



BarkerGilmore

Educating Executives and Board Members as to the Necessity and Importance of the GC's Involvement at a Strategic Level

GC AdvantageSM Webinar

May 2020



GC AdvantageSM

- Complimentary professional development program for corporate legal and compliance leaders.
- Visit the GC AdvantageSM page on our website for future & on-demand webinars
- Upcoming
 - **Care and Feeding of the Board, Executive Leadership, and your Legal Team ... the Balancing Act**
June 10, 2020, 1-2pm ET
 - **How to Say No to the CEO and Other Business Executives and Provide a Range of Alternatives to Achieve the Business Goals**
July 15, 2020, 1-2pm ET
 - **Hot Topics for Boards – How Ethics and Compliance Can Respond**
August 12, 2020, 1-2pm ET

Questions & Answers



Submit questions to panelists at any time throughout the presentation via the **Q&A feature**. Questions will be answered at the end of the webinar.



You may use the **chat feature** to communicate with support staff regarding technical issues.

Featured Speaker



William B. Solomon, Jr.

Senior Advisor – **BarkerGilmore**

Former Group VP & GC – **Ally Financial**

CEO Survey Results

Which of the following statements is most accurate?	Current GC	Ideal GC
Acts as a strategic business partner and is a valued member of the leadership team	55%	70%
Expresses views on business strategy and operational issues from a legal perspective	20%	22%
Acts solely as a legal counselor and manager of legal risk	25%	8%

Preview

- What does it mean to be a “strategic leader”?
- What does it mean to be a “strategic General Counsel”?
- What does it mean for the General Counsel to be a “Strategic Corporate Leader”?
- How to educate company (1) executives, and (2) board directors.

What Is a “Strategic Leader”?

- Definition
- Typical strategic business leaders: CEO, CFO, COO, CIO, CAO, HR, et. al.
- Typical traits, behaviors, and attributes of a strategic leader

What Is a “Strategic General Counsel”?

- The core requirement of the chief legal officer: The objectives of the legal operations of the company must be effectively and consistently identified and managed ... JOB #1
- Examples at the macro level: ADR vs. litigation vs. settle; telecommuting; make or buy legal services; law firm rate increase policy; law firm convergence
- Examples at the micro level: unique case resolution; use of contract, secondment, part-time help; status of legal publications; allocation of administrative support

The General Counsel as a “Strategic Corporate Leader”

- Above and beyond the role of chief legal officer: i.e., provide business guidance, direction, ideas, and perspective to the company that is separate and apart from legal advice, but not inconsistent with your role of legal counselor
- Why the General Counsel may be particularly qualified for the role of “strategic corporate leader”
- Why General Counsel want to become strategic corporate leaders
- Know what risks this role entails

Educating Company Leadership about your Role as a Corporate Leader: INCREMENTAL APPROACH



- Be the absolute best General Counsel possible: optimize and market the provision of legal services, including results, costs, responsiveness, professionalism.
- Build strong networking ties with other executives.
- Improve your skills and knowledge to make yourself more “strategic”.
- Seek out strategic roles and opportunities.

INCREMENTAL APPROACH cont.

- Ask the CEO, all department heads, and the Board committee chairs to “sit-in” on various planning, reporting, regular and/or special meetings.
- Send short, concise notes to essential decision makers with ideas, concerns, or considerations.
- Ask your CEO and other senior leaders for a “seat at the table” emphasizing that being there will allow you to be more effective in your role as General Counsel (or other job responsibilities).
- If you have the opportunity to learn *in advance* about topics for strategic discussion, communicate with the sponsor *in advance* of the targeted session.
- In time, move beyond the role as a “stealth” corporate strategic leader, and begin subtly asserting yourself with helpful and insightful comments, questions, and observations that are fundamentally positive and constructive, though possibly provocative.

Educating Company Leadership about your Role as a Corporate Leader: DIRECT APPROACH



- Resistance to your expanded role as a strategic corporate leader can occur for a variety of reasons, but you will not know unless you ask. So, ASK.
- Reluctance and outright refusal to expand your involvement requires educating leadership about the special attributes you have as General Counsel.
- Ultimately, you may need to “change their mind.”
 - *Reduce reactance* by diminishing the sense of lost control
 - *Ease endowment* by acknowledging status quo but demonstrating improved quality
 - *Shrink distance* by showing existing involvement
 - *Alleviate uncertainty* by proposing reversible trial period
 - *Find corroborating evidence* with similar examples
 - See Wall Street Journal, February 22-23, 2020 pp. C1-2

Conclusion



- Become a superlative chief legal officer
- Regularly communicate your thoughtful views and ideas to key decision-makers
- Be patient, persistent, and persuasive



Q&A Session

Thank you for attending.



Please let us know how BarkerGilmore can help
you succeed.

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