

Going 'Toe to Toe' With Big Law, Improving Processes, Drives Benesch Friedlander, MP Says

By [David Gialanella \(/njlawjournal/author/profile/David Gialanella/\)](#) | June 27, 2018 at 09:00 AM

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Gregg Eisenberg

Gregg Eisenberg is managing partner of **Benesch, Friedlander, Coplan & Aronoff** (<http://www.beneschlaw.com/>), which is based in Cleveland and has offices in the Midwest, the East Coast, and in Asia. The firm has been in growth mode in recent years. Eisenberg talks about winning work from larger clients as a means to growth and success. "The fact that we have a favorable rate differential works to our benefit, but that is not why we get the work," he says. "We can stand toe-to-toe with our peers at the Big Law firms."

How big is your firm, where is it located and what are its primary areas of practice and focus?

Benesch is an **Am Law 200** (<https://www.law.com/americanlawyer/2018/05/22/the-2018-am-law-200/>) firm with over 200 attorneys. Our offices are in Chicago, IL; Cleveland, OH; Columbus, OH; Hackensack, NJ; Shanghai, China and Wilmington, DE. Our primary areas of focus are corporate & securities, litigation, labor & employment (including employee benefits and immigration), health care & life sciences, intellectual property, commercial finance & banking and real estate.

Please explain your firm's governance structure and compensation model.

Our firm is structured like a business. We have an Executive Committee that functions like a board and handles issues that boards of companies typically handle. We have a practice group management structure which includes practice group leaders who manage from the bottom up. Each practice group leader is responsible for the administration and operations of their practice group, and is expected to run their group profitably.

The best way to describe our compensation model is pay-for-performance.

What do you view as the two biggest opportunities for your firm, and what are the two biggest threats?

Opportunities: 1) Continue to grow in our practice areas and our markets. 2) Continue to provide structure and support internally within the firm so that we can price our work appropriately, giving clients flexible and more efficient pricing. Also, we have an opportunity to continue to give more accurate estimates and timely communication as we do our work through legal project management (LPM).

Threats: 1) Unforeseen changes in the economy; 2) If we find ourselves unable to grow because growth is integral to who we are as a firm (we have hired 120 new attorneys and 60 other employees in the past 2.5 years).

After the recession hit, the prevailing theory was that midsize firms would start to see more work come their way from large clients who could no longer justify paying Big Law rates. What has been your experience?

We have found ourselves winning work from larger clients based on the quality of our attorneys. The fact that we have a favorable rate differential works to our benefit, but that is not why we get the work. We can stand toe-to-toe with our peers at the Big Law firms.

Are your clients pushing for more alternative fee arrangements, and if so what types? Is your firm amenable to those requests?

Benesch is completely amenable to providing the type of pricing that our clients need and want. We have systems in place to appropriately price our work to their price points and needs. We are able to do this with the help of LPM.

There is much debate around how law firms can foster the next generation of legal talent. What advantages and disadvantages do midsize firms have in attracting and retaining young lawyers, particularly millennials?

We have been very successful in growing the firm through our lateral growth strategy. We have created a team culture and environment, and we provide resources and professional development opportunities to young lawyers to help them advance in their careers. We are fortunate to be nimble enough and have the type of environment where young lawyers are included in business development opportunities. The firm has also been very open to flexible working arrangements.

Does your firm employ any nonlawyer professionals in high-level positions (e.g. COO, business development officer, chief strategy officer, etc.)? If so, why is it advantageous to have a nonlawyer in that role? If not, have you considered hiring any?

Yes, we have a chief operating officer/chief financial officer, a chief marketing officer, a chief information officer and a chief human resource officer, all of whom are nonlawyers.

We find it extremely advantageous to have nonlawyers in these roles. For example, our COO/CFO previously ran a business and was a law firm client, so he fully understands that side of the table. As I mentioned, we've structured the firm to run like a business and our lawyers have embraced it. This philosophy is beneficial because at a high-level, we understand how our clients think. It also creates leadership opportunities within the firm.

What if any technology advancements have you made in your firm in recent years? What are the challenges in implementing tech changes?

We've made huge advances as it relates to our data security & privacy postures, core platform collaboration levels and increased leverage of data to drive client outcomes (i.e. research tools that combine historical with modern data analytics). We focus on a continual improvement model for all our technology platforms with the end goals of making all client interactions fluent and cost aligned. Advancements vary from InTapp Open software for client intake (and conflicts), which allows fee arrangements to be built into the client intake process, external data to be leveraged, staffing details tracked, and workflows to be incorporated immediately into new client records. Fee arrangement workflows are linked with our matter management system to enable accurate and timely project management, reporting and team monitoring. This allows sending of automatic time entry notifications and reminders to our attorneys. The technology challenges are shifting the culture, educating to the pace of change, aligning client needs and setting vendor expectations.

We have also invested in a number of sophisticated research tools.

What would you say is the most innovative thing your firm has done recently, whether it be internal operations, how you work with clients, etc.?

We recently began utilizing a leading secure document exchange and team collaboration software to create secure, custom interfaces for our clients. This technology creates a versatile, efficient client communication portal tailored to each client's needs. The interface goes beyond secure file sharing—it allows us to track the status of cases, establish data rooms and manage due diligence processes. It enables our clients to access all of the key information on their matters, including relevant work product and upcoming deadlines, so that they can easily review their outstanding matters and make informed decisions. This means of efficiently managing matters help us to control costs and better manage matters to budget.

Also, through the firm's various operations areas, a Process Improvement Committee was recently formed to make sure that important processes like client intake, billing and technology preferences, and usage are being reviewed and challenged regularly.

Does your firm have a succession plan in place? If so, what challenges do you face in trying to execute that plan? If you don't currently have a plan, is it an issue your firm is thinking about?

We do not have a formal plan per se, but we are fortunate to have a lot of young leadership at Benesch. That young leadership is grooming others for future opportunities. We handle succession planning for positions on an as-needed basis.

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David Gialanella

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