How to Find New Clients with Legal Analytics

Let Lex Machina show you how to grow your book of business. In this 30 minute webcast, Dawn Sheiker, Client Relations Director at Morris James, Nathalie Noel, Competitive Intelligence Manager at Jenner & Block, and Neil Magenheim show you how to learn that Legal Analytics can help you gain actionable insights to find and explore the most lucrative business opportunities. See how to find new clients based on open cases in your practice area. Explore cross-selling opportunities and track trends in damages awarded. Review client lists of your competitors and learn how much of a client’s business another firm has locked in. Join us for this webcast to see how Lex Machina can help you find new clients and win their business.

Speakers:

Dawn Sheiker
Client Relations Director
Morris James

Nathalie Noel
Competitive Intelligence Manager
Jenner & Block

Neil Magenheim
Legal Analytics Expert
Lex Machina
Hello, everyone, and welcome to Lex Machina webcast on How to Find New Clients Using Legal Analytics. It's a new year and your firm has new goals to hit. Today, we are going to be focusing on how Lex Machina can help you achieve your strategic growth goals. By way of introduction, Lex Machina is a legal annex, legal analytics solution that our clients use to make more informed data-driven decisions, to help them win, help them win business, and help them win cases and optimize outcomes on behalf of their clients and behalf of their law firm.

My name is Neil Magenheim and I'm very excited to be hosting today's webcast and I'd like to introduce our two guest speakers. First, Dawn Sheiker. Dawn is a Client Relations Director at Morris James. Dawn oversees client-focused business development strategy and provides consultative support to lawyers in the development and execution of their business plans. Dawn also conducts lawyer training and coaching geared toward improving the client experience and develop personal relationships with key clients and referral sources to gain important and actionable feedback on firm operations. Dawn welcome, and thank you for joining.

Our second guest speaker is Natalie Noel. Natalie is a Competitive Intelligence Manager at Jenner Block. Natalie is the manager of competitive intelligence and in this role, she works as a trusted advisor to business developers and attorneys, executing research and leveraging diverse data to drive actionable business insights and impact long-term competitive strategy. Prior to joining Jenner, Natalie served as Senior Competitive Intelligence Analyst at Pillsbury. Natalie is an active member of the legal marketing association. She is a graduate of the University of North Carolina at Chapel Hill, and as currently pursuing a Master's Degree in Data Science. Natalie and Dawn, welcome.

Thank you, Neil.

Great. So let's start the conversation. Let's start talking about how you use data to identify business development opportunities. I thought a good place to start, here, would be over to you Natalie, to talk about looking at Lex Machina and seeing some data here regarding contracts cases in the Southern District of New York. So you'll notice I pulled this up on my screen already, and then I wanted to take you through a couple of pieces of data here, explain to the audience what it is that we're doing, but more importantly, how it is that you leverage this data to help you with your strategic growth goals.

As I was talking here, I clicked over to our timing analytics. What we're looking at are the key events or key milestones in contracts cases in the Southern District of New York. Natalie, I'm going to pass it over to you to talk about why this is important to you and your business development efforts.
Thank you, Neil. This is important to us for two reasons. One, if we understand the time it takes to resolve a certain type of cases in a particular court, and we can also look at particular practice areas, but understanding how much time it takes to resolution gives us an opportunity to sell ourselves intelligently. One, we can craft more intelligent budgets. By leveraging this data, we can work with our internal pricing staff to determine how much time it would take to handle the matter for a client and provide them with an accurate budget. Second of all, we can contrast averages for a particular court versus averages that Jenner has in a particular court to see whether we’re above or below, and if we’re below the average, we can definitely use that metric to our competitive advantage and further close the sale with the prospect or client.

That’s great. Super insightful, very powerful way to leverage this data. I heard budgeting. I heard pricing. Really thinking about it through the theme of competitive intelligence business development, but also through the lens of some legal project management, which I think is fantastic.

The other piece that I’d like to highlight here and get a little bit of your thoughts on is our case resolution data. So we’re looking at the definitive wins here on the left-hand side and how the plaintiff and the defendant won, what percentage of the case's settled, et cetera. Tell me, Natalie, how this is used and leveraged in your workflow?

