

# Briefing Leaders

FRESH  
DEVELOPMENTS

Who's leading BD and marketing functions in law firms, how senior are they, who do they report to, and where have they come from?

APRIL 2020

BUSINESS DEVELOPMENT  
AND MARKETING LEADERS  
2020

*introhive*

## SNAPSHOT

At the start of a new decade, has the marketing and/or business development (MBD) leader at a top law firm increased their influence? Well, the proportion with a 'C-level' job title in this year's **Briefing** Leaders report is double that of only a year ago (4% to 9%). But does that mean more power to decide what matters, or mere 'title inflation' at work? We do know that half also say they have a seat (or part of one) on the board – although twice as many leaders in our smallest revenue band say they're on the board than the direction-setters at the largest global firms. Other promising indicators include 40% saying they report to their managing partner; 25% to the CEO. Only 5% say it's the COO for them. And there's plenty of variation in MBD team size (getting bigger as firms make more money, just as you'd surely expect) – though as a benchmark, 82% have a team of 50 or fewer to manage. Elsewhere, there are arguably more concerning signs – firms today are no 'better' at bringing in leaders of this function from a non-legal career background than they were seven years ago (56% arrived from another law firm). There has also been a drop in the number of women BD leaders, notably at the largest firms. ▲



## PARTNER COMMENT



**Alan Mercer**  
Legal industry director  
Introhive

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Reviewing the results of this year's business development and marketing leaders report, I'm struck by the diversity of team sizes across responding firms. For many of these, the workflow and activities for their year have shifted dramatically over recent weeks as a result of the pandemic situation. Teams have moved to remote working, are organising more virtual events, and have increased their digital marketing and client communications. In the midst of this shift, I think many teams – across firms of all sizes and specialisms – will find this new way of working has forced digital transformation that perhaps would otherwise have been months, even years, away.

Digital transformation in the legal sector has been growing over the past two years, and it will continue to evolve as new technologies emerge and firms seek to find innovative solutions to age-old challenges. As firms begin to realise how important effective data is to aid internal collaboration, monitor client relationships, and fuel digital initiatives, it will be interesting to see how the size, skillsets and job titles of these teams change – in the next six months and beyond. Similarly, it will be interesting to see how much this increased importance is reflected in the percentage of MBD leaders who take a seat on their firm's executive board and begin to participate in truly driving the firm's future growth strategy.

Introhive has had the opportunity to play a part in many digital transformation journeys, automating processes and improving outcomes while reducing the disruption of technology adoption for busy professionals. Now, more than ever, Introhive can help these teams by uncovering and mapping firm-wide relationships, passively capturing accurate contact data, automating CRM workflows, and delivering relationship insights to enable better return on investment.

## BRIEFING PEOPLE



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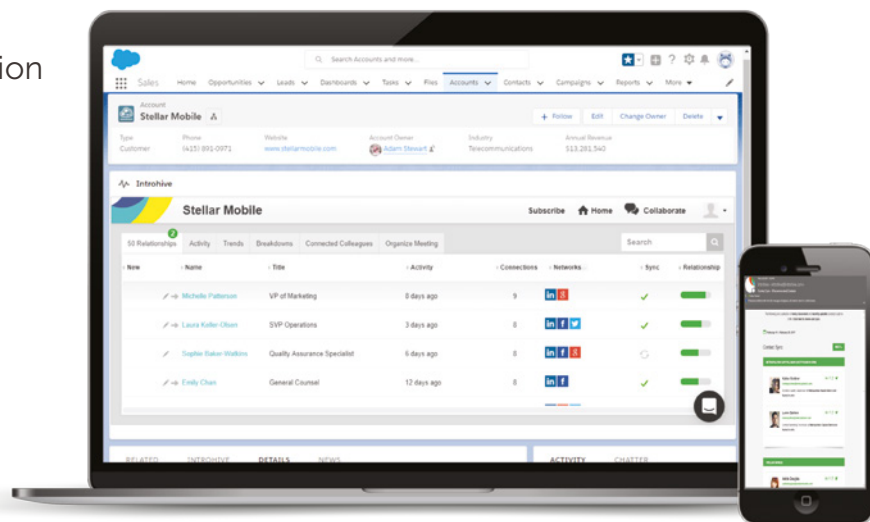
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# 01 Rising C-levels? Marginal increase in MBD leader seniority



**W**hen **Briefing** analysed the seniority of job titles among marketing and business development (MBD) leaders in 2019, we found little had changed since 2013. In 2013, 21% of MBD leaders were 'heads of', 65% were directors, just 4% were C-level and 11% were 'other' (including 'manager' titles). By 2019, 'other' had shrunk by 4%, 'heads of' had grown by the same, directors shrunk by 1% and C-level remained the same.

**Briefing** also asked whether marketing, in particular, was still being seen as a 'back-office' function, or whether firms were starting to take it strategically seriously, as impactful on bottom lines. Again, answers were mixed here in both years.

But 2020 has seen some change, particularly in the area of C-level titles, up from 4% to 9% (p5). While still a small proportion, it's a big jump taken with the previous seven years of stasis. Director numbers have remained at 64%, with 'heads of' shrinking back to 22%, suggesting promotions to director, and C-level. Leaders of MBD functions haven't always enjoyed unrestrained support – so the increasing proportion of C-level leaders might be a welcome development, says Deborah Fleming, business development director at Walker Morris. "It can be a challenge for MBD people to prove that what they do is a science – there's still a lack of understanding around what marketing and sales are. Lawyers have always understood accountants, for example, because they have traditionally seen accountancy as a profession – like law. However, I would hope that rising C-level titles means that attitude is shifting."

