



THE NEW ELLIS GROUP

Monday Monday

Connecting the Dots with Karen Kaplowitz



Helping you create and reinforce the habits of successful career building, gleaned from my work as a business development strategist, trainer and coach.

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Sharing Origination Credit. Nathan Koppel's recent Wall Street Journal article, *Partnership Isn't Tenured*, said it all: the pressure to prove oneself in law firms never lets up. Most firms keep score with origination credit for new business from existing or new clients. Are you getting your fair share of credit for bringing in new business? Are you confronting the issue of credit for business development in a timely way? You are not just protecting yourself; you are protecting your firm. When a partner in a large firm hoarded work for a major client that should have been assigned to a specialist because he did not want to share the billing credit, the client changed firms altogether. Here are a few basic rules to keep in mind:

- Model the behavior you expect. Find opportunities to invite partners to team up to pitch a client or prospect that you control, and then propose allocating the origination credit in a fair way. When the roles are reversed, you can cite your own precedent.
- Understand your firm's rules with respect to origination credit. Are you allowed to split origination credit for new clients? What about existing clients? What are all the categories of credit that are possible? If you can't get origination credit, can you be the billing attorney or the responsible attorney for the particular matter? Is origination credit assigned on a permanent basis or time limited?
- Learn the firm's culture on origination credit, too. Who makes the decisions? Is it bad form to negotiate the issue? Is there any recourse if you don't think an allocation is fair? How is origination credit actually used within the firm? Who sees it and when?
- Address the issue upfront. If you are invited to participate in a client pitch and don't have prior experience with the partners involved, ask how credit will be treated if the pitch is successful.

Example: You have been asked to join a pitch team by a firm rainmaker who tends to sell just his own specialty services to clients. He is under pressure to offer other firm services to one of his clients whose new general counsel is reducing the number of law firms she uses. You are wary of teaming up with him because you know he does not usually share credit. Do you steer clear of the opportunity or find a way to discuss shared credit? Be ready to give examples of credit allocations in similar situations in the firm. Stay focused on the value you bring to the team but also address the stakes. How much business will your partner lose in his own specialty if the firm does not make the cut of approved firms? Be prepared to ask in a polite but firm way whether your partner is willing to jeopardize the whole relationship because of the difficulty in giving up sole bragging rights for the client.

If you have been unhappy at the credit your partners allocate to you of their own accord, are you ready to advocate for yourself early in the game?