Well, if you can demonstrate what's the percentage of cases you can win in a particular case, again, you can use that to your competitive advantage when you are pitching to a client. This is a crucial element in our pitching process for us and understanding this information versus a competitor from a competitive intelligence standpoint, allows you to further evaluate what’s the likelihood that you can displace a competitor who’s also pitching for the work.

If you have a higher resolution rate than your competitor, then definitely that gives you an edge over your competitors. But coupling that information with your ability to, perhaps, provide a better rates and coupling that, also, with your experience in the particular court, let's say this Southern District of New York, overall, and looking at a particular practice area further, allows you sell yourself and allow the client to understand your experience, the pricing of their relationship with you. But also helps them be better educated in terms of deciding whether to go with you or a competitor.

That’s great. Super insightful. Competitive intelligence use cases, very, very intelligent way to use the data. I want to emphasize, very quickly, all the different links that everyone's seeing on these screens here.

Lex Machina is designed as an exploratory workflow tool so you can zoom in and zoom out and look at different sets of data based on those combinations of criteria that matter most to you and what I want to just to spend a minute on here, Natalie, is why it's important to look at judge data in some of these.
instances. So, for example here, I'm going to hone in on Judge Hellerstein's contracts cases in the Southern District of New York.

Nathalie Noel (06:55):
Well, understanding judge information is critical because, one, we can contrast the book of business or, if I can put like that, the book of business of the judge versus your particular law firms experience in front of that judge. Many times in our firm, we receive RFI's, which are requests for information, from our lawyers requesting background information on a particular judge that they're going to litigate against, before.

Nathalie Noel (07:29):
So understanding what type of cases that a judge has handled helps us understand the familiarity of the judges with the cases that you're likely to litigate on behalf of the client. But also understanding what the timing analytics, as well as the resolution analytics, for a particular court allows you to understand how much time you may have to budget for helping a client before a particular judge. But also tying it back to your budget, understanding how much time your firm takes to resolve a case versus how much time it may take in front of a particular judge helps you, also, figure out how much to charge the client and determine budget and timing for particular case.

Neil Magenheim (08:27):
That makes a ton of sense. I just heard that Dawn lost power, Natalie, so you and I are going to adjust and adapt a little bit here. So, great insights on a particular judge, a type of case, a venue, et cetera. What I'd like to do is pivot to looking at data from more, truly of a competitive intelligence perspective. Looking, more specifically, looking at another firm's data and the insights that can be gleaned from that and how that's applicable to your particular workflow into your particular practice.

Neil Magenheim (09:10):
You notice here, I did pull up Kirkland Ellis patent cases. We're looking at their cases specifically in Delaware. But just talk a little bit, Natalie, about why it's important to, to look at another firm's data, the type of parties they're representing, et cetera.

Nathalie Noel (09:30):
Well, understanding a client's book of business allows you to understand what kind of industries that your competitors are serving. I know right now we're looking at federal cases, so looking at the data from Lex Machina, and if you go over the client list tab, you can actually understand what are the biggest clients of a particular law firm and you can contrast that against your particular client database and see whether you have same type of clients or not. If you go back to the previous page-

Neil Magenheim (10:07):
Yep.

Nathalie Noel (10:12):
If you go under the cases and you look for the case types.

Neil Magenheim (10:17):
Mm-hmm (affirmative). Yep. So we're looking at the 309 patent cases with Kirkland, here,
Nathalie Noel (10:23): You see the top clients represented.


Nathalie Noel (10:26): Great. You can see here, the top clients represented by Kirkland and you can contrast that against your own firms. But, also, you can also pull up law firms and pull up the parties report and seeing how many cases, or in what cases, your firm has been on the same side as your competitor versus opposite that competitor.

Nathalie Noel (10:53): If you've been on the same side most of the time, then definitely you're probably handling similar types of cases. But if you're against that firm, then it is likely that you're not going to be able to displace that firm as a competitor.

Neil Magenheim (11:10): Sure. That makes a ton of sense and, unfortunately, Dawn, again, she lost her power. We're trying to get her back online. But what was really interesting about the dynamics between Dawn and Natalie as we were preparing for our time together are the different applications for this, these sets of data, and Natalie's with a larger firm Jenner and Block. Dawn's with Morris James. So they, the data is equally powerful, but there's different use cases for it.