She adds, however, the increase may instead merely be a reflection of the increasing influence US firms have had on job title terminology in recent years – a perspective echoed by others, including David Craigen, director of business development at Womble Bond Dickinson: "That change is purely a reflection of the influence US firms are having in the UK market. In my experience, a director in the US equates to 'head of' in the UK, and a UK director equates to chief in the

US," he says. "From a recruitment perspective, if someone has moved from a US-centric firm to a UK firm, they'd probably want that chief title go with them."

At Keystone Law, which has eschewed the traditional partnership model, marketing and business development director Kristina Oliver agrees there's less significance in the distinction between directors and C-level than it might seem. "I'm a shareholder, I sit on the board and in some firms the natural title would be 'chief marketing officer', but every firm is different in how it presents senior management."

One leader points out that there may also be a degree of 'title inflation' occurring, where, for example, somebody may be given a C-level title simply because others on the executive team have one.

## All on board? Mixed results on membership

Seniority can, of course, be measured in other ways. Jacqui Weston, marketing director at HGF, says her title has little effect on her job satisfaction or ability to do the job. "I'm in a position where I am empowered. I attend the management board meetings and am able to get BD and marketing on the agenda."

Whether or not MBD leaders are able to offer their input on strategic aspects is likely to be a good indicator of their real authority and importance to firms – so this year, for the first time, we asked whether MBD leaders had seats on the board. The results were fairly split, with 45% saying yes, 43% no, and 5% that they were 'partially' there (p6). While several people pointed out that the nature and responsibility of boards varies across law firms, most agreed that MBD leaders ought to be on the executive team or another strategically-focused body.

Why would any firm not have their most senior MBD expert on the board or the executive team, questions one person in this position. What are the board talking about if not clients and markets?

Craigen agrees with that view saying, when it comes to

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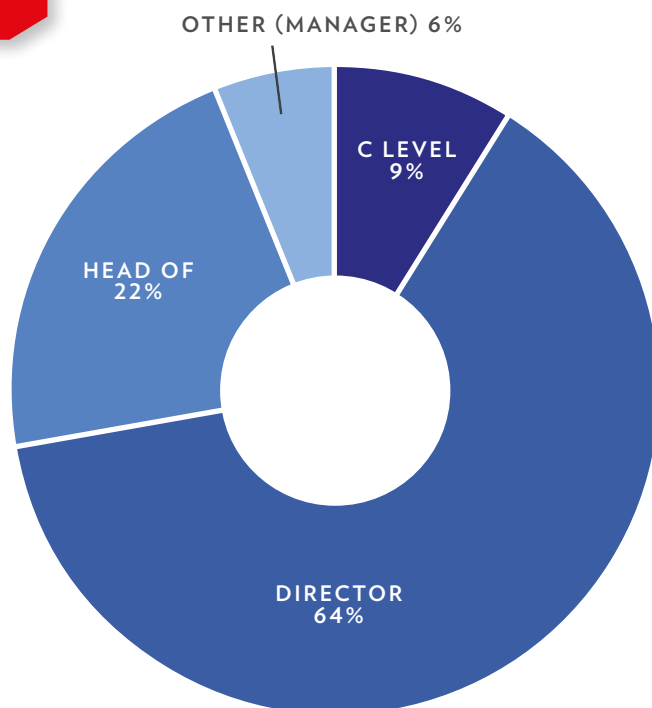
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## ROLE TITLE SPLIT



strategy, the evolution of BD leader roles has meant their input offers a lot of benefits for the board. “The BD leader role has become more client-facing and strategic over time. For firms in very competitive segments of the market, particularly the mid-market, that commerciality can provide strategic insight that partners on a board don’t necessarily have – many partners have only ever been with one firm, so BD leaders can bring a wealth of strategic experience from other professional services firms or other sectors.” However, he concedes that MBD leaders may not be needed where the board discusses operational or “tactical” issues.

But being on the board isn’t the only way of shaping strategy. Weston says that, although she doesn’t sit on the board, she does report to it and is free to put questions, as well as being questioned. “I suspect it depends on the size of the organisation and how it operates. Every organisation is

different, but our arrangement works for us.”

However, even if MBD leaders are on the board, they may not be equal to partners, or other members, in one fundamental way, says Joy Kingsley, senior partner at JMW: remuneration. “There will be very few non-partner MBD leaders who are paid the same as equity partners. If they’re not incentivised in a similar way, they’ll always have a lesser position.”

While you might think firm size would be the factor here, our data (p6) shows it’s not so simple. As many as 42.9% of MBD leaders at the smaller firms (£20m-£50m revenue) said they were on the board, while only 20% of those at the largest (>£600m) could say the same. The group with the largest proportion of leaders on the board was £200m-£600m, making the difference at the biggest firms all the more interesting.

Kingsley says the partnership structure itself may be skewing the figures at the smaller firms. “I would have expected the figures to be lower. Some of the people on the board in the survey may also be equity partners, or senior partners with primary responsibility for BD – and they may not be on the board if not for that fact. That may be especially true at firms with just a handful of partners and a smaller board,” she says.

