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Sharing Success
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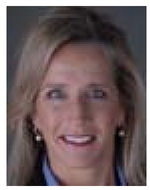
DRI Resources

Rainmaker Spotlight

An Interview with Beth Naylor

by Patricia J. Trombetta



Beth Naylor is a member in the Cincinnati office of Frost, Brown, Todd LLC, where she provides national litigation management and preventive product safety counseling to U.S. and foreign manufacturers and distributors in diverse industry sectors, involving everything from consumer products to industrial equipment and much in between. She has not only become a national force in products liability litigation as a *Martindale-Hubbell* AV rated lawyer, but has done so while mentoring a generation of young women, particularly working mothers, in work/life balance while being a successful lawyer and rainmaker for her firm. Beth serves on the Board of her Alma Mater, University of Notre Dame Law School, where she just completed her year as President for 2012-2013, became a sustaining member of the Products Liability Advisory Council in 2009, was named Women's Business Cincinnati *Top 10 Tri-State Bosses* in 2006, and was honored as "Mentor of the Year" for her firm in 2011. Beth the winner of the 2013 Ohio Glass Ceiling Award bestowed by the National Diversity Council and Council on Women and was named an Athena Finalist by Cincy Magazine in 2013. Beth has accomplished all of this while raising a very active family of three daughters and a son with her husband Rick.

Were you always an originator of business for your firm or was there a transition from lawyer to rainmaker?

I grew up in a family of all girls with an at-home mother and a father who was a lawyer for a medium size firm. During my formative years, I recall the importance my parents placed on getting and maintaining client relationships. It was a top priority for everyone in the family. Although I followed my father into the law as my career, I did not want to worry about getting clients. When I graduated from University of Notre Dame Law School in 1986, potential employers were lined up waiting for law school graduates and promised there was more work than could be done in my lifetime, without the worry of finding new clients. The big law firm promise of not needing to worry about client development led me to Winston & Strawn in Chicago, then Foley & Lardner in Milwaukee, and it was every bit the truth. I did not worry about client development. The same was true in my early years at Frost Brown Todd LLC; however, when the recession hit in the early 1990's, everything changed. The recession hit when I had just made

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partner and had two babies to raise. I had to figure out how to take control of my personal and professional existence, which meant figuring out how I was going to generate business, but not do it in the traditional way of spending time away from my family. The need for work/life balance was the impetus to finding a way to develop business that made sense to me and my family but also made a profit for the firm.

How did you make the transition to developing your own business?

I came to the conclusion I needed to find a company in Cincinnati that had a steady docket of litigation that was difficult to manage internally and where my great work for them would be my marketing tool. After finding that company, I put together an innovative arrangement so that the company bought my time three to four days per week on a flat fee basis. I actually went to the company and sat in their legal department managing the litigation during that time. Interestingly, all the advice I received was that this arrangement would negatively affect my career; I was out of sight, out of mind, and, simply put, it was out of the norm. My experience was the exact opposite. For the first time, I had a significant amount of origination that I could tell my partners at the beginning of the year I would bring in. The geographic scope of the company's litigation provided a springboard for me onto the national litigation stage. From the company's perspective, the flat fee allowed them to budget accurately and my presence on-site made them feel that I was one of them. It was a win-win situation for the client, the firm, and my family.

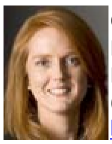
How did you take that one flat fee arrangement and expand on it to develop additional clients?

Like many things in life, there was a bit of luck involved. I was propelled onto the national stage because the litigation I was managing was made high profile by the American Trial Lawyers Association. The process, strategy and management technique developed in turning around the situation for the client were the key components to the successful outcome. I realized through this experience that what I had learned in managing this litigation could be packaged and I could make it work for other companies. I started to identify who my key clients would be based upon size, ownership, insurance coverage and industry. I started by doing some diagnostic statistics. I looked at each litigation docket from the client's perspective – as a business issue. I knew if I could quantify the savings for the business people and demonstrate how they could make their budget by using the processes we had developed together with pricing that made business sense, they would be all ears. Clients want it knowable, anticipated, and they want it quantified.

How did you get in the door with the companies you were targeting for your services?

In the early years before the internet, my research into companies was largely talking to my partners and other colleagues. As technology advanced, I began using the Internet and now the firm has software that can look at a company's national litigation docket. However, the key still is getting the personal introduction and when you get in front of potential clients, your presentation must be focused on their needs. You need to relate to them on an individual level.

Committee Leadership



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Legal services today are changing. The client does not care how large the firm is, or who your partners are; you have to be selling your services in a way that makes sense to the business people who will ultimately be making the hiring decisions. Companies today want to hire individual attorneys they know are going to be responsive to them. Beyond the good presentation at the initial meeting, you need to cultivate a long-term relationship. You have to get out there with business people, feel what they feel, and be under the pressures they are under to truly understand and relate to them and provide the best services for their needs. You need to understand the client organization and the work criteria upon which the client representative is evaluated.

Are there any marketing tools you would suggest to obtain and keep clients?

The single greatest marketing tool you have to build trust in your client relationship is your bill. I say most important because it has the biggest opportunity to ruin your relationship with your client. Meticulously going through your bill and making sure you understand everything on it, including attorneys and expenses is essential. If someone shows up on a bill on one of my cases that I have not told the client will be involved, it is written off. Clients want to know who is working on their cases, not a list of names from a law firm showing up on their bills.

The next best marketing tool is to know your role in the relationship. It is my job to make the in-house person who hired me look like a "rock star" within their organization. Much of what we do as outside counsel goes unnoticed in-house; however, if the in-house person is dedicated to you and singing your praises, that goes a long way!

What advice do you have for attorneys trying to develop and maintain clients today?

Our profession is struggling and shrinking as law schools continue to graduate way too many law students. There is no guarantee what the rules are going to be tomorrow. My advice to them in today's environment is to do good work, make good contacts, build relationships especially with people that are going places, always try to increase your skill set and understand from the business perspective the role a lawyer plays. These things will serve an attorney well into the future even if the rules change.

*Interviewer/author **Patricia Trombetta** is an active member of the DRI WITL Publications Subcommittee and a partner at Smith, Rolfes & Skavdahl Co., LPA, a firm specializing in providing service to the insurance industry since*

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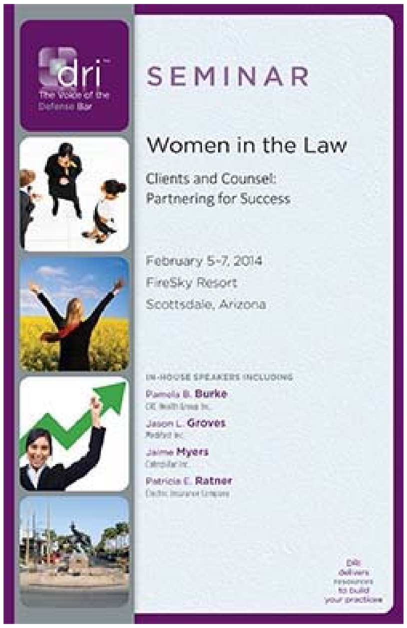

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