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10 Quick Tips to Keeping In-House Counsel Happy



By Sonja McGill

As an in-house lawyer for more than four years at JC Penney and HMS Holdings, I learned a lot about hiring and managing outside counsel. As senior attorney and later assistant general counsel responsible for selecting outside and local counsel in a wide array of litigation and consulting matters, I learned how important the relationship is between in-house and outside counsel.

At the request of *The Texas Lawbook*, I developed a list of 10 important points that lawyers at firms across the state should know or understand when dealing with their clients at corporate legal departments.

- 1.** In-house counsel often have internal demands on you that they can't or won't share with you. For instance, when an in-house counsel asks you to stick to a monthly budget, trust them. Many in-house attorneys are required to meet monthly/quarterly budget targets similar to their business counterparts. If you constantly question/challenge them as to why or fail to meet those targets, you are giving in-house counsel justification to let you go or not to use you in future matters. Listen to what they are telling you to do.
- 2.** In-house counsel have several internal clients: the General Counsel, the operational folks, the folks directly involved in the litigation. Do not assume your contact is the only one to keep happy. Try to think outside the box or globally when giving advice, and consider/explain how your advice might impact several layers than just your one case.
- 3.** When you develop a budget, be prepared to live within it and accept the consequences of its constraints. You will keep your client for the long-term when you write off the excess or explain in advance how something you're asked to do will bust or violate the agreed budget.
- 4.** Always give your client sufficient time to review documents before they are filed. This is especially true for small in-house departments who serve in several capacities or in-house attorneys who travel significantly and don't have lots of down time to review documents.

5. When you veer off from an agreed legal strategy, give your client sufficient information to explain the deviation internally, especially for their internal clients who aren't savvy legally. Sometimes, your client will use your explanation verbatim (if it's really good) and it's helpful when you've taken the opportunity to relay it in layman's terms.
6. In-house counsel usually hire people they know based on prior/existing relationships. Cold calling in-house counsel, especially from an automated case sheet, almost never works and is considered insulting by some. Expand your network if you want more corporate legal clients.
7. Assuming number 6, don't be so arrogant to think you can't be fired because of your prior/existing relationship. If it's serious enough of a mistake, your friend will fire you.
8. Don't assume if you get fired that you necessarily did something wrong. GCs/in-house counsel are people too. If you rub someone the wrong way, you may be fired for reasons over which you have little control.
9. Take cues for wooing in-house counsel. Some like lots of attention, some don't. Take notice and modify your approach accordingly.
10. Follow-up is your best friend. Often, your in-house counsel have put you in charge of maintaining deadlines/significant events. **NEVER EVER** agree to a schedule without your client's approval unless you have established that approval ahead of time. Take responsibility for deadlines, especially for in-house lawyers who work for multi-jurisdictional entities.

Sonja McGill is Senior Counsel in the employment law and commercial litigation section at Bell Nunnally & Martin. In December, she made the transition back into private practice from working in-house at J.C. Penney and HMS Holdings, a health care services company in Las Colinas.