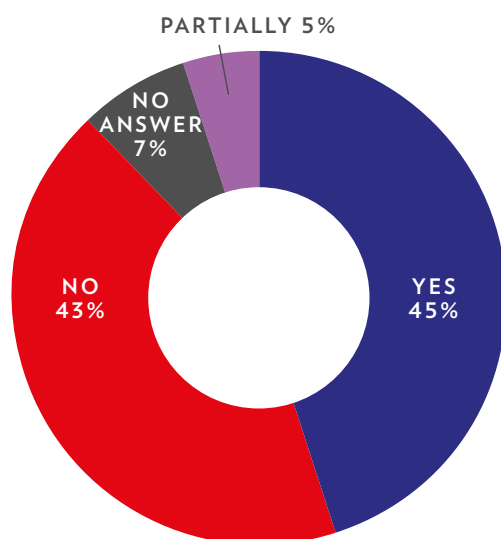
**“Many partners have only ever been with one firm, so BD leaders can bring a wealth of strategic experience from other professional services firms or other sectors.”**

*David Craigen, director of business development, Womble Bond Dickinson*

### The report card

2020 is also the first year we’ve asked MBD leaders who they report in to, giving another key indicator. A full 40% (p6) said they report into the firm’s managing partner, and a further 25% said the CEO. These two top titles form a majority of the responses, suggesting most MBD leaders have no one

## ARE YOU ON THE BOARD?



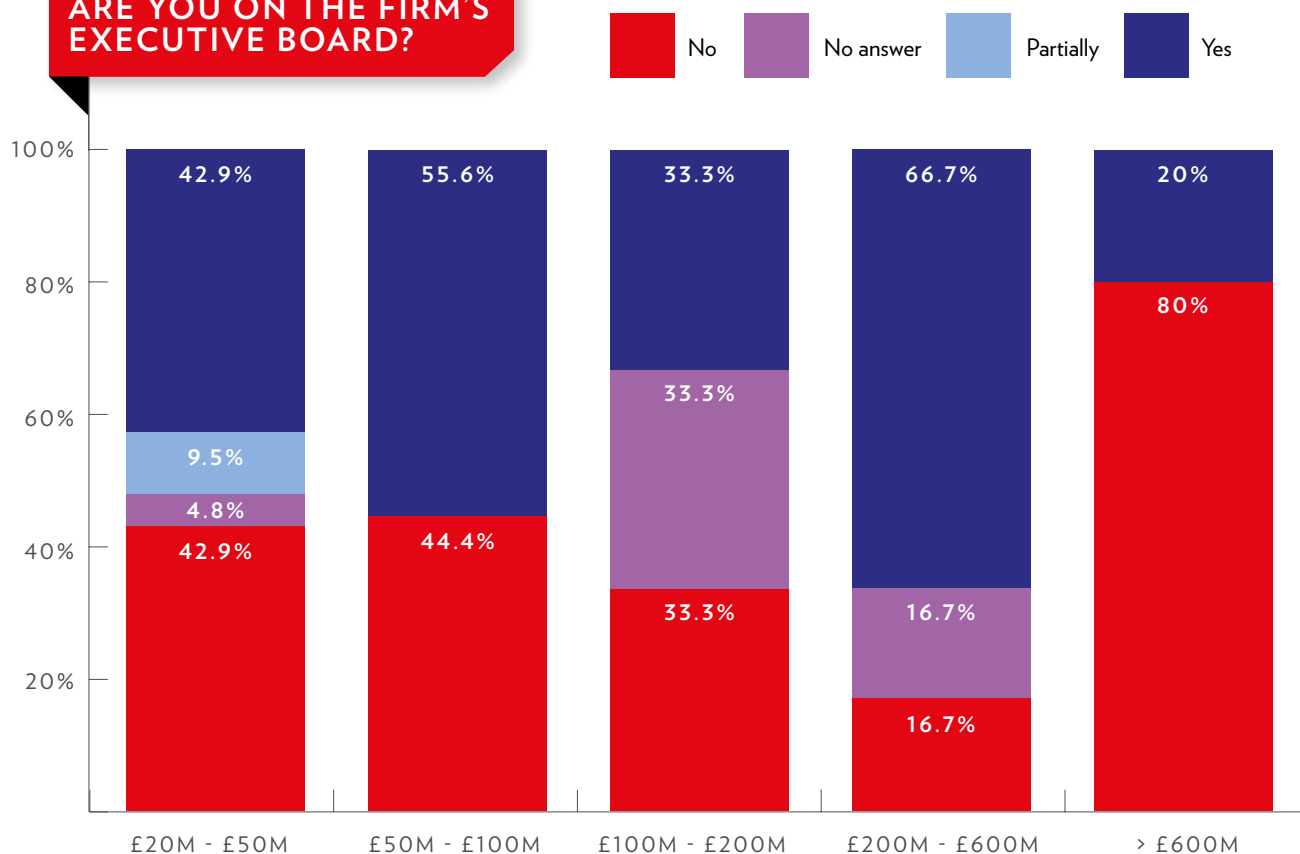
standing between them and the top decision-maker, but there's some uncertainty about whether all these leaders have comparable responsibilities. And 5% said they reported to the COO, suggesting perhaps not to the very top. Another 10% report to a senior partner, and a further 10% to an assortment of combined titles (some of which include senior titles such as global COO and managing partner, but again they may not be the top person in the firm). Craigen at Womble Bond Dickinson suggests there might be a correlation between MBD leaders who report into COOs and those that don't sit on the board – but notes that the COO role itself has changed over the last five years, gaining greater strategic importance. “There are many different interpretations of the COO role. More MBD leaders reporting to them might be a reflection of the increased prominence of the COO,” he says. He also notes the likelihood of there being a correlation between seniority of title, board membership and reporting line: “Most MBD directors who have input at board level will go direct to the managing partner – I'd be surprised if those who don't are director-level.”

## Two team streams across revenue bands

Seniority and authority can be measured not only by

04

## ARE YOU ON THE FIRM'S EXECUTIVE BOARD?





who a leader reports to, but also by who reports to them – hence our survey of MBD team sizes this year. It's obvious from the get-go that this metric is closely linked to firm size: all of the smallest firms surveyed (£20m-£50m) have between one and 25 MBD team members (p8), with most having no more than 10. The next band (£50m-£100m) makes up a small proportion of the firms with no more than 10 in the team, with the rest of these firms falling into the 10-25 and 25-50 team member buckets – but none of them top 50.