Neil Magenheim (11:37): What we're going to emphasize here with Dawn was looking at a particular party. For example, we looked, we started with Kirkland's data and we noticed that the representing Teva. You'll notice here, we linked out to Teva's patent cases in Delaware. What Dawn's interest in this data is, and I'll let Natalie speak to this in a second from her perspective, but what Dawn's interest in this was who is their local counsel in Delaware? What firms are represented from a lead counsel? Hi, Dawn. Welcome back.


Neil Magenheim (12:11): So we're just at the point here, Dawn, I'll tee it up for you. We're looking at the 217 patent cases with Teva in the District of Delaware.


Neil Magenheim (12:21): So I just started laying out about how you use the data to identify lead counsel versus local counsel and how you use the data a little differently to develop business.
Dawn Sheiker (12:32):
Right, so if I was looking at this client, one of the key things that a Delaware firm looking for local counsel is to see who’s representing them. I go, often, go into the law firms report and I want to look at top law firms representing Teva and that law firms report button is usually what I click on. There might be a better way to do it, but I like blue things and I click them, and this is where I can go in and see, sort by cases representing the selected party and I can look through this list and see what firms are representing them in the District of Delaware in patent cases and say, "Oh, okay, well, you know what? We are doing work with Goodwin in other generic cases. Maybe we can start to talk to them about this case, too," or, maybe we are working with Kirkland and Ellis on some other patent cases and we’re seeing that they're not getting as much from Teva in this space. Is there something we can do to support them?

Dawn Sheiker (13:33):
We also, maybe, can drill down a little further to say, "Okay, if we start looking at the dockets and who's in these cases, right? Who's Goodwin using in Delaware? Are they using Potter Anderson, one of our competitors? Or are they using Young Conaway? Are they using Byard?" Different firms that we can look at the data and say, "How strong is this relationship?" Right?

Dawn Sheiker (13:52):
So maybe through intelligence that we know they're using a competing firm, but we also know that that lawyer who that they're working with is in the succession planning years. What’s our play there? Should we be starting to get to know the number two's at Goodwin or at Kirkland or Jenner or whatnot?

Dawn Sheiker (14:12):
That's kind of how we drill into the Delaware courts, which is a high, more specialized area, if you're familiar with this jurisdiction, the Delaware firms. Those of you who are not in Delaware, you are our clients. We're usually selling to you to get your Delaware work and this is, we're trying to help reveal this information to you to say, "This is how you can pick up work from the Am Law 50 if you're the 100, or the Am Law 200." You can compete when you say, "I have this Delaware aspect covered because we have a strong relationship with Morris James who adheres to our client service standards," and blah, blah, blah.

Neil Magenheim (14:52):
Yeah, Dawn, it's great insight. I love the way that you laid that out. As you were talking, I did hone in on the 63 cases in which Goodwin is representing Teva patent cases in Delaware, and you could see very explicitly here who their local counsel is, right? Who's working with them.

Dawn Sheiker (15:12):
Right.

Neil Magenheim (15:14):
Right? So this gives you an idea of what the relationship looks like, where their opportunity is. Is that correct?

Dawn Sheiker (15:18):
Correct. Correct.
Neil Magenheim (15:20):
Yep. Cool. So if I back out of this, I wanted to kick it over to Natalie very quickly and just think about this data through the lens of her competitive intelligence and business development needs and see what your thoughts are, Natalie, on why it's important to know who Teva's working with and maybe at a more macro level.

Nathalie Noel (15:47):
Well, it's important for us to know who Teva's working with because one, if they're using a large firm, say a firm of 500 plus attorneys, so that's a firm that's bigger than Jenner, for example, that helps us give us an idea of whether they can, what their legal spend ability is, right? Second of all, understanding what the competition is allows us to have a better cross selling analysis.

