

A pair of scales of justice, rendered in a light blue color, hanging from the top left of the page. The scales are slightly tilted, with the right pan being higher than the left pan.

Women Attorneys Business Development Study

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Women's Business Development Study*



Executive Summary

This study examines the intersection of two important trends in the legal profession: women's growing participation in the practice of law and lawyers' increased deliberate efforts to generate and grow business for their firms. Our research focuses on how women attorneys go about building their book of business and generating high originations. We ask in detail about the business development practices women attorneys use and how their law firms help or hinder their business development efforts. We also look at how women view gender as a factor in business development.

Sample Characteristics

- The sample size is 426 women attorneys.
- Over 85% of the women work fulltime.
- Nearly half are employed in global and/or national/regional firms with 300 to 1000 or more lawyers; about 25% in firms with 100 to 300 attorneys, and about 30% are in law firms with 75 or fewer attorneys.
- Over half of the respondents are equity and non-equity partners (31% equity and 22% non-equity).
- Senior and junior associates represent 40% of the sample.
- The average origination dollars generated for the year of 2005 was \$338, 653.
- The highest dollar originations were \$4 million.

Findings

Predictors of High Originations

- Years of Legal Practice
- Time Spent Doing Business Development Each Month
- Using a Targeted Approach to Business Development
- Participation in Pitch Groups
- Cross Selling Other Firm Services

- Asking Clients for Introductions to Others Who May Need Legal Services

Women partners are the high business originators and rainmakers. If law firms are to benefit from their investment in women attorneys they must insure that women have equal opportunities needed to become partners.

Although participation in pitch groups is another predictor, many women attorneys report that these groups are less open to them than to their male colleagues. Law firms would benefit from insuring that women attorneys participate in pitch groups.

Most Frequently Used Business Development Practices

- Building referral sources within and outside their firms
- Getting known in the marketplace
- Cross selling
- Asking for work
- Gaining new work from existing clients

Sources Of New Business

- Most new business comes from existing clients
- Referrals are the second most frequent source
- New prospects are the third source reported

How Law Firms Hinder Women's Business Generation

- Internal firm conflicts and management issues
- Ineffective marketing personnel or marketing strategies
- Lack of business development training
- Lack of resources needed to improve business development
- Too few business development mentors
- Business development events and activities that exclude women
- Inequitable treatment of women

How Law Firms Help Women with Business Generation

- Business development teamwork
- Business development assistance from firm colleagues
- Adequate levels of business development resources for women

Women Attorneys' Personal Obstacles to Business Development

- Lack of business development knowledge and training
- Lack of time
- Parenting responsibilities
- Gender issues within the law firm
- Age (being too old or too young)

Gender in Business Development

A majority of attorneys report that being a woman has negative consequences for their business generation.

Child-rearing

Most women with children report that rearing children has a negative effect on their business development activities.

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Women Attorneys: Different Paths and Different Choices

I am in my late 40s and consider business development to be the most important factor in determining whether I will be welcome to stay in this law firm for the next 10 years. I hope I will be able to acquire better skills and become more effective in developing business.

The key to developing business is high quality service and responsiveness in communicating with the client. The work may not always be accomplished immediately but calls and emails are always responded to on a timely basis. I am accessible 24 hours a day, every day, including while I'm on vacation. I have an international cell phone and always take and make calls to clients when I'm away. I just take more vacations to offset the time I lose to work when I'm traveling and have to make calls.

I have observed that many women drop out of practicing law once they have children, either by ceasing to work or by changing jobs to positions of less power and visibility that afford them a schedule they feel they need to meet the demands of raising a family. I think this is a major impediment to the ability of women lawyers to develop referral sources over the course of a career.

Please identify in your findings that there are some of us who are very happy not participating in business development, and we understand that while it may prevent us from becoming an equity partner, that's okay. Not everyone has to be a superstar-billing attorney. Being a service attorney is fine for those of us who value family time.

Women Attorneys Business Development Study

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Former Director of the Legal Sales and Service Organization (LSSO)

Women's Business Development Study**

Introduction

Women Attorneys in Law Firms

Gender plays a significant role in the professional life of women attorneys. Historically, women were not admitted into the legal profession in the U.S. until after the 1850s, and their areas of specialty were restricted. In the last 50 years, greater numbers of women have entered the legal profession, but their power, influence, and economic standing have not equaled that of their male colleagues.

The MIT Workplace Center Study (2007) of 1000 male and female attorneys in Massachusetts found that 48% of the law degrees in 2005-2006 went to women, but the number of women equity partners in law firms was only 17%.

Although the gender gap in law firm associates has been narrowing over the past several decades, more women attorneys are dropping out of the partner track. Of the attorneys who leave the partner track, 69% of male attorneys remain lawyers, but only 54% of the women attorneys do. For the same group of attorneys, 46% of the women leave the law entirely, compared to 31% of male attorneys (MIT, 2007). If the retention and advancement of women attorneys in law firms continue to drop, the pool of women law firm and business leaders, judges, law professors, and the many skills and talents that women bring to these positions will be lost.

** Dr. Keshet can be reached at hkeshet@keshetconsulting.com for questions and comments about this study.*

*** The author greatly appreciates LSSO for the assistance that made this study possible.*

Business Development

Our study examines the intersection of these two trends: women's participation in the practice of law, and women lawyers' deliberate efforts to generate and grow business for their firms. The study examines how women attorneys go about building their book of business and generating high originations. We were interested in learning what business development practices women attorneys use and how their law firms help or hinder their business development efforts. Finally, we look at the role of gender in business development.

At the same time that women have become more engaged in the practice of law, law firms have radically changed their approach to building their businesses. Most law firms expect all their partners and senior associates to generate new and repeat business. It is no longer acceptable to depend on only a few rainmakers.

Law firms measure the amount of business their attorneys generate and include these figures in evaluating attorney performance. Business generation is a significant factor in determining compensation and advancement within the law firm. Over the past 20 years, law firms have invested resources heavily in the marketing of their firms. The chief marketing officer has become an important and powerful law firm player. To succeed and advance, women attorneys need to be business generators. Because business development success is an important stepping stone to law firm advancement, success in this area may encourage women to remain in the field of law.

Research Methods

The researchers posted an online business development questionnaire in May 2005. By using the Internet and law firm associations to reach out to women attorneys throughout the USA, we accumulated a sample of 426 women attorneys to complete the questionnaire.

Sample Characteristics

- The sample size is 426 women attorneys.
- Over 85% of the women work full time.

- Nearly half are employed in global, national, or regional firms with 300 to 1000 or more lawyers; about 25% in firms with 100 to 300 attorneys; and about 30% are in law firms with 75 or fewer attorneys.
- Over half of the respondents are equity and non-equity partners (31% equity and 22% non-equity).
- Senior and junior associates represent 40% of the sample.
- The average origination dollar amount generated for the year of 2005 was \$338,653.
- The highest dollar origination amount for 2005 was \$4 million.
- A broad range of legal specialties are represented including the following areas:

| | |
|---|-----|
| Bankruptcy, commercial, finance | 14% |
| Corporate and business, labor, securities | 34% |
| Environmental and real estate | 9% |
| Estate planning, probate, family | 6% |
| Intellectual property | 6% |
| Litigation..... | 25% |
| Other | 7% |

- Over half of the women care for dependent children.

Study Purpose

The purpose of the study is to answer the following questions:

Business Development

1. What factors affect high origination?
2. What are the most frequently used business development practices?
3. What are the sources of the new business?

Role of the Law Firm

4. How do law firms hinder women’s business generation?
5. How do law firms help women’s business generation?

Gender Issues

6. How does gender affect business development?

7. What are the women attorneys' personal obstacles in business development?
8. How does having a family with children affect business generation?
9. To what do successful women attribute their success?

Analysis Using Multiple Linear Regression Modeling*

The data was analyzed statistically with the following goals:

1. To develop a prediction model for fee origination that identifies significant variables contributing to predictable changes in origination amounts by lawyers.
2. To determine the accuracy of the model(s) in terms of total variance explained in origination fees among attorneys using the predictor (independent) variables of the model.
3. To identify and discuss inter-correlations between significant predictor variables of fee origination.

Six different multiple regression models were built to predict business origination based on various aspects of marketing initiatives. The differences in the predictor variables used within the six models focus on the following:

1. Attorney business development demographic factors
2. Activities for meeting prospects
3. Activities for developing referral relationships in law firms
4. Proactive referral relationship activities
5. Internal firm marketing and supports for business development
6. Client service activities

** Many thanks to my colleagues Jill Card, Ph.D., Robert Cargill, Ph.D., and Katherine Saunders, Ph.D., of Exponent for their able assistance in the analysis of study data.*

Findings

Section 1. Business Development

Predictors of High Origination

- The following variables predict high origination in our sample:
- Years of Legal Practice
- Time Spent Doing Business Development Each Month
- Using a Targeted Approach to Business Development
- Participation in Pitch Groups
- Cross Selling Other Firm Services
- Asking Clients for Introductions to Others Who May Need Legal Services

Years of Legal Practice

Women with many years of legal practice generate high origination with significant P values orders of magnitude smaller than any other significant predictor variables within all models. The more legal experience a women attorney has, the more likely she is to have high origination.