This isn't all that surprising – some four-fifths (82%) of our Briefing firms have 50 MBD team members or fewer.

Coming from the other direction, the top-bracket firms (> £600m) all have 75 or more in the team – also the only bracket of firms to have 150 or more. This suggests that the larger firms have established a minimum floor, below which their MBD teams wouldn't be able to do their jobs effectively.

Smaller firms won't have the largest teams due to economies of scale. There's a natural tapering off of benefits vs costs – they won't feel the need to invest in lots of MBD people because the return on that investment just isn't sufficient. Larger firms, however, need more specialist support, especially with work around client research or key client relationship management.

Oliver at Keystone agrees, saying smaller firms are likely to have more generalists and multitaskers in some situations. "I don't have somebody focused purely on key accounts or looking after singular clients in quite the same way as the bigger players do, but we can demonstrate return on investment in other ways," she adds.

Why, though, does 50 seem to be a tipping point? One of our leaders says it's about the different needs of national and international firms. Once you begin to build an international network, you have to support it – and not just within each local

office opened – you have to work out how to collaborate effectively across those offices and justify having spent all that money opening them. Someone has to support it 'on the ground', but also in terms of cross-office practice.

Recounting his tenure at Hogan Lovells, Craigen agrees that an international firm has different demands of its MBD team, dictating a larger size and decentralised structure. "It's impossible to have a team just based in London. The complexity of the service offering, and how you target and develop relationships with clients internationally, grows exponentially as soon as a firm is truly global."

Even among firms operating principally in one country, teams may be spread among regional offices. Kingsley says that, although it might be more pleasing to law firm leadership to say that a centrally located team will do, the opposite is reality. "Most departments want some MBD people in their location to deal with things that need to be done quickly."

### Lockdown marketing?

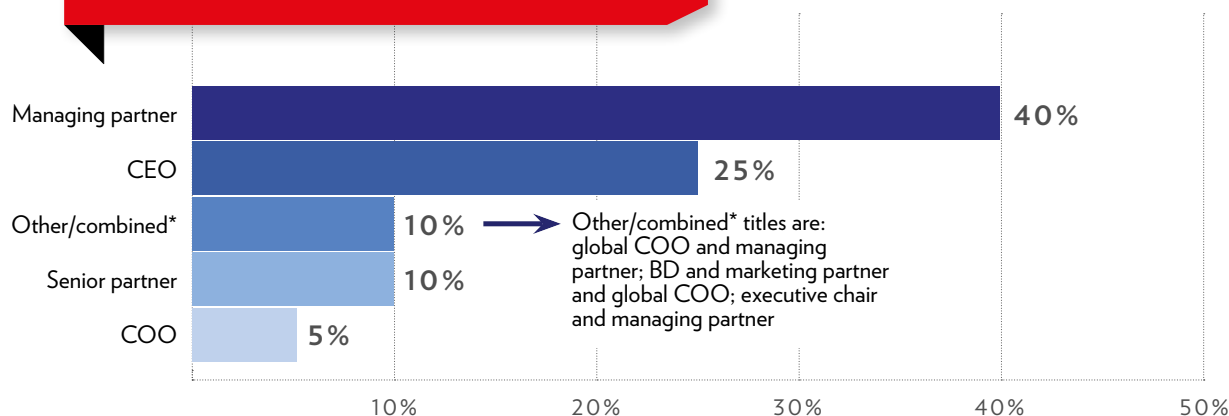
The world health emergency of Covid-19, and subsequent lockdown measures, have thrown the world into economic

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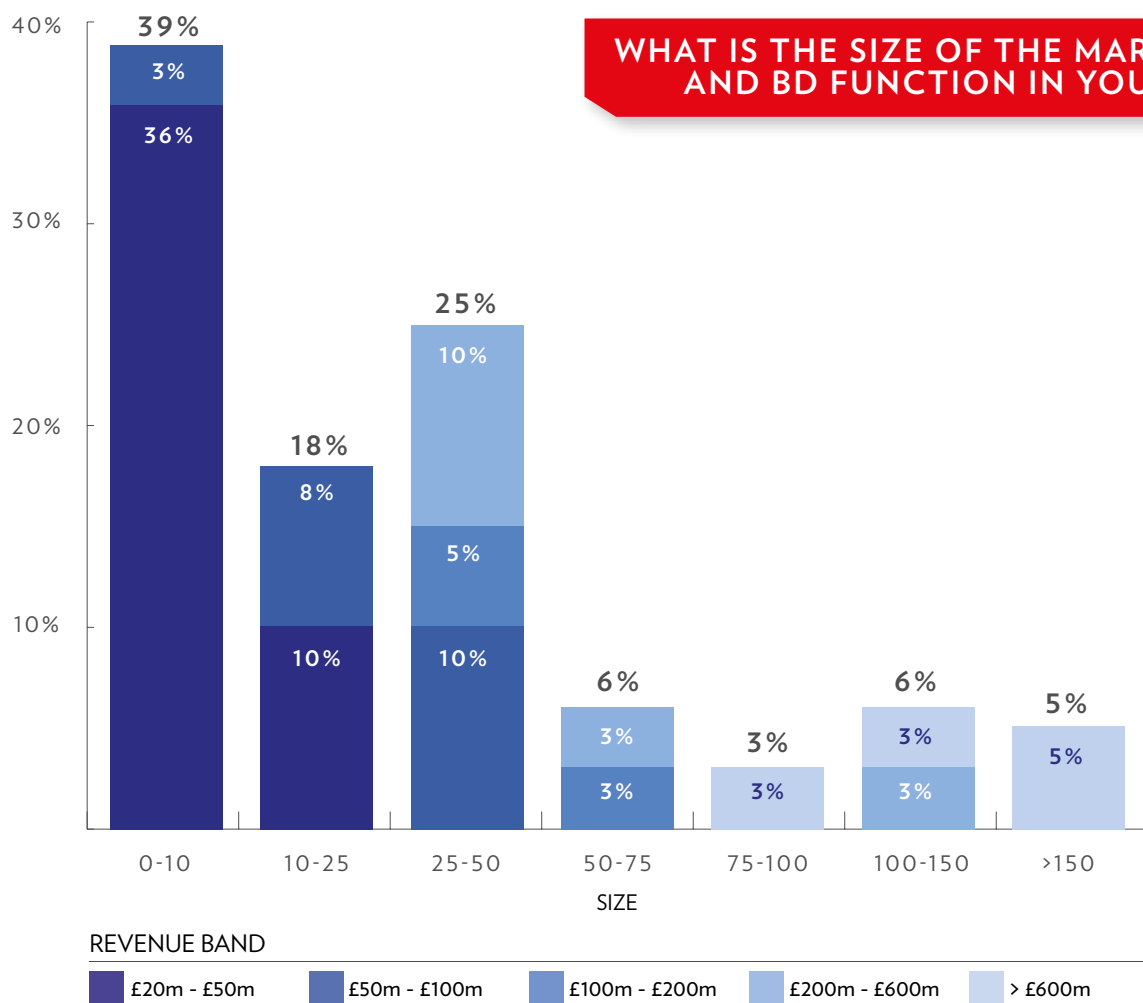
**"There is a wealth of research suggesting that you should increase your marketing output during a recession."**

