2. Coach attorneys about what activities for them constitute high-value BD time.
- If some attorneys have an above-average number of marketing hours and very low efficiency, make sure that they aren't funneling some non-billable client work into the marketing category to preserve realization.



IV. Marketing Department KPIs

These metrics include data which can be sourced from accounting software and CRM. <u>PIPELINEPLUS</u> can integrate with both in order to display the following metrics.

KPI #12: Marketing CAC

(Marketing Contribution to Client Acquisition Cost)

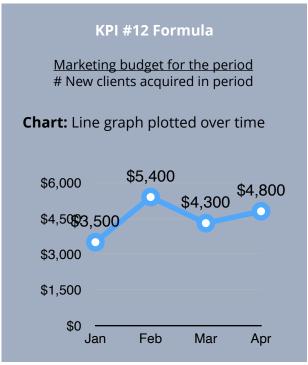
On average, how much do we spend on marketing to acquire a new client?

Marketing Department Response

- Cut marketing budget in low ROI areas (e.g., advertising, sponsorship)
- 2. Increase the rate of client acquisition through business development initiatives covered above: training, coaching, accountability, incentives.

When reporting this metric to firm leadership, include descriptive business development stories. These stories should provide color and background on successes such as a big new client win, cross-selling, collaborative client

should provide color and background on successes such as a big new client win, cross-selling, collaborative client acquisition, diversification efforts, etc. These are powerful contributors to firm culture as well as a basic transfer of information about success in business development.



KPI #13: Research / Competitive Intelligence

In large firms, KPIs reported for research likely come from the research services (library), however, if M&BD are performing any of the services in the interest of client acquisition, they should be recorded and reported.

KPI	How Calculated	Tells Us	Frequency
Requests	Count	How many requests are being made of the department; trends	Monthly
Origins	Count, Record	If requests for research are coming from individual attorneys or practice/industry groups	Monthly
Purpose	Count, Record	Trends in whether research is being used for business development, practice support or proposals	Monthly
Time	Count of hours spent on research (often recorded as an estimate rather than an actual)	How much time Marketing & BD spends on research	Monthly

- 1. Make sure that the marketing staff conducting research are the appropriate ones to do it. If the requests are types that library can perform, have processes in place to ensure the requests are routed correctly.
- 2. If the volume and complexity of research tasks are increasing, make sure that the department has the tools necessary to do the job. Work with library so that marketing staff has access and training on the appropriate tools.

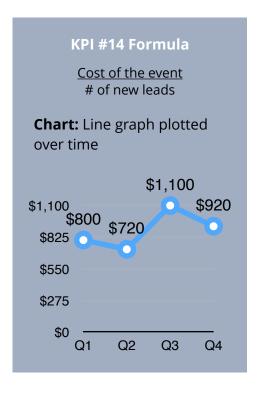


KPI #14: Events (Firm-hosted and External)

KPIs related to events should point to whether the event helped achieve a marketing goal, such as gaining new leads. A lead is a person qualified as either a prospect or referral source who was not previously known to the firm. S/he is a new addition to the CRM.

Marketing Department Response

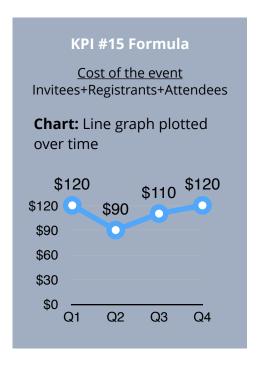
- 1. Ensure that business development managers and attorneys are trained on how to record leads in the CRM system and attribute them to event attendance.
- 2. Encourage attorneys to attend only the events most likely to result in leads. Have a process for assessing an event's prospects before approving attendance.



KPI #15: Return on Events, Impressions

How much does the firm pay to get an impression as a result of hosting or participating in events?

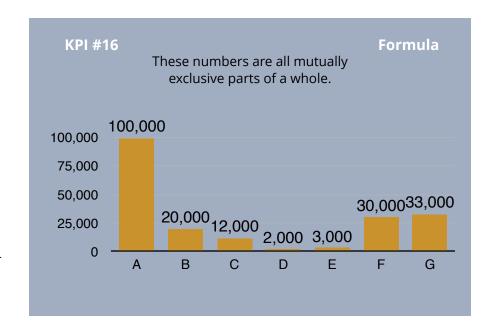
- Work with event organizers (if not a firm-hosted event) to collect the numbers. They might hesitate to disclose this information, so make sure that disclosure is a requirement as part of an event sponsorship agreement.
- 2. Larger conferences yield lower costs per impression. However, only let that be a motivation for attendance if broad market awareness is a top marketing goal for attending the event. Leads and contacts are more valuable from a business development perspective.