This finding suggests that women with many years of legal experience build their marketing skills over time. Women attorneys who have many years of legal experience learn both legal skills and effective marketing skills. Similar to the development of legal expertise, business development expertise is honed over years of practice. As they grow in confidence and reputation, women build relationships with an ever-increasing pool of clients and business and legal contacts within and outside of their firm. Some women may be naturals who have the skills to generate business because of a combination of interest, selling ability, and motivation. As women mature as lawyers, they can also mature as business generators.

These experienced women are relationship builders. They are likely to build relationships with referral sources by exchanging conflict work, offering assistance to referral sources concerning work problems, helping them with their careers, and

providing other forms of support. Having many years of experience is correlated with relationship-building business development activities like cross selling, being in pitch groups, holding leadership positions in firm committees and community organizations, and asking clients for new work and for referrals to others who may need their legal expertise.

Such experienced women are exemplars. They demonstrate that women attorneys with many years of experience are high originators. If women remain in law firms for many years, they become successful contributors for themselves and the firm. Yet, as we noted in the introduction, women are leaving firms at alarming rates.

Time Spent Doing Business Development Each Month

Time spent doing business development is a positive predictor of high origination in two of our six models and relevant in a third model. The more time spent pursuing new business, the more new business is generated. Spending 15 or more hours each month doing business development activities is a significant predictor of high origination.

Using a Targeted Approach to Business Development

A targeted approach to business development requires planning and executing the “follow up” activities needed to complete what has been planned. A targeted approach is likely to be a continuous process.

This finding may be useful for women with time constraints. They need to choose those business development activities that are predictive of high origination and plan to use their limited time on activities that may have high potential pay offs.

Participation in Pitch Groups

Participation in pitch groups is a predictor variable in Model 3. Associates, young partners, and women with many years of legal experience all benefit from participation in pitch teams.

From the perspective of strong business generation, participating in pitch groups is more effective than holding firm leadership positions and other kinds of firm activities pursued to form referral networks within the firm.

Pitch groups can be an important context for business development mentoring. The groups focus on a complex set of strategies and tactics in which senior associates and

younger partners learn from senior partners and marketing professionals. This is especially important for women because women report that they have difficulties getting business development mentoring within their firms. They are not only a context for learning and mentoring but also for meeting attorneys from other practice groups and fostering cross-department and cross-selling relationships.

Cross Selling Other Firm Services

Women's relationship-building skills are likely an important factor in their use of cross selling.

Asking Clients for Introductions to Others Who May Need Legal Services

We find that women attorneys who ask their clients for introductions to others who may need legal services likely to be high business generators.

Business Development Activities of Experienced Women Attorneys

Experienced women use many of the business development activities that are predictors of high origination. We find that having many years of legal experience is positively correlated with the following nine specific business development activities:

- Time spent doing business development activities each month (.298)
- Holding leadership positions in the community and civil organizations (.293)
- Business development planning (.280)
- Participating in pitch groups (.271)
- Holding leadership positions in the firm (.257)
- Understanding many aspects of clients' businesses (.256)
- Having a targeted approach to business development (.204)
- Requesting referrals from clients and referral sources (.180)
- Cross selling (.122)

Time Spent Doing Business Development Activities Each Month

Experienced women commit a substantial amount of time each month generating new business and this time commitment is likely to generate high business origination.

Holding Leadership Positions in Business and Community Organizations

Experienced women are likely to hold leadership positions in business and community organizations. While the act of joining a community organization is an important business development activity in itself, experienced women lawyers do more. They hold the roles of leaders in the organizations they join. Being a leader can provide them with a platform for being noticed and gives them the opportunity to meet prospects and develop referral relationships.

Leaders are often “out front” representing organizations in the community and meeting new people. This spotlight permits them to show their problem-solving skills.

Business Development Planning

Ongoing success in marketing requires activities that are part of a continuous and planned process. Women attorneys with many years of legal experience plan and follow through with their business development activities which in turn is likely to lead to high business origination.

Pitch Group Participation

Experienced women attorneys are likely to participate in pitch groups and pitch group membership is a positive predictor of high origination.

Holding Leadership Positions Within Firms

There is a correlation between holding leadership positions within firms and having many years of legal experience.

Leadership within the firm is a factor in internal marketing. Colleagues within the firm see leaders as problem solvers. New and deeper relationships can form and develop over time. As relationships grow, more trust and confidence can be established. Colleagues working together on committees learn each other’s areas of practice and key clients. This knowledge can lead to cross selling and promoting each other to clients, prospects, and referral sources.

Understanding Many Aspects of the Clients’ Business

Understanding many aspects of their clients’ business is the only client service activity that is positively correlated with many years of legal experience. Lawyers with

many years of legal experience who understand their clients' businesses are in a position to give useful advice to resolve their clients' business and legal issues.

Using a Targeted Approach to Business Development

Women attorneys with many years of business experience are likely to engage in a "selling process," choosing specific "targets" and developing tactics for gaining new business. This finding is particularly important for women with limited time and for women with children. By planning their activities carefully and focusing on identified targets, they may be able to reach more business in less time.

Cross Selling the Firm's Services

Attorneys with many years of experience generate new business by cross selling the services of others.

Asking Clients for Introductions to Prospects

There is a positive correlation between asking clients for introductions to prospects and long term experience as an attorney. Experienced women seem to use this strategy in gaining new business. Other professionals with whom the attorney has worked, alumni of the firm, friends from law school, and other attorneys with different specialties, are likely candidates to ask for introductions.

Summary: Legal Experience, Proactivity, and Relationship Skills

These findings indicate that women attorneys with many years of legal experience are proactive and highly relational in their business development activities and spend time each month planning strategies and pursuing new business. They participate in pitch groups and cross sell their colleagues. They build strong relationships with clients and referral sources. They ask for work and introductions from clients and referral sources and they take leadership roles in their firms and community organizations.

The Scope of Women Attorneys' Business Development Activities

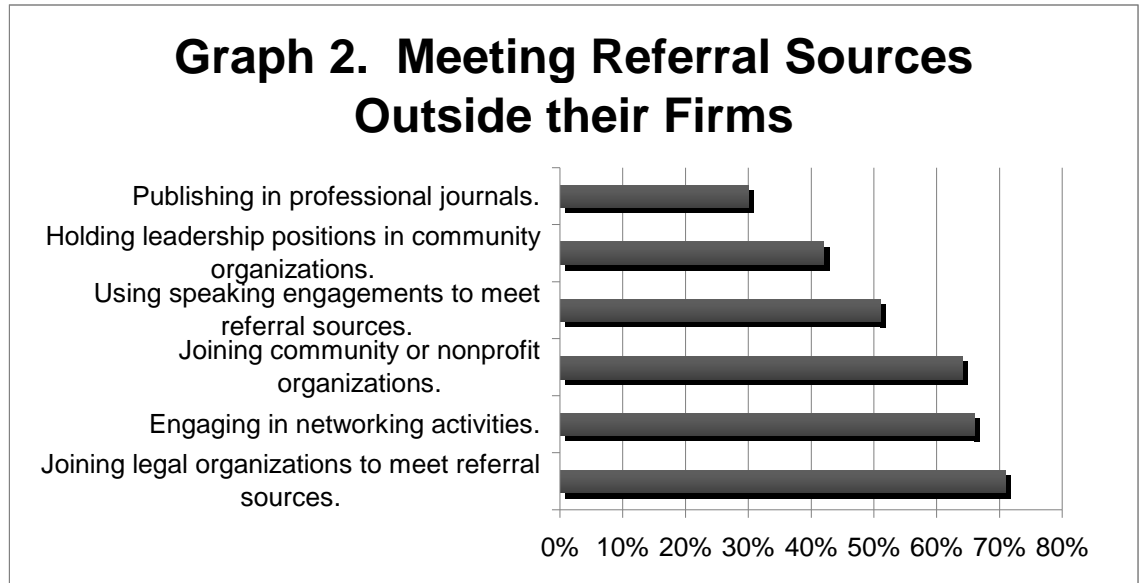
The previous section described business development activities that are associated with many years of legal experience. In this section we discuss those business development activities that are used by the entire sample of women in the study.

Developing Referral Sources Within the Law Firm

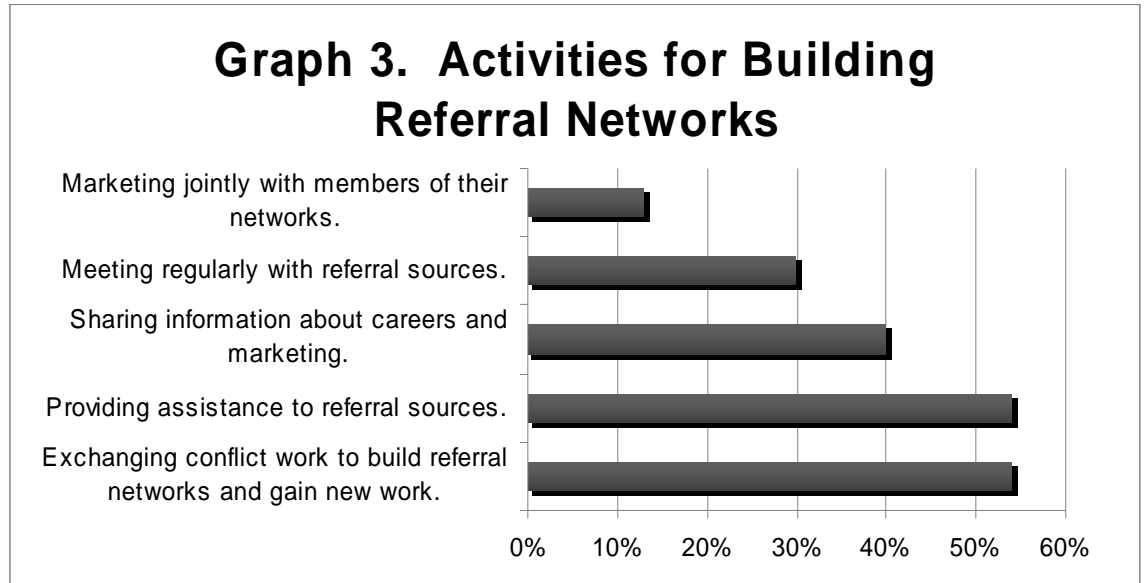


We asked women to identify the kinds of business development activities they did within their law firms. The three most frequent activities cited were attending firm events, being members of client teams, and participating in firm committees. While nearly 75% of the sample reported that they attend firm events to develop referral sources, 46% engage in more direct business development activities such as being a member of client teams, and 43% reported participating in firm committees. Firm committees and client groups usually offer women the opportunity for developing collegial relationships over time, which can help create referral relationships.