*Deborah Fleming, business development director, Walker Morris*

### WHAT'S THE JOB TITLE/POSITION OF THE PERSON YOU REPORT TO?



Other, single responses (representing 2.5% of answers each) included: director of client relationships, executive partner, managing director and CMO



turmoil, prompting many businesses to furlough staff, or even make them redundant. At the time of writing, the UK and most of the world is almost certainly about to tip into a pandemic-induced recession, with many businesses taking advantage of the government's scheme to temporarily lay off staff, and marketing a prime target.

Oliver explains. "I know of firms that have furloughed their entire marketing departments, and in one instance even the head of the marketing team, who was recently made a partner." However, she adds, furloughing marketing staff is perhaps not as strong a choice as firms may think, and they will react differently. "Those that are more forward-thinking will see this as an opportunity to raise their firm's profile. It may not be the right time to focus on traditional business development, but it's never been more important to maintain good communication, both within the business and externally. It's very easy to lose a sense of community if firms don't adjust internal comms for remote working."

Fleming agrees that a kneejerk response to jettison marketing isn't the right response. "Now would be the worst possible time to cut marketing. There's a wealth of research

suggesting you should increase your marketing output during a recession." She adds that businesses may also benefit from increasing their market "voice" during the crisis. "If your share of voice drops, your share of market will drop, too."

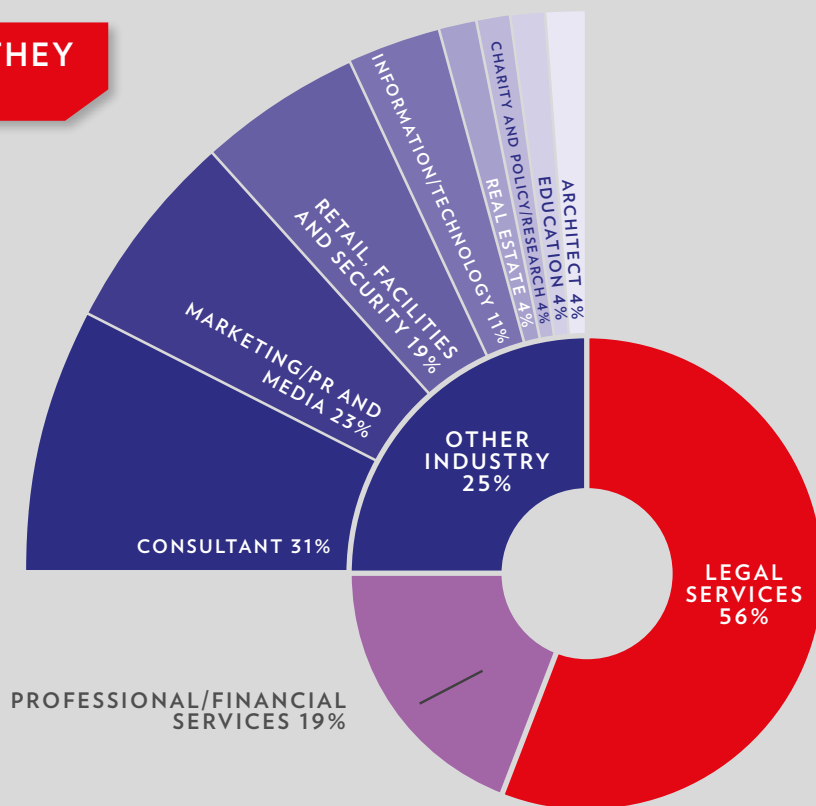
Getting that voice right is a challenge. Craigen, at Womble Bond Dickinson, says that although there may not be a huge appetite for marketing campaigns during the crisis, client development activities will be crucial.

"If you look at any crisis – such as SARS, or the financial crisis in 2007/2008 – we work through three key stages: crisis response, then clients execute on their plans for the new world order, followed by the new status quo. At the moment we're still in the first stage, and it's really important BD directors ensure the voice of the client is understood as we move through those stages."