Nathalie Noel (16:20):
So, for example, if we look at Teva's work and we look at the practice areas that are mostly ... Yeah, for example, we're looking at their litigation trends, right? For the past 10 years, most of their cases have involved product liability and other federal trade secrets and patent work. Now, if we look at product liability, can we realistically compete with their product liability counsel? Is their counsel some firm that's on their preferred provider panel? If that's the case, then it might be more competitive to go after that type of work.

Nathalie Noel (17:04):
We might want to look at a different practice area and say, "Okay, they need contracts work, or they need employment work." Who does their employment work? If it's not a big competitor, or if it's not a firm that's on their preferred provider panel, or it's not the firm that is prohibitively expensive, then we can think that we have a better shot at gaining that work because one, we can offer competitive rates. Two, we have a significant experience. We do have a lot of experience in the pharmaceutical industry. We do have significant experience, not only in that industry, but representing other clients in that particular practice area. But also three, we can also couple that with our case resolution analytics if we have super great results representing pharmaceutical companies before the Southern District of New York, let's say, and that's where they have most of their cases. Then we can use that to our competitive advantage and decide, "Oh, this is a great practice area to try to cross sell at this time."

Neil Magenheim (18:12):
That's fantastic. Fantastic insight from both of you. As you were talking, Natalie, I thought I might just, this might make sense just to kind of wrap up your particular thought here. What we can do here is now look at the relationship between Teva and any one of their law firms and in my experience, there's really a few important questions that could be answered like how effective is the relationship? How recent is the relationship? How frequent is the relationship?

Neil Magenheim (18:41):
How important is it for both of you to understand the relationship between Teva and their lead counsel and what the kind of piece of the pie is there? I'll start with you, Natalie, and then maybe Dawn, you could just piggyback on that.
Nathalie Noel (18:58):
Again, if there's a possibility to cross sell multiple practice areas to a particular firm, right? Then we try to see what's the likelihood that we can displace an existing competitor. If it's fairly easy from a budgeting standpoint, from an experience standpoint, to displace that firm, then sure we can pursue patent work. But if we can't, or if from a data-driven analysis standpoint, not the best course of action to take, then we might want to consider cross selling or pitching another practice area to that firm. Pharmaceutical companies, most of the time, their needs revolve around patents and intellectual property and that does not mean that those are the only legal needs that they have.

Nathalie Noel (19:48):
So let's say Teva is a big company and we want to get their patent work. Let's say we get Teva and we do their patent work and we want to go after their patent work, right? And let's say this represents a huge engagement for our firm. That is a great, it's a great opportunity, but it could also be a risk because if taking on their IP work, let's say, ends up representing more than 10% of our overall firm revenue, well, if we lose that client, then that takes, that creates a big hole in our budget.

Nathalie Noel (20:28):
Business development is a multifaceted activity. So we have to consider different variables when we're trying to compete for work. Does it really make sense for us to really go after this work? And if we lose this work, how does that impact the bottom line of firm financially?

Neil Magenheim (20:48):
It's a great way to position it, Natalie, because you could look at the data and the intelligence that you take from the data is maybe it doesn't make sense to explore this type of initiative because it's more well-vetted now and, like you just said, what's the risk analysis? There's a lot that goes into that. But you can use the data and simply say, "This isn't for us. Let's move on to the next one." Dawn, quickly to you on that, and then we'll pivot over to our next topic.

Speaker 4 (21:16):
Yeah, those are all really great thoughts and I don't want to talk too much. I know we're short on time, but I just wanted to add to it from my perspective, one, a smaller firm and in a unique market, I would look at a big client like this to, again, be looking at that recent activity. What firms are they using? What I might be looking at, if I was looking at Jenner as a potential firm that I wanted to pursue to get their Delaware work, right? Jenner's a big firm without a Delaware office.

Speaker 4 (21:44):
I would be looking at, okay, and I don't know if this is even the instance here, but say, you know, Jenner is representing Teva in some of that corporate work or in real estate or employment law, but they're not getting this IP work. So it would be a talking point that I would tee my lawyers up to say like, "Hey, when you're talking to your corporate relationship partner, maybe have a conversation about this and say, are you not getting it because it's a strategic decision that you've made? Are you not getting it because you can't compete because you haven't filled out this Delaware hole? What's going on there?"
Speaker 4 (22:17):  
It's also a talking point internally where we would be saying, "This might be a strategic initiative that they're wanting to do." Say we're looking at Jenner and Block and all of the client, their party report, which is their client list, and I'd be looking for trends to say, "Is there an industry that maybe we know they're going after?" Industries don't necessarily matter to us in Delaware, but you know, I'm seeing just from here, pharmaceuticals and energy, no surprises there. Should we be playing in that space too? Should we be attending those events? Should we be helping giving them some information from here what courts are doing in that space?