Meeting Referral Sources Outside their Firms

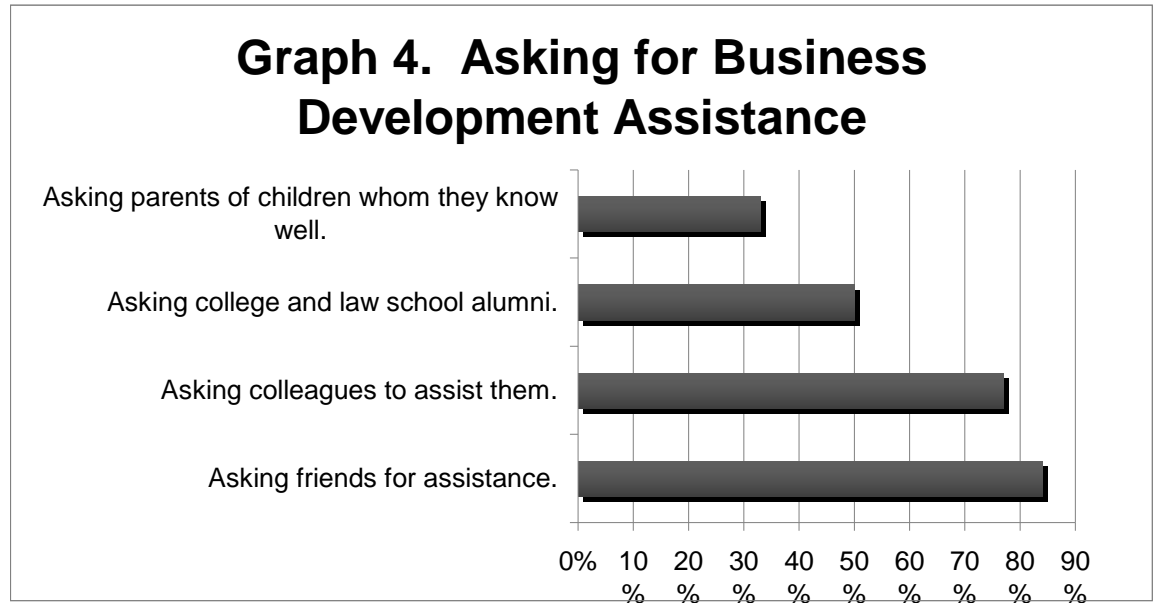


Women attorneys reported engaging in a variety of activities designed to meet referral sources. Referral sources are an important avenue for gaining new work. Membership in a legal organization is the most frequent activity, followed by networking activities, and joining community organizations. A fairly high percentage of women (42%) reported that they hold leadership positions in the community organizations they join.

Activities for Building Referral Networks

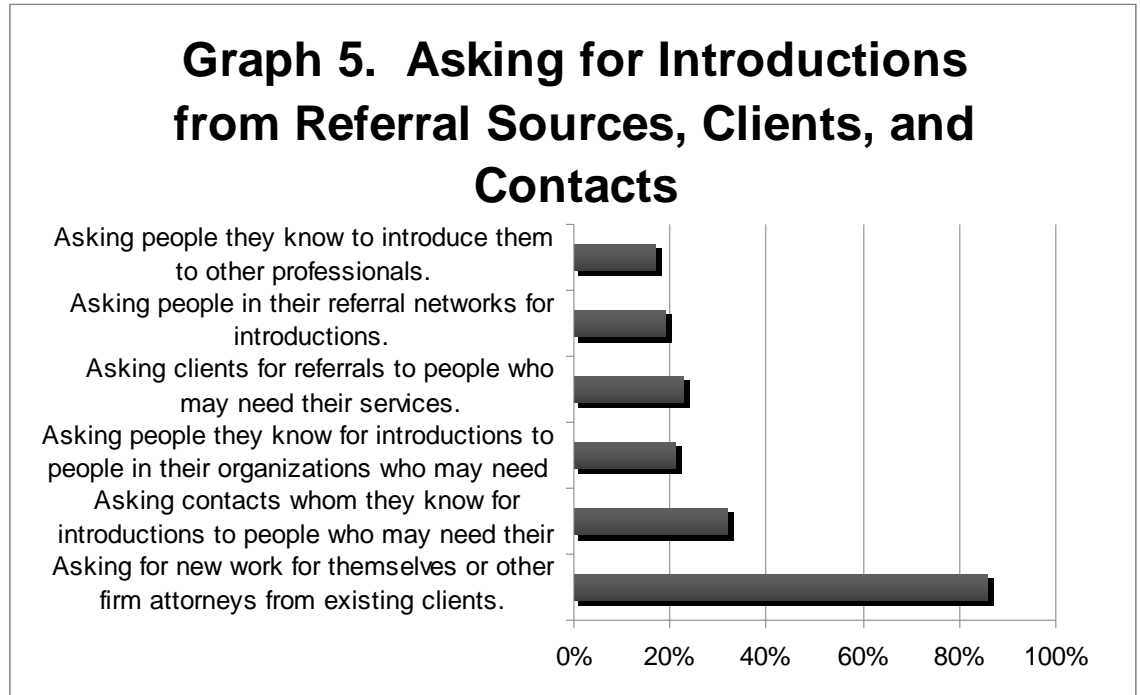
The study included a series of questions about the types of network-building activities women did with members of their referral networks. We were trying to evaluate the activities needed to build networks that help gain referral and introductions to prospects. What we found is that women are very active network members. More than half exchange conflict work with each other and the same number actively provide help and assistance to network members. This finding suggests that women attorneys in the study are very active in relationship-building activities with network members; such activities include exchanges of work and various career building and marketing assistance. Referral sources are the second most popular activity, after asking existing clients for new work. Women ask for referrals and gain 31% of their new work from various sources in their referral networks.

Asking for Business Development Assistance



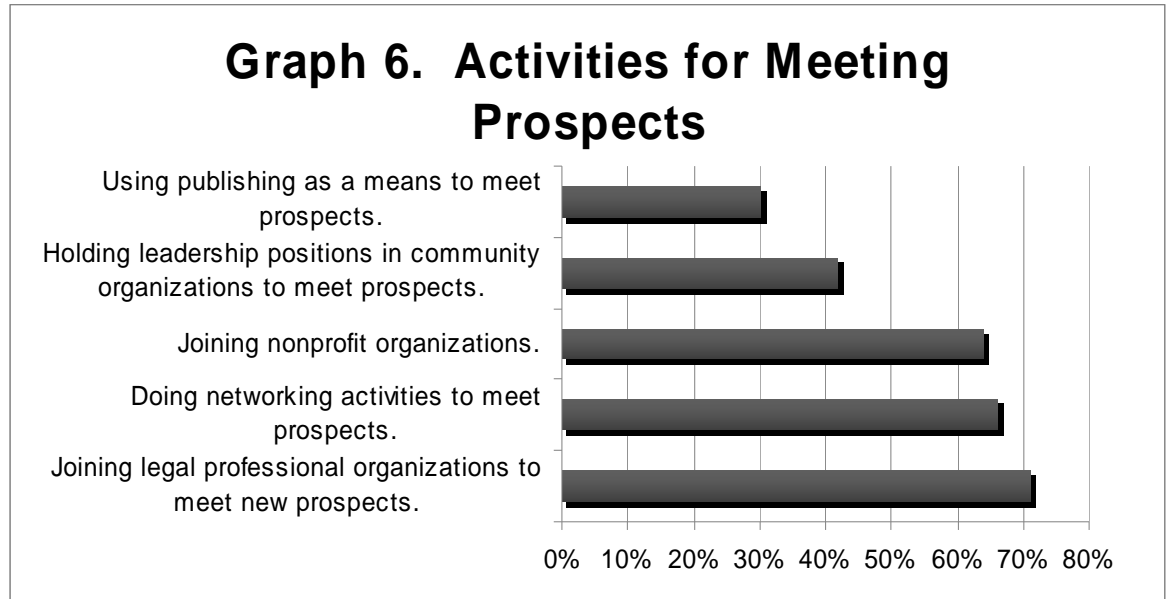
Since business development is a relational activity, we asked the women whom they asked for assistance with their business development activities. Friends and colleagues are the most frequent sources of business development assistance. Half the women reported asking college and law school alumni for assistance. The women attorneys in the sample appear very engaged and open in seeking assistance from people they know (friends and alumni) as well as colleagues whom they may not know as well.