Even on the marketing front, firms should take advice from their MBD leaders seriously, he adds. "There's a risk, without that guidance, a lot of firms would revert to quite crude marketing methods. Clients don't want generic marketing about Covid-19 issues. They want bespoke ideas and solutions for navigating the challenges they face." ▀



## WHERE HAVE THEY COME FROM?



### PARTIAL TO PARTNERSHIP PROFS?

Legal has long had a tendency only to recruit from within its own sector, either from other firms, or by promoting lawyers up to oversee business services functions – and marketing and business development is no different. In our 2013 MBD Leaders report, we found that 54% of MBD leaders had a legal-only career background, and that those coming from other professional services firms – such as the Big Four – and those coming from other industries, made up 22% each. In that report, commentators highlighted the challenge of acclimatising to legal, the partnership model, and that building buy-in here is different to norms in other industries.

So, has anything changed? In a word, little. Indeed, in 2020 a slightly larger proportion of MBD leaders come from legal: 56% are traditional hires from law firms. The percentage of those hired from other professional services, or from other industries entirely, has shifted a little to favour the latter (19% and 25% respectively). While that combined ‘non-legal’ bucket has changed little, shrinking by 2%, a slight shift from professional services to other industries may be indicative of some change in attitudes. Compared with 2019, again little has changed, with ‘other industry’ arrivals down 1% and legal up by 1%. There’s also little change in the composition of those other industry entrants, the largest cohorts still being ‘consultants’

(down from 37% to 31%) and marketing and PR (down from 27% to 23%).

For our 2020 report, the statistics include the breakdown of these backgrounds by revenue band. The very largest firms (>£600m) are the most conservative in their hiring patterns, with 70% being legal stalwarts, and professional services and other industries taking 15% apiece. One leader argues such change as there is here may be the result of certain ‘fashions’ in marketing coming in and out. He explains that one trend of creating ‘true’ BD functions in law firms, as opposed to traditional marketing functions, was prompted by comparison with the more sophisticated Big Four accountancy firms. In the past decade, however, law firm leaders began to look at their brands and think more creatively, prompting more hires from marketing and PR backgrounds. Law firms correctly tried to bring in outside expertise, he says, but they often failed to keep it, with people lasting only one or two years. Those from the Big Four and law firms understand how partnership models work – but it can be a very alien environment for anyone else. In a large firm, with hundreds of partners, you effectively have hundreds of chief executives, and those who understand how to navigate a setup like that are likely to have learned it from a similar one.

Even at smaller firms, temptation to hire from within legal is

clear. Joy Kingsley, senior partner and head of business development at JMW, says: “It’s easy to persuade yourself that someone with massive personal experience of professional services might be the better applicant.” Nonetheless, she adds, her marketing director, who reports into her, came fresh out of university with a marketing degree.

Deborah Fleming, business development director at Walker Morris, agrees there’s still a widely held belief that law is different to other businesses, and MBD leaders therefore need to understand how firms work – though she doesn’t entirely subscribe to that view herself.

“There are some marketing best practices used in industry that aren’t always used in firms – if you were to hire someone from industry, and so bring in fresh ideas, you might be able to steal a march on your competition.”

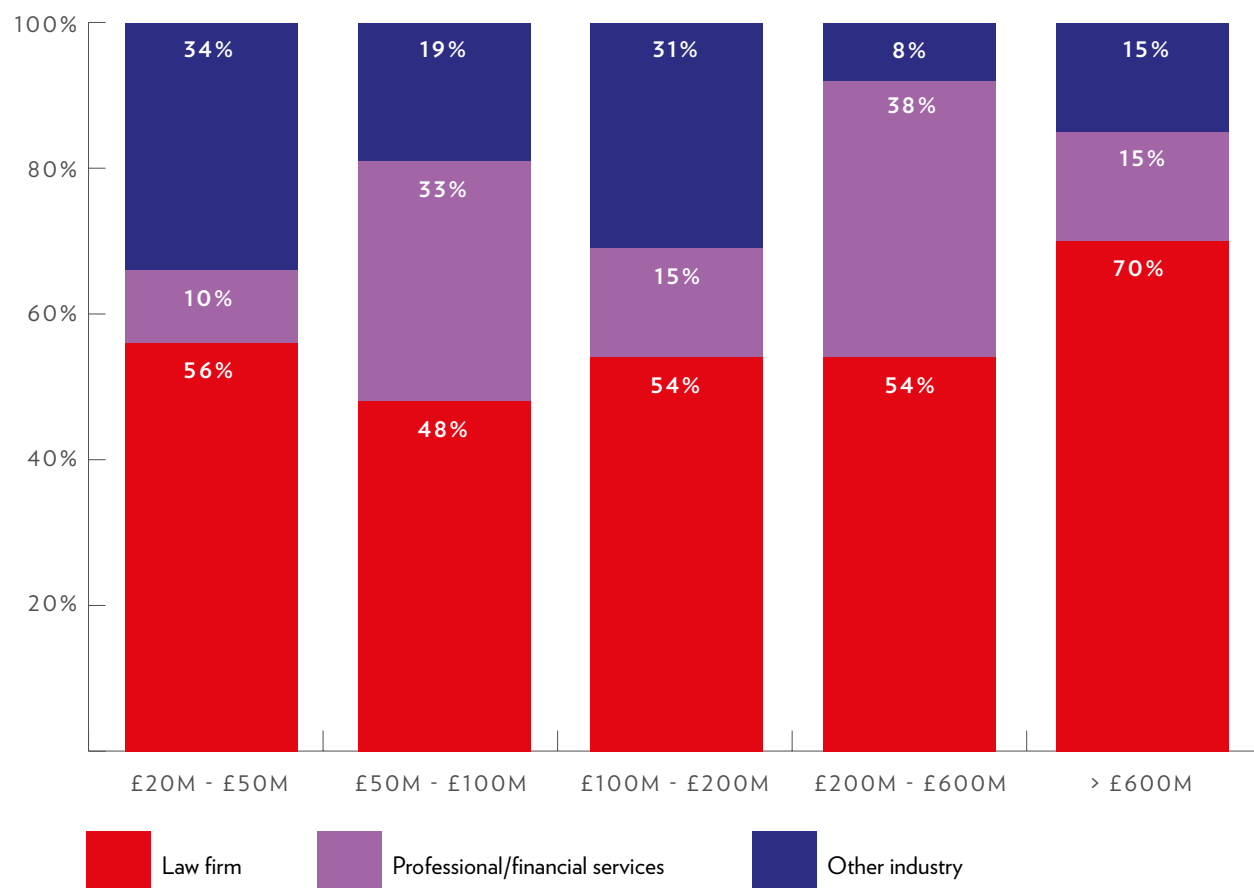
Jacqui Weston, marketing director at intellectual property firm HGF, worked for a marketing agency prior to joining the