V. Marketing Tech: CRM Database and Experience Database

KPI #16: Quantity of Relationships in CRM

- A. Total number of contacts (both in general and within the time period)
- B. Number without email
- C. Number without response
- D. Number of Do Not Consent (i.e., unsubscribed)
- E. Number of express consent
- F. Number of implied consent
- G. Number of contacts available for emarketing



- 1. Total Number Make sure it is going up. Any stagnation in the CRM growth could indicate a slump in BD success or perhaps attorneys not using the tool.
- 2. Without Email Work on data stewardship. Train attorneys, admins, and marketing on the value of completing profiles.
- 3. Without Response Have data stewards make sure that the email addresses don't have errors. For those that appear correct, see if the contact has moved onto new employment. If so, have attorneys reach out to touch base and collect an updated address.
- 4. Do Not Consent Ensure marketing communications aren't happening too frequently or that the content is useful (i.e., an alert is more useful than announcing an attorney award).
- 5. Consents If any of your recipients are European, make sure your email marketing is in compliance with GDPR. Give ways for recipients to actively confirm their consent.
- 6. Available for eMarketing Again, this number should be going up as an indication of broadening reach. As the previous categories are tightened up and effective marketing continues, this number should go up.



KPI #17: Quality of Relationships

How many of our new contacts are high quality, influential contacts?

- · Number from key accounts
- Number of VIP/Strategic/CXO
- Number of board members
- Number of alumni
- Numbers by practice area/industry

Chart: Since these characteristics are not mutually exclusive, report them as a table.

Marketing Department Response

- 1. Define what high-quality means for monitoring of the CRM relationships. It might also include a certain geography, or company department, etc.
- 2. Make sure that the CRM is set up with the appropriate fields to collect this info.
- 3. Have data stewards standardize the ways data is entered (e.g. VP and V.P. are written as Vice President)
- 4. Conduct annual trainings for active users of the CRM to refresh how to correctly enter information.

KPI #18: Client Experience Management (CEM) (aka Experience Database)

CEM databases are where firms house information about timekeepers' work experience for clients. Firms can use records for marketing purposes or to mine information about their clients or attorneys. CEMs are sometimes proprietary databases built on a platform like Sharepoint or they are sourced from vendors like Foundation, ikaun, Intapp, Content Pilot, Sitecore, Elegrity, etc.

Commonly, a single matter is entered as a record and information about the matter is entered as fields. Marketers are often preoccupied with three key things related to the CEM: quantity, quality, and permissions.

The quantity of records in the CEM gives marketing more information to mine for web content, proposals, rankings submissions, etc. The quality of a record's description and completed fields help tell the compelling story of the work. The permissions indicate to what extent, if any, a client has given the firm express permission to use the experience record for marketing purposes.

As such, we propose the following basic KPIs for Client Experience Management:

KPI	How Calculated	Tells Us	Frequency
Total Record Number	Count	Size of the database	Annually
Month-to-date Number	Count	How many new records were created in the reporting period	Monthly
Total Number of Records to Total Number of Matters Opened by the Firm	Ratio	What percentage of new matters opened are usable experience	Annually



КРІ	How Calculated	Tells Us	Frequency
Percent Complete	Number of completed records divided by total number of records	What percentage of the records are potentially usable; Data quality	Annually
Percent With Permission	Number of permissions-granted records divided by total number of records	What percentage of the records are actually usable	Annually

Size of the firm, its tech team's sophistication, and the number of data stewards (if any) working in the marketing department will drive reporting from the CEM.

Marketing Department Response

- 1. Make sure volume is going up but that permissions are increasing as well. The department needs usable content.
- 2. Educate attorneys on how to ask their clients for permission. Have a way of keeping a record of permissions received.
- 3. Make sure people tasked with data entry have access to information about matters needed. Keep an open discussion about time needed to be good stewards of the information.
- 4. Create periodic completion checks. If a data steward is not on staff, have the full team work together for short, intense periods of data completion and clean-up.

Conclusion

While tracking KPIs has transformed industries and enabled companies to become more informed in implementing their strategic vision, inadequate analytic tracking within the legal sector has inhibited the growth of firms within an increasingly competitive legal landscape. Those firms who struggle to move the revenue needle need a more guided approach to the business of law.

Legal marketers have an opportunity to earn a seat at the table by providing valuable metrics that can inform the strategy of the firm. KPIs are not nice to have - they are imperative for operating in an increasingly competitive, networked environment. Law firms who leverage the 18 KPIs we've suggested can outpace the majority of competitors who continue to fly blind.

One doesn't need to be a data scientist to start tracking these metrics. Most or all of the raw data is already there; it just needs to be visualized in an informative way and used for a practical plan. However, marketing departments are often overburdened, understaffed, and stuck in a world of manual data entry using Excel. So, we recognize that tracking these metrics may seem untenable. However, we propose a simpler solution to the manual data tracking problem.



Track Your KPIs Effortlessly with KPI Dashboards

<u>PIPELINEPLUS</u> has a KPI Dashboard module that displays your business intelligence in one centralized view. It makes aggregating, visualizing and tracking your KPIs quick and simple.

<u>PIPELINEPLUS</u> integrates with virtually all of your firm's existing platforms to centralize your metrics into one elegant, easy-to-read dashboard.

Our team connects and customizes the dashboard for you, so no manual data entry or coding is required on your part. Within a few hours, we can connect <u>PIPELINEPLUS</u> with all your key databases, apply formulas to your raw data, and display the 18 KPIs we have recommended above.

<u>PIPELINEPLUS</u> updates in real-time so your KPIs are always accurate and actionable, and you won't need to fuss with any more spreadsheets or manual calculations.

To schedule a demo and learn more about our KPI Dashboards, please visit <u>PIPELINEPLUS</u>.





To learn more, visit <u>www.ackertinc.com</u> or <u>contact us</u> with any questions.

Request Demo