Asking for Introductions from Referral Sources, Clients and Contacts



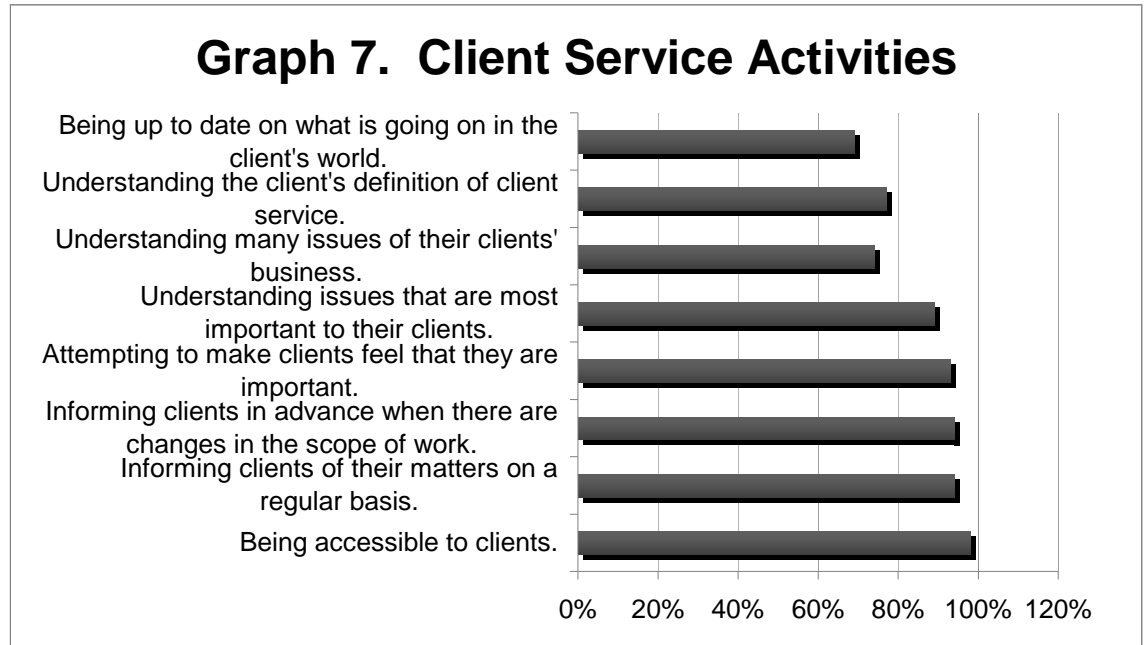
A large majority of the women (86%) reported that they ask existing clients for new work for themselves or for colleagues from their firms. This is an important activity and has validity based on the amount of work reported from existing clients. Existing clients are the largest source of new work; nearly 60% of the sample reported that new work comes from existing clients.

Activities for Meeting Prospects



The most frequently reported activity for meeting prospects is joining legal professional organizations. Doing networking activities and joining nonprofit organizations are the next most frequently reported activities.

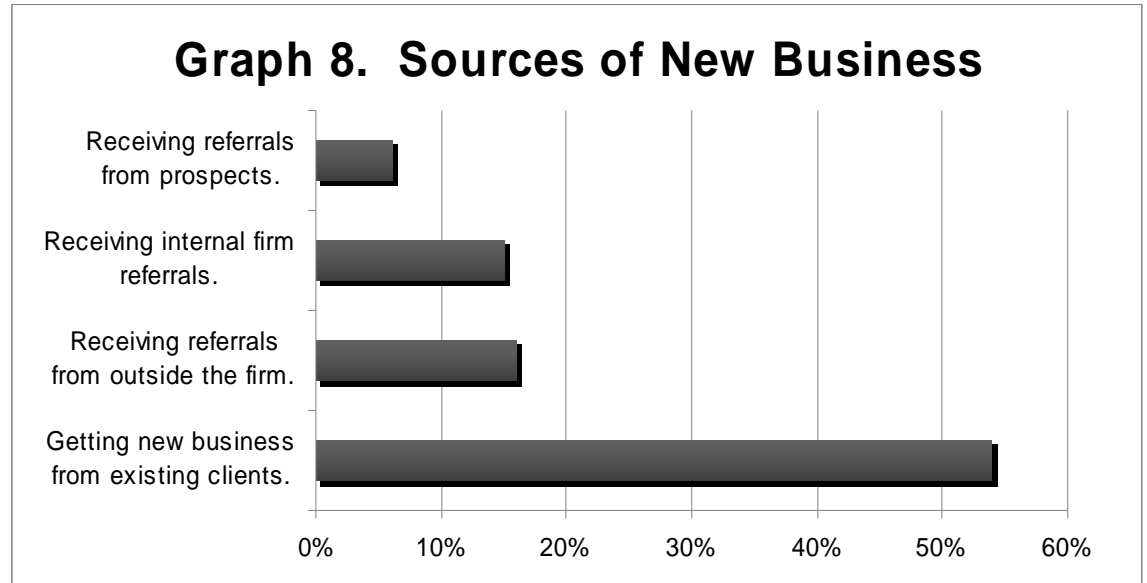
Client Service Activities



The results indicate that most women attorneys make client service activities a priority. Most of the sample reported being accessible, informing clients of the progress of their matters on a regular basis, informing clients in advance when there are changes in the scope of work, and attempting to make clients feel that they are important.

Gaining new work from existing clients is fundamental to law firms' and lawyers' ability to generate revenue. Nearly 60% of the women in the sample reported that new work comes from existing clients. Existing clients are the "low hanging fruit" that many women in the study seek to cultivate.

Existing clients already know the skills of the attorney who serves them and come to trust her judgment. Over time the attorney can provide "continuous value" by helping her clients resolve their legal and business issues. The attorney's role expands from being their lawyer to becoming an advisor and, sometimes, a personal friend.

Sources of New Business

Existing clients are key for generating new business. Women attorneys reported that nearly 60% of their new business comes from existing clients. Referrals from sources within and outside the law firm were the second most frequent source of new business and prospects were the least frequent source. Nurturing existing clients and referral sources are based on positive relationships. Women in the study reported engaging in many activities for building relationships with referral sources that are mutually supportive for personal and business assistance.

Summary

We find that women in the sample are proactive in building referral networks and asking their existing clients and referral network for new work. They are actively creating referral networks by joining community organizations and taking leadership roles to meet potential referral sources and prospects. They nurture their client relationship by concentrating on providing a wide variety of client support services. They are proactive in asking clients for new work. They receive a majority of their new work from existing clients.

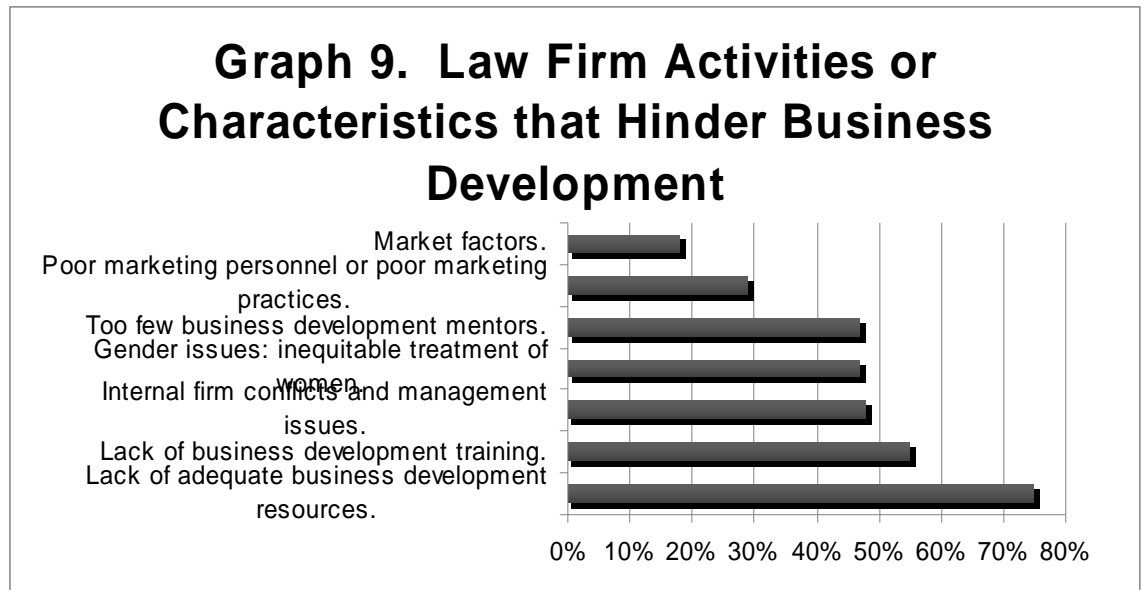
Their successes with clients and referral sources reflect their relationship building skills. They nurture their clients and referral networks and receive and exchange conflict work with attorneys in their network. They rely on primary relationships, friends, college and law school alumni, and colleagues for business development

assistance. They are involved in building internal firm referral sources and also reported gaining a modest but important amount of new business from prospects.