firm 15 years ago. She says executive buy-in and firm culture have a huge impact on whether marketing people from outside legal will stay and thrive. “The CEO and management board at HGF are very supportive of marketing and BD, and that does make a difference. Compared with my peer group – thinking about some of the stories I hear – I feel very lucky.” She adds that the firm’s speciality isn’t the reason. “Support for marketing and BD is just part of the firm’s culture.”

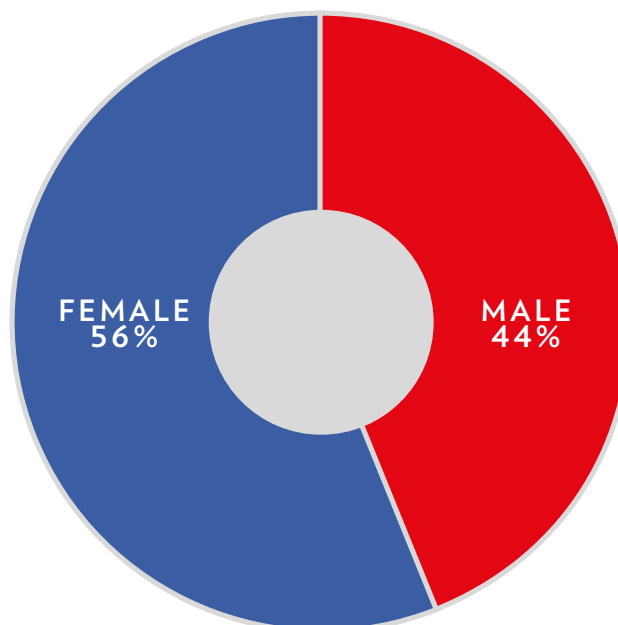
Weston was asked by a partner at the firm to become its sole marketeer in 2005, allowing her the opportunity to build the function up as the firm has grown. It has required a change of mindset, she says: “Sometimes I think about how I would have approached a project at a marketing agency and realise it won’t work. You have to adapt. But at an agency you work for clients, and we treat our colleagues as clients.”

It has been a journey for everyone, she says. “We’ve taken the solicitors and attorneys on a journey with us.” ▴

## LEADERS' BACKGROUNDS BY FIRM REVENUE



## GENDER DIVERSITY



### DOING BETTER ON DIVERSITY?

As with any senior leadership position at most large businesses, men have historically enjoyed the lion's share of senior legal roles. So, is the proportion of women marketing MBD leaders at **Briefing** firms in 2020 – 56% female, 44% male – atypically positive?

Joy Kingsley, senior partner and head of business development at JMW, points out that the situation is better than that among partners and other senior legal roles.

“If you were to ask why there are so few female managing partners in law – given that, for some time, more than half of the profession has been female – it seems it's going rather better in MBD than in law firms generally.” (According to the PwC Law firms' survey 2019, approximately 60% of all legal trainees are women, whereas at partner level, across all revenue bands, they make up between 18% and 20% of the group).

However, the overall MBD gender balance figures seen by **Briefing** have changed little – as far back as 2013, the split was 55% female to 45% male, and in 2019 it was 58% female and 42% male. With such minimal, and mixed, fluctuations, the biggest news is no news: traditional wisdom holds that, much as with knowledge management (KM) departments, women

make up a large proportion of marketing professionals, across all sectors. And, as with KM, for a function typically made up of more women than men, the current split could only be considered a success story if it was proportionate to the teams under their leaders. Although our data doesn't include these figures, women in MBD teams anecdotally enjoy a far larger share of the roles on offer lower down the ranks

This issue becomes even more pronounced when we drill into the data to examine how male and female MBD leaders are distributed across firms of different revenue bands. In the £20m-£50m revenue bracket, 63.7% of MBD leaders are women, significantly up on the figure for all firms. But as we track up the revenue bands, the proportion of MBD leadership positions occupied by men gets larger. Men overtake women in the £200m-£600m bracket, with 47% of leaders women and 53% men, and the worst offender for a disproportionate balance towards men is the >£600m, with 56.8% male and 43.2% female. This latter group is a particularly unfortunate result, as the data in 2019 showed the largest firms had a reversed balance, with 40% male and 60% female leaders.