Speaker 4 (22:55):  
From a small firm perspective, like taking the weird Delaware angle off of it, you know, this is your opportunity to find your competitive advantage, right? You can very easily in one simple place, see what the big firms are doing. See what the boutiques are doing. You can look at the docket reports and you can drill down and say, "These are the clients that they're pursuing. These are their big clients. These are their stronghold clients. These are their clients that they are going to the depths of the universe to keep because they are 10% of the budget, or they are 20% of the budget."

Speaker 4 (23:27):  
And so, therefore, maybe there's an opportunity to compete there more, because you can say, "Hi, we're nimble and we have better client service, and we can deliver this less, for less expense than Jenner can," and maybe that's an angle you want to play on your firm financials. Or you just go, "You know what? Nope. BP Energy or whoever it is, we're not going to go after that because that is their showcase client."

Speaker 4 (23:55):  
But we see that they have to focus on all of, BP just had a big oil spill so they're going to be tied up for a while and let's look at these other clients where we're just as good as them in this space and we're going to compete and we're going to start pursuing those relationships. So that, to me, I know someone was wondering about the small firm advantage or the mid-size advantage. I find these tools, and particularly this tool, to be really helpful in revealing your inroads there, because it is all so nicely laid out.

Speaker 4 (24:25):  
You can pick any court, any jurisdiction. I mean, even that weird Delaware Court of Chancery is there that you can drill into to say, "Okay, what types of cases go there and how does it work and who's playing in that space?" And you can figure out does it make sense to your firm from Natalie's perspective of is this a good use of our resources to pursue this client or not? And you can see if you have a competitive advantage in any way.

Neil Magenheim (24:54):  
So great. I wish we had more time. I'd love to continue this conversation. I'm going, in the spirit of time here, I want to make sure that we do get off in about four minutes. We're not going to dive deep into this. What I wanted to emphasize here is just piggybacking on some of that cross selling stories that we were just talking about. You could very easily put a party into Lex Machina. We looked at Teva. We kind of linked out through Teva's data.
Neil Magenheim (25:20):
I ran a search on Home Depot. Home Depot’s got a pretty diverse litigation profile. So you can go in there and get all those insights that Dawn and Natalie are talking about through a party or a group of parties. It’s a very flexible way to get into this party analysis and to accomplish those cross selling initiatives.

Neil Magenheim (25:42):
Again, in the spirit of time here, I do want to wrap up. We do have some questions. We'll follow up with all those questions, but we'll start, Natalie, with you. Maybe a minute and a half or so, get your final thoughts on Lex Machina data-driven competitive intelligence business development, how we can help you and anything you'd like to add from a final thoughts perspective.

Nathalie Noel (26:03):
Thanks, Neil. First of all, Lex Machina is a great tool. One thing I appreciated with it is that ability to make it available to the firm-wide attorney base. You know, we do have the ability to make it accessible firm wide and so that means that once we train the attorneys and once they know where to look for information, it saves us time by not being the bottleneck and being the gatekeeper of the information.

Nathalie Noel (26:33):
The other time saving aspect of Lex Machina, for me, is the ability to access the docket documents and the nice thing about Lex Machina, also, is that those documents are keyword searchable. So if you're looking to represent a company or better understand super fund site related litigation in the past five years, and you can easily use that keyword and search a variety of dockets or dockets for a particular company and see what kind of litigation are associated with that particular topic.

Nathalie Noel (27:06):
On the second hand, I'm a data nerd, so anything that can allow us to have a more data centric approach to business development, I'm on board. Lex Machina is definitely one of those tools that allow me to provide data to our attorneys and not say, "Oh, we should go after Home Depot because they're a big company and they're making money." That's not enough. I'm able to back up my arguments with data and say, "We should go after Home Depot because we have a, there's a great likelihood that we can represent them for their biggest legal needs. There's a likelihood we can displace their current, our current competitors, et cetera."