Section 2: The Role of Law Firms in Hindering and Helping Women Attorneys in Business Development

Ways in Which Firms Hinder Business Development

The culture of law firms can influence the business development efforts and business generation of its attorneys in both obvious and subtle ways. Many women attorneys in the study reported that specific practices and characteristics of the law firm hinder business development efforts, including:



Lack of Adequate Business Development Resources

Lack of adequate business development resources is a major obstacle reported by 75% of the women attorneys in the study. This is a serious and limiting issue for women in many law firms where they reported not having enough business development resources to allow them to be more successful in their practice development efforts.

Lack of Business Development Training

Partners tell me stories of making partner and all of a sudden everyone just expects you to know what to do. I'm trying to avoid that fate, but it's hard to find someone who is a rainmaker who can mentor you in this area.

Our firm doesn't empower and educate women about how to develop new business. When associates become partners, we are expected to know what to do.

Over half the women attorneys reported that their firms do not provide business development training or training is not available to them. This is a serious barrier to developing needed skills and supports.

Internal Firm Conflicts and Firm Management Issues

Practice area leaders do not lead and don't have communication skills. They hold their positions because they have been around a long time and are friends with the board or managing partner. They market themselves and not the firm or the practice group.

The firm has a confused identity. There is a lack of direction for up and coming attorneys and there are many conflicts between established rainmakers.

Management needs to develop a "team" instead of "territorial" approach to sharing business opportunities so that people are more willing to help out.

One of the most frequently cited obstacles to business development is internal firm conflict. Over half the women cited internal firm conflicts within management, within and between practice groups, and, between individuals as a major obstacle. Unresolved conflicts within the law firm can easily create morale problems and weaken the ability of lawyers to market effectively. Lawyers may not be able to approach certain other attorneys for assistance for fear of being on “the wrong side.”

Gender Issues

We need more women in leadership positions. While we have a lot of female partners, few are in leadership role

Nearly half of the women attorneys find that gender (being a woman) has a negative effect on business development. They reported that being a woman in a law firm means having few mentors, facing firm obstacles based on gender, being informally excluded from male-oriented events and from business development initiatives and not being considered equal. Women also encounter prospects that view them as a date rather than an attorney.

Lack of Business Development Mentors

It's hard to find mentors. Several times, I have been told that guys have recommended guys they have known forever and gender was mentioned only when I lost a case.

Over half of the women in the sample reported not receiving help from successful marketers.

Poor Marketing Personnel or Poor Marketing Practices

The marketing department has insufficient focus. The firm has an inexperienced and small marketing staff that is not able to keep up with demands of attorneys, much less plan new initiatives.

One gender barrier is to recognize the need to tailor marketing activities and networking to the particular needs and interests of women clients and women lawyers. Sporting events and old boy networks don't work for everyone.

Having inexperienced or poor marketing support is another obstacle to business development.

Market Place Factors

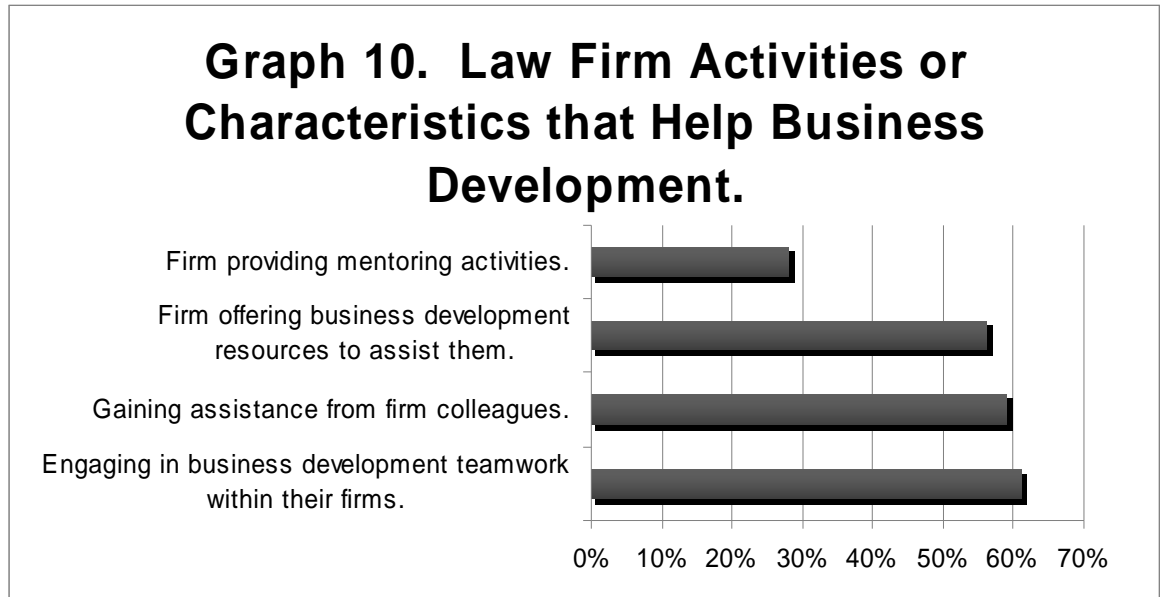
*The Firm is a regional firm working to gain national prominence.
I think being a small firm may sometimes stand in the way of our attracting sizable clients.*

Market place factors like competition from other firms is another obstacle. 12% of women reported that market place conditions affect their ability to market effectively.

How Law Firms Support Business Generation

Women reported that their firms help them with business development by:

- Supporting business development teamwork within their firms
- Gaining business development assistance from firm colleagues
- Providing business development resources for women



Business Development Teamwork Within the Law Firm

Teamwork in business development is being used more frequently. Complex client matters require multiple legal disciplines to effectively solve issues. Women attorneys are involved with teamwork in their business development efforts with 61% reporting teamwork engagements.

Collegial Support

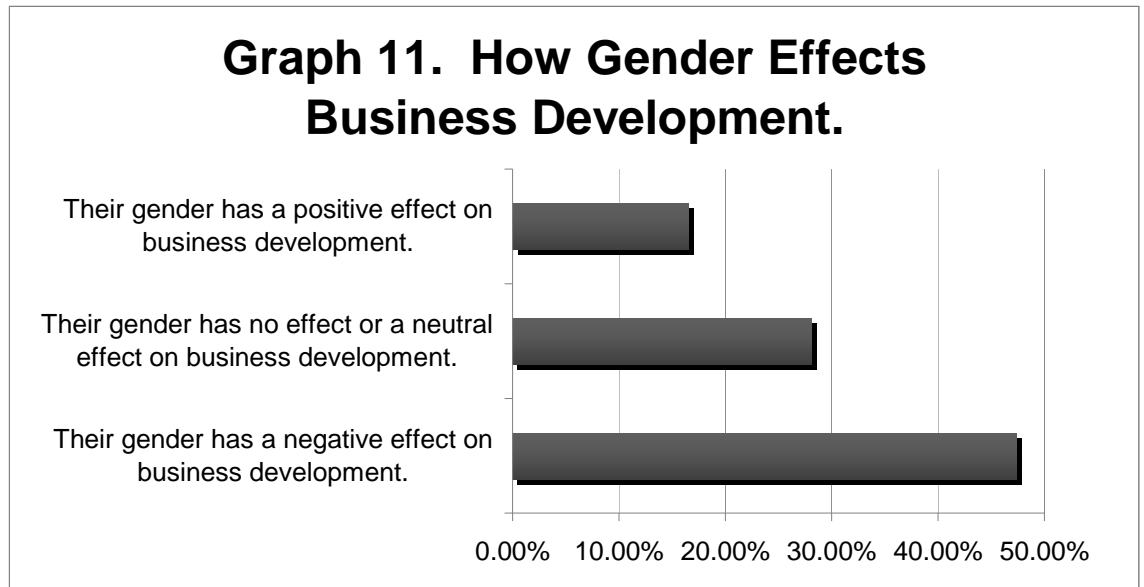
The presence of colleagues within the law firms is the most frequently reported support that women have in their business development efforts. 59% of the women rely on this informal interpersonal network of firm colleagues for business development support. As noted previously in this report, 77% of the women reported asking colleagues for assistance with business development.

Providing resources for women attorney's business development efforts is a positive practice reported by over half of the women in the sample. Unfortunately, the level of the resources that law firms provide to women is often seen as adequate for generating new business.

Section 3. Gender in Business Development

Gender has many different effects on business development activities and rainmaking. We ask the open-ended question, "How has gender effected your business development efforts?" and find a variety of responses. Although some attorneys report that gender has no effect, a positive effect, or a neutral effect on their business development, a majority of attorneys report that being a woman has negative consequences for their business generation.

Woman’s Perceptions of the Effect of Gender



Gender as a Negative Effect on Business Development

Yes, gender is an issue. I have never been taken seriously in response to my business generation efforts. I have not been included in client presentations and RFP pitches, mainly because the men in my firm do not think enough about including women. I also have not been introduced to client development opportunities by the men in my firm, who in fact have been zealous in preventing me from being able to be treated as a business originator in recognition of the role that my work and relationships with clients have played in our keeping and getting more work.

Most women that I know left the work force when their children were young. Now, in their 40s, they are returning, but haven't become decision makers - not yet and it's just not clear whether they will (as sometimes predicted). Generationally, I'm still dealing with stereotypes about how women work and in a practice group where client relationships are handed off from male partners to male associates.