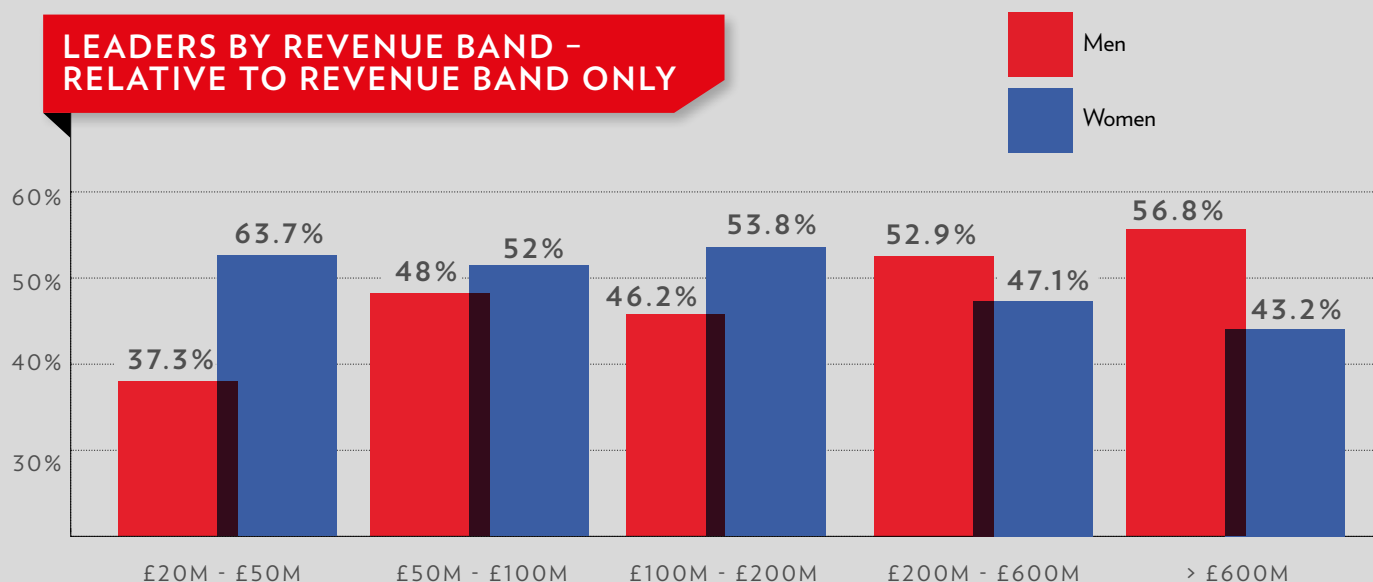
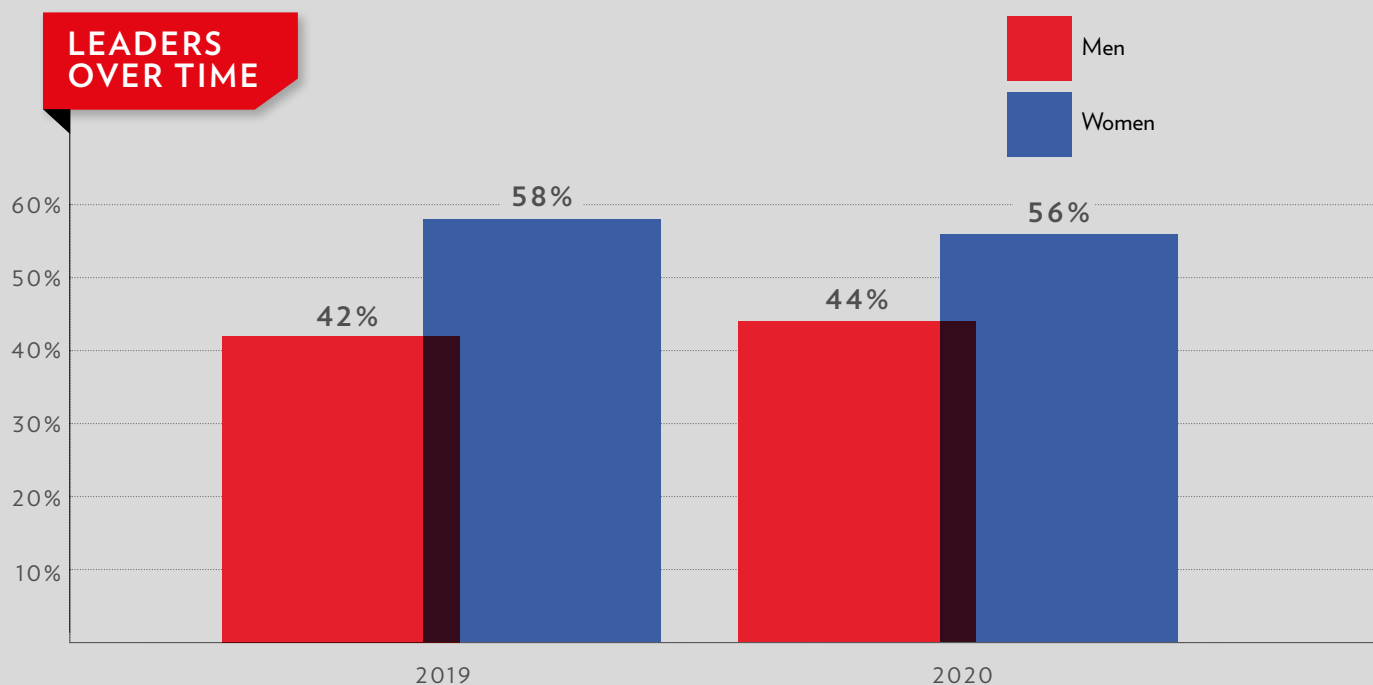
Why this should be the case is difficult to pin down. One MBD leader we spoke to on background says female leaders are abundant within their own senior MBD team, including

several 'heads of' and directors. But women seem to succeed in getting close to the top, however still miss out on taking the role at the pinnacle of the MBD structure.

This anonymous leader also suggests that the issue is not confined to marketing and BD roles, but a reflection of much broader barriers to women moving up to more senior positions, which have been known, and talked about, for many years in the legal profession.

David Craigen, director of business development at Womble Bond Dickinson, agrees, and is surprised by the ratio at the largest law firms.

"All my mentors have been female directors – so I find the gender split at larger law firms quite surprising. It's a concerning trend and the onus is on law firms to question themselves about why this is the case – we shouldn't be going backwards." ▲



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