

Rainmaker Q&A: Morgan Lewis' James Dragna

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James J. Dragna, a partner at Morgan Lewis & Bockius LLP in Los Angeles, represents energy, aerospace and manufacturing clients in environmental matters nationwide, including air, water and wastewater enforcement and litigation.



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He has been a key figure in the legal proceedings surrounding some of the most significant environmental cases in recent years, including acting as national coordinating counsel for nonoperating well owners in the multidistrict proceedings involving the explosion and release of hydrocarbons from the Deepwater Horizon drilling rig into the Gulf of Mexico in 2010, and for Sempra Energy and Southern California Gas in the natural gas leak from the Aliso Canyon storage facility in Porter Ranch, California. Dragna also serves as group or common counsel to several multiparty Superfund groups and as special counsel to several major municipalities in hazardous waste cleanup and wastewater litigation and permitting issues.

Q: What skill was most important for you in becoming a rainmaker?

A: Twenty years ago, I would have said that to be a successful marketer all that was required was skill, a platform that supports your practice, and the ability to tirelessly and fearlessly pound the pavement looking for work. But these days that is no longer enough, and you need to bring a broader skill set to the marketing table. I can think of at least a half-dozen areas that I believe are required to successfully develop new business.

First and foremost, one must be responsive, timely, and able to listen to your clients. This is a retail business, the competition is fierce, and client satisfaction is the key to success.

Second, marketing is about developing relationships with clients and with your partners, so one must learn how to build relationships, one relationship at a time. I look for a bridge to the client or a partner to create a connection, I get out there, and I take advantage of the tools available to me, including technology, entertainment and good old interpersonal communication. I gently self-promote, usually by discussing what I am working on, and I am not afraid to ask for work. In marketing, absence does not make the heart grow fonder.

The third area involves enthusiasm. I try to be an enthusiastic marketer. I love what I do, and I am genuine about my practice, about marketing, and above all about client service. Clients are smart and intuitive. They can sense when someone's heart is not in it or when he or she is going through the motions.

Fourth is the ability to communicate, to tell a story. The client is hiring specific lawyers, not just the firm, so I need to be able to demonstrate for the client what it can expect should it retain me, how I work, how retaining me will make the client's life and work easier, and — when talking about a particular representation — how I would approach the situation. I want the prospective client to know my initial thoughts on the key strategic issues, and my vision for the case.

Fifth, I strive to be collaborative and generous with my partners. I sell my partners, I introduce them to my clients, and I encourage them to develop their own relationships. I know it is frightening to risk losing client control, but my advice is this: get over it. The more contacts we and our firm have with a client, the stronger the relationship. The stronger the relationship, the more work. The more work, the happier everyone is.

Finally, persistence is key. Try as I might, I don't get every case I pitch and I don't get wind of every opportunity. So I am patient. I stay in touch. I keep trying, looking for the bridge to the client and the next opportunity. When I am passed over, I try to find out what happened and how I can improve, so that when the next opportunity presents itself I can get up, dust myself off and go at it again with a better product.

Q: How do you prepare a pitch for a potential new client?

A: I treat a pitch with the same intensity as I would a hearing or a brief. I research the client, the client interview team, the potential case, my competitors and the issues. I then pick the right team and plan for the pitch. Chemistry is the key, so I try to develop an approach that fits with my team's skill set and the client's needs. I am selling my ideas and approach as much as I am selling myself or the firm, so I prepare for the pitch as if it were my initial team meeting with the client after we have been hired to work on the case. I focus less on experience and platform and more on approach and strategy; I try not to fall into the "And I have also done this ..." trap. It is boring and not very informative. If there is a team, I make sure that we are well represented, that I don't monopolize the discussion, and that each team member has a role in the case and the pitch.

Q: Share an example of a time when landing a client was especially difficult, and how you handled it.

A: We were pitching a series of environmental cases to the general counsel of a potential client in South Carolina. We were two lawyers from Los Angeles pitching a case in the Deep South. We thought we were tanking the interview. We couldn't find a way to connect. It looked as if we were going down in flames. As the interview ended, we took out a jar of M&M-like candies that we had made for the pitch with the client's logo on the candy. The GC looked at the jar, smiled and said something like "I love M&M's." We spent the next 30 minutes or so eating the candy and shooting the breeze about nothing in particular. The interview ended, we left and when we got back to LA, we found out that we got the work.

Q: What should aspiring rainmakers focus on when beginning their law careers?

A: I believe you should play the long game. Bringing in work takes time — a long time. You need to develop your skills and find the right platform so you have something to market. You should then start slowly, testing what works for you and finding your sweet spot. No article opportunity, bar association, conference or speaking opportunity is too small and, believe it or not, networking really works. No case or client is too small when you are starting out, and most work leads to new work, whether through the relationships you make, your performance or the experience you gain.

When you get an opportunity, stay within your comfort zone. If you haven't tried a case, bring in a trial attorney for the pitch. If you aren't comfortable, bring in someone more senior or with better experience. Develop relationships early, and don't offend anyone because the young in-house counsel you are working with could be the head of litigation one day or the person who mentions you to another colleague at another company. Always be polite and never bad mouth or be rude to any assistant or client employee — they talk. Finally, you need to recognize the fine line between bringing in legal work and sales. You want to sell, but you don't want to be perceived as a salesman.

Q: What's the most challenging aspect of remaining a rainmaker?

A: Staying fresh and enthusiastic, trusting your partners to expand client relationships geographically, and maintaining your waistline in the face of countless client development dinners and lunches.

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