Nearly half of the women reported that gender (being a woman) has a negative effect on business development. They state that the law firms treat them differently from male attorneys and create barriers to business development because of their gender. They receive fewer resources for improving business development and experience barriers in getting mentors and in gaining access to male oriented business development opportunities.

Gender as a Positive Factor in Business Development

I think the fact that I am female is less threatening which has caused many of my media clients to feel more comfortable with me.

Being female has given me opportunities to meet other women professionals that my male colleagues would not have the opportunity to meet.

Respondents who see gender as a positive factor report that:

- Being a woman is an asset in some business development situations requiring certain interpersonal skills.
- Women have a different style of interacting that makes others feel at ease.
- Being a woman helps gain business from other women in business and corporations.
- Other women are informal resources within their firm.

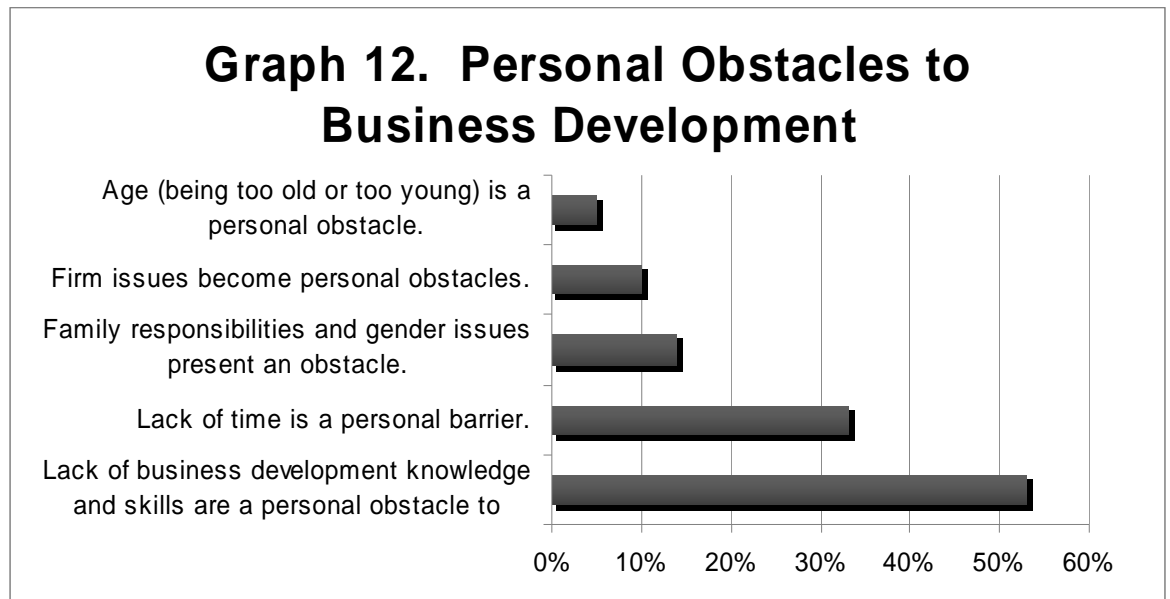
Gender as a Neutral Factor in Business Development

Nearly 30% of the sample reported that gender has neutral affect on business development.

Women Attorneys’ Personal Obstacles to Business Development

We ask women “What are your personal obstacles to business development?” This question yields the following types of responses:

- Lack of business development knowledge and training
- Lack of time
- Parenting responsibilities
- Gender issues within the law firm
- Age (being too old or too young)



Lack of Business Development Knowledge and Training

Gaining knowledge of business development concepts, ideas, and strategies often is the result of business development training courses offered within law firms. Yet, 53% of the women reported that they lack business development and training.

Lack of Time for Business Development

One of the predictors of high origination is time spent doing business development each month. Successful women business generators spent 15 or more hours each month pursuing new business. Lack of time is a personal barrier for business development for 32% of the sample.

For women with children, the time factor is even more of a barrier. Forty two percent of these women reported that time limitations strongly interfere with their business development activities.

Family Responsibilities and Gender Issues in the Law Firm

Business development is harder because of gender issues. There is more expected of me at home and more I want to do on family front too; also I have to be careful about certain activities and not taking male clients out alone in the evening and dealing with harassment issues. Sometimes gender is a positive and I can have more open conversations with male clients/targets regarding issues they face that they don't dare discuss with their male counterparts.

Nearly 15% of the sample reported that family responsibilities and gender issues within the law firm are personal obstacles to business development.

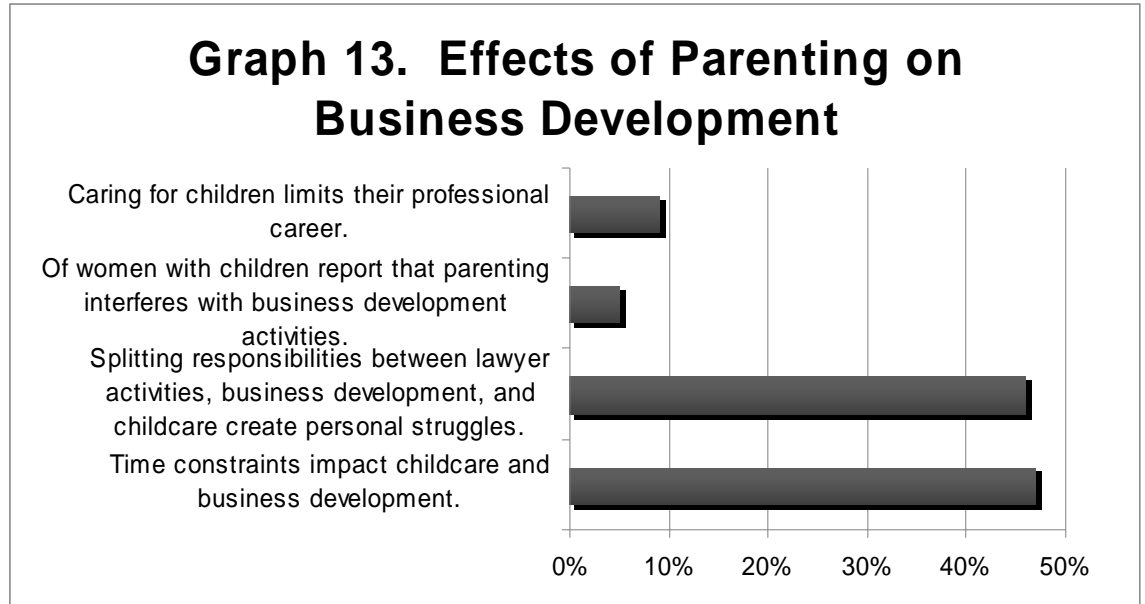
Firm Issues

For 10% of the women in the sample, firm issues were a personal obstacle to business development.

Age (Being too Old or too Young)

Five% of the women attorneys reported that being too old or too young was a personal obstacle to business development.

Child-Rearing As A Factor In Business Development



A majority of women with children reported that rearing children has a negative effect on their business development activities.

Parenting and Business Development

I feel that I don't have time to "do it all." I struggle to meet billable goals, struggle to get my kids everywhere they need to be and struggle to keep up with volunteer activities. At work, I like legal recruiting and spend most of my non-billable time on that or on team activities (like training associates and personnel issues). This means business development falls to the bottom of my list, instead of being on top (where it should be).

Nearly half of the women attorneys with children reported that parenting interferes with business development activities.

Split Responsibilities and Personal Stresses

Forty-six% of the women reported that splitting responsibilities between legal activities, business development, and childcare created personal struggles. These

personal conflict struggles often means that business development is given lower priority.

Time Constraints and Business Development

Time issues! Juggling a full time legal career and two small children is a challenge. I have to put "limits" on what I can do professionally AND at home. I will never be PTA president AND bar association president AND bill 2000+ hours per year. I try to be an active parent and an active lawyer but I am constantly forced to make choices and put limits on my participation at home and at work. There are not enough hours in the day to do both job and to also bring in new works.

We find that almost half of women attorneys with children reported that time constraints imposed by childcare impact business development.

Self-talk: Women's Attributions Regarding Their Business Development Success and Failure

Blaming oneself for failures and attributing success to luck is a pattern sometimes exhibited by women. This pattern leads to lowered self-esteem and less ability to keep making an effort to succeed. We find that most women attorneys in the sample frequently praised and encouraged themselves when they succeeded in their business development efforts and didn't blame themselves when they do not succeed.

A subset of women attorneys take their lack of success very personally and this attitude can de-motivate continued business development efforts.

Many women in the study show strong personal resiliency in pursuing new business regardless of gender discrimination, firm cultural difficulties, and personal obstacles that they reported encountering.

Women's Positive Self-talk Regarding Their Successes at Business Development

Seventy-four per cent of the women attorneys reported making positive statements when they are successful in their business development efforts. Seventeen percent of the women reported saying nothing to themselves when they succeed, 7% reported negative self-talk and 1% make other statements to themselves.

Women's Supportive Self-Talk with Lack of Success in Business Development

Sometimes I say to myself "Improvise, adopt and overcome." Learn what you can and move on and just keep trying. You have to make at least 5 contacts with a prospect before they become a client so you have to continually be trying to get the numbers to work for you to obtain clients. If it is a really bad day, I might say, "I'm smart enough, I'm good enough and people like me." That always brings a smile to my face. Obtaining clients is just like sales in a service industry. You keep at it. To get the home runs, you have to go up to bat and strike out repeatedly.