Nathalie Noel (27:53):
And thirdly, what I also really love is the recent addition of the COVID-19 tab. I've never seen this tag in any legal analytics tools that I've been used so far. This is very valuable for me because it allows me to see litigation trends that are related to the pandemic, and it's very crucial to be in tune with what pandemic-led initiatives, efforts, and litigation are going on right now. So being able to apply that tag to a particular company, or a particular industry, or a particular law firm to see who's handling what that has to do with COVID-19 and really being able to understand what COVID-19 related litigation looks like today, and apply, do your own thinking and map, pair that with your industry research to figure out which direction you should go is very, very valuable to me. So I'll pass it on to you, Dawn.

Neil Magenheim (28:55):
Nathalie Noel (28:57):
All excellent points, and I wanted to pick up the licensing to all of your attorneys. I agree that it's a phenomenal aspect of the licensing with this product is that everybody can have it, and it is economical. It's not price gouging or anything. But I, from a business, pure business development standpoint, I do suggest that you get training from your internal business developer, your marketer, your competitive intelligence person. If you don't have that in your own firm, ask Lex Machina. I'm sure they can connect you with somebody internally or at a different firm or client that can train you on it a little bit differently and what I mean by that is I find that the tool is trained well, but each firm has a different use of it.

Nathalie Noel (29:46):
You've heard Natalie talk about how she looks at it from talent acquisition to whether or not we're going to pursue a market in a different place, or if we're going to go after a client and where the competition is and there's so many different lenses. Then I spoke about from a small firm advantage and from a Delaware jurisdiction.

Nathalie Noel (30:06):
There's training on how to use all the bells and whistles of the tool, but your in-house people can really help you see how you can, in real time, from your own desk, get some quick information. Whether it's pulling that pleading that you need, or the docket information, or really drilling in to see what your competition is doing or where these cases are going. I find that is crucial to really using the tool well, and I see in the Q&A, there's an interesting question here that always gets blown past whenever someone asks from a small firm, personal injury perspective, because a lot of people don't know how to answer that.

Nathalie Noel (30:43):
I'm going to wing it here, but I do have a personal injury practice at my firm and it got me thinking quickly about what I would, how I would use it. So my, I find that a lot of PI firms are using a lot of anecdotal information about, "Oh, we did the ... this competitor did this thing, and now they're getting all the cases, right?" Because it's such a high volume, high speed practice.

Nathalie Noel (31:06):
I would think that a tool like this, if you got your state court and the courts that you're in, you're able to drill down and see is that firm really getting all of the cases that they are saying? Where do you stack up against them? Do you have any edge that you can talk to your clients about? Yes, we settled click cases faster than these other firms because that's really what people often want in PI cases. They want them to go away and they want them to be resolved so they can heal.

Nathalie Noel (31:35):
That would be my answer to that question is, I don't know if it necessarily is lead gen as much as the competitive advantage piece and taking what you're hearing on the street about who's getting what and all of their fancy billboards and SEO that's giving them all the cases and really saying like, "No, it seems like our strategy is paying off here. Where we're getting our share of what we should be seeing and they're getting their share and maybe we can make some inroads in this court."

Nathalie Noel (32:05):
It's an interesting question. So I wanted to answer it and I think it also ties into how small firms use this tool. It doesn't necessarily need to be these big, prestigious Federal courts. That's the beauty of the tool is that you can drill into any type of matter and you're not being sold some big ... I have to have everything to have my court. My firm really only has a couple of different layers to it and it's what we need. So those are my takeaways and feel free to, anyone here, reach out anytime you have questions for me about any of this.

Neil Magenheim (32:39):
Dawn and Natalie, I'm blown away. I can't thank you enough for your time, energy, preparation for this. We do have, there was a couple other questions in the Q&A that we will follow up with independently after the call's over, but, again, want to thank you both Natalie and Dawn for your time for this and this concludes the Lex Machina webcast on using data to grow your business and win new clients. Thank you all for attending.