Most women reported making positive and self-encouraging statements when they are not successful at their business development activities and positive statements when they are successful. This combination suggests that many women sustain and encourage themselves to continue with their marketing activities.

Women's Negative Self-Talk Regarding Their Lack of Success in Business Development

I didn't try hard enough - didn't follow up effectively. I didn't properly anticipate what the potential client really wanted and I failed to get the message across that we could deliver.

Conclusions

Business Development

High origination is based on specific business development practices and factors.

Years of legal practice, time spent doing business development, using a targeted approach to business development, membership in a pitch group, asking clients for introductions to people who can may need legal services, and cross selling are the predictors of high origination in our sample. These predictors are the most important for generating new business.

Women with many years of legal experience are the business development exemplars. The study finds that the women attorneys with many years of legal experience are most likely to have high origination and to use many of the nine salient business-producing activities. They are also likely to hold firm leadership positions and hold leadership positions community organizations outside the firm. They truly

demonstrate the “whole package” of skills needed to succeed in being business generators and successful attorneys within their firm.

These experienced women attorneys are also likely to be highly motivated to succeed in being a high originator and make time available for long monthly hours required for business development. They engage in sophisticated business development activities that require marketing and selling knowledge. They can draw on years of legal and business development experience and their relationships with lawyers within the firm and referral sources outside the firm. In these ways they are likely to be similar to male attorneys who are successful business generators. But, unlike their male counterparts, they struggle to overcome gender bias. Many women report that gender is a barrier to successful business generation.

Women with many years of legal experience are likely to be partners in their firms. But, as noted in the introduction, if women attorneys continue to leave the partner tract, the firm loses a great source of profits and the legal profession loses a source of talented leadership.

Women attorneys with less legal experience face many obstacles to business development.

Women with less legal experience are likely to be young partners and associates. Many of these women report that they face personal obstacles to business development because they lack training, mentoring, and business development resources. They report gender bias in assignments and exclusion or limitations on their participation in pitch groups and team selling opportunities. Since the many of skills required for high origination are acquired through experience, exclusion from these experiences can greatly limit their development. Gender limits the opportunities for learning the tools needed for success in law firms. In addition, these less experienced women attorneys face another gender bias. They need and want business development training and mentoring but report that their firms don't provide enough of these opportunities.

If law firms wish a high return on their investment in training women attorneys, they must develop a culture that supports women and other minorities and must take more active steps to promote women's business development. They must insure and monitor opportunities so that women attorneys receive the same opportunities as male attorneys.

In this study, we find that many talented women attorneys face gender-based barriers in the firms that employ them. Some of these women excel in business generation despite the lack of adequate resources for business development, low levels of business development training, failures in receiving guidance and mentoring in business development, and barriers to participation in team and pitch group selling opportunities.

Less experienced women who are caring for dependent children experience additional challenges. They report having time conflicts. They struggle with the conflicting demands as parents, wives, and attorneys. Meeting the requirement of these major roles is difficult and creates internal stress and emotional pulls that limit their ability to put in the long hours each month required for business generation.

Women business development activities are based on strong relationship skills.

I view most of my marketing efforts as very long-term, relationship building. I should do more to follow up and ask for business, but I feel good about the efforts I've made and the quality of the relationships I've formed.

Women's relationship building skills are a central characteristic of their business development activities. They engage in a wide variety of relationship building activities including building referral networks within and outside their firms and being involved in teams and cross selling. They rely on assistance from colleagues, friends, and college and law school alumni and report that firm colleagues are an important source of business development support and assistance. Relationship building skill can also be seen in the high degrees of client service they report and evidenced by building strong referral networks. Gaining new work and referrals from existing clients is a key business development activity for women in our study with 53% of the new work coming from existing clients.

Relationship building skills provide women attorneys the means for business development success. Law firms need to find the avenues to effectively use these talents at every level of business development and leadership within and outside of the firm.

Referral networks are a key factor in women attorneys' business success.

Referral sources are an important source of business with 33% of the new work coming from referrals. Women attorneys frequently report attending firm events, joining client teams, and participating on firm committees to build internal referral

networks. They join community and professional organizations to meet referral sources and prospects and build referral networks. Over half of the women exchange conflict work with other attorneys outside the firm.

Law firms should capitalize on women's referral network skills by training and mentoring women early in their careers to develop strong ties with their clients and referral networks.

Law firms hinder women's marketing skills and business development.

Law firms have norms and values embedded in their leadership structure, management, administration, and informal operations. Male values and norms dominate these structures and are likely to unwittingly support gender biases. Women attorneys report that firm practices negatively affect their business development efforts.

Some of the firm based business-limiting practices like poor marketing departments, firm size, and geographic location are not gender based. Women attorneys also identify what appear to be gender obstacles including lack of training and mentoring, inadequate business development resources, and denigrating the status of women.

Historically, women were the moving force for change in the profession from gaining admission to the legal profession to gaining admission to the leadership structures of major law firms. Yet, with all these important changes, more changes are required if law firms are to prosper and become leaders in making meritocracy their guiding principle.

Since business development and high originations are important (stated or unstated) requirements for advancement to positions of status, power and economic rewards, dealing with gender barriers is imperative. Law firms need to decide if they are committed to making the status of women attorneys equal to male attorneys based on merit and the fair distribution of resources needed for success. Changing the barriers to women's business development success requires the will and the resources to make the necessary changes.

Law firms need to eliminate gender limiting formal and informal practices by continuously monitoring and researching their own practices to overcome the structurally embedded gender biases.

Law firm practices help women develop their business.

Women report that their firms help them with business development by encouraging informal relationships between colleagues, supporting access and participation in business development teams, and providing adequate resources for business development activities. These forms of assistance are within the grasp of most law firms. Law firms can encourage informal activities like firm lunches where informal relationships have a context for emerging.

Participation in pitch groups is an excellent venue for high business origination. Women seem to recognize that participation in these groups is key to success. Law firms need to actively insist that women attorneys at all levels are included in these groups and monitor the numbers and degree of participation throughout the firm. Finally, resources for business development activities need to be fairly available to women and men attorneys.

Women report personal obstacles to business development.

Lack of business development training, gender issues, and family responsibilities are personal and structural obstacles to business development in our sample.

Lack of business development training is a key factor in hindering women's business development success. Over 50% of the women list lack of business development training opportunities within their law firms as a personal obstacle to their business development activities and successes.

Law firms should train women associates in the successful business development and client service activities noted in our findings. This training, earlier in the careers of women attorneys, could help accelerate their practice development success. Providing mentors and adequate resources for business development activities would likely increase women's business skills and alert them to what is important for business generation as they hone their legal skills. Providing mentors and other resources for women's business development could eliminate gender bias and even the playing field for women.

Both women and male attorneys need to be trained and mentored in business development during their years as associates and as partners. Team selling, pitch groups, and client teams are increasingly becoming the required business development practice for gaining complex work from large sophisticated buyers of

legal service. Women need to be invited, encouraged, and supported in gaining these marketing skills.

Parenting responsibilities limit business development.

Many women report that caring for their children limits the time they can devote to business generation and causes personal conflict and stress about professional and family roles. Law firms need to provide increased day and night care for women and men attorneys who need these resources to pursue business generation activities.

Women self-talk concerning their attributions that help or hinder business development

We find evidence that a large number of women attorneys attribute business development success to their own efforts and do not blame themselves when there is lack of success. This combination of attribution is very healthy for maintaining positive motivation, for continuing efforts in business development, and for building strong self-esteem.

A subset of women attributes success to luck and lack of success to personal failings. This combination is likely to undermine their confidence and their self-esteem.

Law firms should consider offering workshops and seminars on the importance of attribution in business development and sales training.

Appendix

The multiple regression technique used computes a coefficient of multiple determination, R^2 to adjust for multicollinearity (correlation) between the independent variables and can be interpreted as the portion of the total variation in the fee origination values that is described by the model fit. Individual predictor variables have statistics reported indicating their significance in contribution to the prediction of fee origination. For purposes of clarity, we will refer to any predictor variables with P values $<.05$ as being variables of significance in prediction of fee origination.

Table 7 lists the correlation coefficients between several of the independent variables within Model 1 and number of years practicing and law firm size. We note that several of the predictor variables have correlation to number of years of practice in the >20 through >30 range. This evidence of multicollinearity on the regression model does not impact the reliability of the forecast, but indicates that the relevance to prediction of fee origination between the independent variable and the number of years of service may be being split between the two regression coefficients. Given that the years of service is the predominantly significant factor and inclusive of the other independent variable to which it is correlated, any potential inaccuracy in assessing importance is primarily going to manifest in the diminishing of the other independent variable's impact. Consequently, any independent variables for which the $P < .05$ and deemed a significant contributor to fee origination, is not an artifact of the multicollinearity with years of service and should be considered as an important result. Indeed, the discrepancy due to multicollinearity in these analyses is more likely that those independent variables for which no significant impact is found, there may well be more of an effect than indicated by the results.

Table 1. Model 1: Business Development Factors

| | <i>Coefficients</i> | <i>Standard Error</i> | <i>t Stat</i> | <i>P-value</i> |
|--|---------------------|-----------------------|---------------|----------------|
| Intercept | -214339 | 86717.44 | -2.4717 | 0.013921149 |
| 1 Hours Devoted to BD | 9969.51 | 6794.143 | 1.467368 | 0.143171365 |
| 2 # of Attorneys - Avg | 167.9679 | 82.26163 | 2.041875 | 0.041911081 |
| 3 # of Years - Role | 19541.03 | 3330.923 | 5.866552 | 1.02908E-08 |
| 4: In what activities do you participate to meet prospects | -13808.2 | 62225.12 | -0.22191 | 0.824514704 |
| 5: Associations/organization (business/non-profit) | -49300.8 | 60518.37 | -0.81464 | 0.415829231 |
| 6: Leadership positions | 108902.6 | 61279.39 | 1.777148 | 0.076409764 |
| 7: Networking | -10022.3 | 59781.51 | -0.16765 | 0.866955819 |
| 8: Publishing | -58875.5 | 62688.34 | -0.93918 | 0.348285522 |
| 9: Requesting referral from client or other source | 110647.2 | 61526.48 | 1.798367 | 0.072977909 |
| 10: Speaking | 67702.78 | 62440.75 | 1.084272 | 0.278988271 |
| 11: Targeted approach and follow up | 133362.7 | 64188.2 | 2.077682 | 0.038465182 |

Table 2. Model 2: Activities for Meeting Prospects

| | Coefficients | Standard Error | t Stat | P-value |
|--|---------------------|-----------------------|---------------|----------------|
| Intercept | -214339 | 86717.44 | -2.4717 | 0.013921149 |
| 1 Hours Devoted to BD | 9969.51 | 6794.143 | 1.467368 | 0.143171365 |
| 2 # of Attorneys - Avg | 167.9679 | 82.26163 | 2.041875 | 0.041911081 |
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| 10: Speaking | 67702.78 | 62440.75 | 1.084272 | 0.278988271 |
| 11: Targeted approach and follow up | 133362.7 | 64188.2 | 2.077682 | 0.038465182 |

Table 3. Model 3: Activities for Developing Referral Sources in the Law Firm

| | Coefficients | Standard Error | t Stat | P-value |
|--|---------------------|-----------------------|---------------|----------------|
| Intercept | -238332 | 84467.69 | -2.82158 | 0.005049969 |
| 1 Hours Devoted to BD | 14705.02 | 5879.277 | 2.501161 | 0.012832346 |
| 2 # of Attorneys - Avg | 127.2442 | 82.29977 | 1.546106 | 0.122977532 |
| 3 # of Years - Role | 19030.1 | 3389.429 | 5.614543 | 4.00296E-08 |
| 4: Engage in activities to meet colleagues | -12056.9 | 56469.46 | -0.21351 | 0.831051013 |
| 5: Co-publishing | -36120.6 | 77559.52 | -0.46571 | 0.641707933 |
| 6: Co-speaking | -57921.5 | 64715.24 | -0.89502 | 0.371387247 |
| 7: Firm committee participation | -22994.4 | 59034.39 | -0.38951 | 0.697136136 |
| 8: Firm events | 72717.23 | 64397.55 | 1.129192 | 0.259585618 |
| 9: Leadership position | 110478.1 | 65838.86 | 1.678007 | 0.094233329 |
| 10: Pitch teams | 226717.7 | 70527.61 | 3.214595 | 0.001427117 |

Table 4. Model 4: Referral Relationship Activities

| | Coefficients | Standard Error | t Stat | P-value |
|--|---------------------|-----------------------|---------------|----------------|
| Intercept | -250593 | 70768.02 | -3.54105 | 0.000452443 |
| 1 Hours Devoted to BD | 16160.22 | 6729.195 | 2.401509 | 0.016848458 |
| 2 # of Attorneys - Avg | 169.8501 | 80.84011 | 2.101062 | 0.03635024 |
| 08 # of Years - Role | 20262.96 | 3449.52 | 5.874138 | 9.89324E-09 |
| 3: Identify attorneys, former clients, etc | 5876.189 | 58161.36 | 0.101033 | 0.919582504 |
| 4: Send referral sources conflict work and receive conflict work | 50299.89 | 58042.12 | 0.86661 | 0.386749346 |
| 5: Think of ways to nurture referral sources professionals | 87462.16 | 60066.99 | 1.456077 | 0.146267746 |
| 6: Have regular meetings with referral sources in person | -17473.6 | 68843.4 | -0.25382 | 0.79978592 |
| 7: Inform referral sources when there is a new develop | 7883.121 | 63406.54 | 0.124327 | 0.901128043 |
| 8: Market and sell together with referral sources | -50215.8 | 96830.89 | -0.51859 | 0.604372479 |
| 9: Ask referral sources for introductions to people in the their company | -44745.2 | 86154.98 | -0.51936 | 0.603839893 |
| 10: Ask referrals for people in other companies | 230951 | 89284.59 | 2.586683 | 0.010093425 |

Table 5. Model 5: Internal Firm Marketing Activities and Marketing Support

| | Coefficients | Standard Error | t Stat | P-value |
|---|---------------------|-----------------------|---------------|----------------|
| Intercept | -288749 | 72371.91 | -3.98979 | 8.0524E-05 |
| 1 Hours Devoted to BD | 2594.523 | 7233.053 | 0.358704 | 0.720032386 |
| 2 # of Attorneys - Average | 175.0899 | 79.31209 | 2.207607 | 0.027918032 |
| 3 # of Years - Role | 18674.7 | 3399.474 | 5.49341 | 7.58508E-08 |
| 4: I devote adequate time to business development activities | 80170.77 | 76226.65 | 1.051742 | 0.293641424 |
| 5: I engage in the right kinds of activities | -37535.8 | 64308.51 | -0.58368 | 0.559807922 |
| 6: The things that I am doing result in business | 236204.6 | 63867.8 | 3.698337 | 0.000251773 |
| 7: In my firm, those who are good at business development | -76498.3 | 68808.32 | -1.11176 | 0.267002529 |
| 8: In my firm, colleagues support my business development | 114216.2 | 64507.97 | 1.770575 | 0.07749929 |
| 9: I use teamwork in my business development efforts | 30974.68 | 60285.62 | 0.513799 | 0.607715933 |
| 10: My firm offers resources I need to improve my business | -22657.9 | 59919 | -0.37814 | 0.705553932 |
| 11: I do a good job of selling other services offered by the firm | 122167.5 | 55669.09 | 2.19453 | 0.028852052 |

Table 6. Model 6: Client Service Activities

| | Coefficients | Standard Error | t Stat | P-value |
|---|---------------------|-----------------------|---------------|----------------|
| Intercept | -329192 | 265020.5 | -1.24214 | 0.215026836 |
| 1 Hours Devoted to BD | 16690.76 | 5976.24 | 2.792852 | 0.005515092 |
| 2# of Attorneys - Avg | 175.4802 | 81.44921 | 2.154474 | 0.031892819 |
| 3# of Years - Role | 19958.62 | 3469.532 | 5.752541 | 1.93556E-08 |
| 4: I am very accessible to my clients | -173303 | 220430.2 | -0.78621 | 0.432285423 |
| 5: I almost always keep my promises on deadlines | -7646.57 | 103203 | -0.07409 | 0.940979553 |
| 6: I almost always keep clients sufficiently informed | 83384.17 | 118942.8 | 0.701044 | 0.483746564 |
| 7: I let the client know in advance what I'm going to | 113709.5 | 118509.7 | 0.959496 | 0.337979129 |
| 8: I always make my clients feel that they're important | 31972.21 | 116134.8 | 0.275303 | 0.783248096 |
| 9: I handle problems in my client relationships openly | -71607.7 | 91383.65 | -0.78359 | 0.433814217 |
| 10: I am helpful in defining or redefining the client's | 38878.82 | 104562.9 | 0.371822 | 0.710252843 |
| 11: I am up to date on what's going on in the client's | -29395 | 66022.94 | -0.44522 | 0.656436195 |
| 12: I understand many aspects of my client's business | 132673.6 | 75252.71 | 1.763041 | 0.078776221 |
| 13: I understand the issues that are most important to | -27035 | 101363.2 | -0.26671 | 0.78984828 |
| 14: I understand how my clients define "client service" | 80961.15 | 70543.72 | 1.147673 | 0.25189631 |

Table 7: Correlation Coefficients Between Predictor Variables in Model 1

| | Correlation (R) with Experience (# of years) |
|---|---|
| 1: Last year, approximately how much revenue (\$) was generated | |
| 2 # of Years - Role | 1.00 |
| 3: Hours Devoted to BD | .39.0 |
| 4: # of Attorneys - Avg | -09.0 |
| 5: Do you ask your contacts to introduce you to people | 9.8 |
| 15: Ask referrals for people in other companies | 9.1 |
| 6: In my firm, colleagues support my business development | 9.6 |
| 7: I do a good job of selling other services offered b | 12.2 |
| 8: I understand many aspects of my client's business | 25.6 |
| 9: Pitch teams | 27.1 |
| 10: Leadership positions | 25.7 |
| 11: Requesting referral from client or other source | 18.2 |
| 12: Targeted approach and follow up | 23.7 |
| 13: Leadership position | 29.3 |
| 14: Targeted approach and follow up | 20.4 |