

The gentle touch

Finland

Borenus & Kempainen

For years the Finnish market was dominated by the Big Three law firms; today, thanks to Borenus & Kempainen's commitment to client care and personal service, people now speak of the Big Four

If you're after the sort of lawyers who bully their way through cases and need the doorways of the building widened to accommodate their ever-expanding egos, then Borenus & Kempainen (B&K) is not the firm for you. However, for those seeking razor-sharp legal skills combined with an overarching concern for client service, B&K should be just the ticket.

"Something I've noticed on a couple of transactions recently is that there are still some colleagues who are taking quite an aggressive approach," says Nina Wilkman, a partner at B&K since 2000 and chairman of the board. "I think that when you go into a transaction – unless it's a hostile takeover, maybe – it's not your role to be the bad guy. You want to be there creating the deal, not to be the deal killer. We are tough when we need to be tough: when important issues for the client are at stake; but I don't like the approach of going in trying to show off, because that's not our job. Our job is to get the best possible deal for the client."

This idea that the client comes before the firm is central to B&K's philosophy and, Wilkman believes, an important part of what gives B&K the edge over many of its rivals – and as a client of law firms in the past, she's in a good position to judge.

"We are here for the clients and not the reverse," she explains. "If we didn't have the clients, we wouldn't have anything to do. As a lawyer, you have to believe in yourself

and do your job in a professional way, and it would be unfair to my competitors if I didn't say the same for them. But what makes the difference is how you approach the client, how you listen. I'm saying this because I used to work in-house for many years. I was the general counsel for one listed company and the senior counsel for another, so I purchased legal services all over the world. I think now you can have excellent law firms and excellent lawyers – but the way they listen to the client and partner with the client is what sets them apart. This is where I think we're different."

Wilkman believes this move towards enhanced client care is evidence of a broader shift in the market and in business culture in general. Her views are shared by B&K's managing partner, Jyrki Tähtinen.

A new emphasis

"I think that over the last 12 to 15 years we have really noticed, and have been discussing internally, the fact that this is now a service business," he says. "We need to understand that we are in the business of serving general counsel, chief executives, chief financial officers and boards of directors who are all well-educated people and quite capable of recognizing whether we are giving them good service – the service they are used to in other areas. The basic question is whether we are perceived as figures with granite chins and huge egos, or whether we are rather seen as approachable, service-minded business partners. I think it's very much the latter."

It is the simple things which often prove most important in this respect, according to B&K's thinking. The firm wants its lawyers to be approachable, responsive, time sensitive and in regular communication with the client. This means that if the worst comes to the worst and things don't go according to plan, the client will be informed straight away and a new course of action can be agreed upon. It is these small points that impress upon the client its importance to the firm and in turn help to raise B&K's profile.

"We remain alive to the fact that there are a number of capable law firms with which we are competing," explains Tähtinen. "One might think that being the biggest and best lawyer is the ultimate and the only solution that will satisfy

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Right:
Jyrki Tähtinen
Managing partner



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the client's needs; but this is simply not true. On any given day, around 50% of what matters to the client involves things other than how sharp your lawyering is."

"This is why we take a very approachable, down-to-earth, no-nonsense, business-oriented attitude, where we are trying to understand what our clients do, what they want to do and how we can get them there in the most efficient way."

One of the ways in which this deep client understanding manifests itself is in the time and effort the firm takes to ensure that the right partner is chosen for each client.

Personal chemistry

"If you know the client you can try to pair it with the right lawyer from a personal chemistry point of view," suggests Wilkman. "I can make the formal marketing speech and say that any one of us can take care of any client – and yes, of course we can do that, because we are top professionals

in a service business. But where we have been particularly successful is in taking that extra bit of time to find the perfect match.

"You can give that extra thought as to who would be the ideal partner for the client – and not just from a professional point of view. Some people are better working with investment bankers from London, while others are better working with people from the mining industry."

This thoughtful approach has helped drive the firm's concerted growth since the turn of the century: today B&K is the fourth largest of what are now called the 'Big Four' law firms in Finland. This expansion has seen, in addition to the firm headquarters in Helsinki, branch offices open in the technology hub of Innopoli 2 in Espoo (just outside the capital) and in Finland's second city, Tampere.

Outside Finland there has been growth too, although this has been more gradual than the office opening dates might suggest. The firm began looking at opportunities in



the neighbouring Baltic states in the mid to late 1990s, forming loose strategic partnerships with leading firms in each of the three countries and developing these over time. Now all such relationships have been formalized and there are Borenus Group offices in Riga, Tallinn and Vilnius.

Inevitably, as the firm grows it becomes more challenging to ensure that the care which clients receive remains uniformly high, and the firm is now reviewing its protocols to ensure that standards are maintained and improved

“We have always tried to stay on top of our client relationships,” says Wilkman. “But as we grow, we need to get a little more – not much, but a little more – bureaucratic. So we have started to implement a so-called client care system. Starting this year, we will have annual plans for each and every key customer. This means, for example, annual meetings with the client, with topics including the development and future needs of our client’s business, our ideas thereto and suggestions as to which of our lawyers could handle these matters.”

Both Wilkman and Tähtinen stress that these are things which have been a matter of practice at the firm for some time, but which now require a formal structure. The idea is that the marketing department will be more involved in supporting the efforts of lawyers as their workloads increase.

“We’ve worked very hard during the past 12 months to put the programme together,” says Tähtinen. “We’re particularly interested in increasing client feedback to make sure we are continuing to act according to our values and targets. Our marketing people will definitely still be involved, both in helping to select the key clients and in backing up the lawyers.”

Looking for feedback

A feedback questionnaire is one of the two main ways, aside from its regular meetings with clients, that B&K has of gauging the success of its service-based ethos. The other is by tasking one of Finland’s leading research institutes with conducting a sweeping survey of its client base. The feedback from these sources is then fed back into the further development of its service culture and used to fine-tune its training programmes.

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Training itself is mainly taken care of in-house, although on occasion outside training companies are brought in and external seminars visited.

“We haven’t got what I’d call a ‘B&K Institute’ or anything like that yet,” says Wilkman. “But in practice, we have noticed over the last few years that the training we do in-house is even more rewarding than sending our lawyers, or going ourselves, to different kinds of seminars and courses, because internally we are allowed to ask any kinds of questions. You can discuss actual transactions and go into the sort of detail you couldn’t in a public seminar or training course.”

Wilkman confirms that the training schedule is another thing under review as the firm grows, but this vital internal element is unlikely to diminish. Indeed, this is an area where the firm’s international offices also come into their own, as on top of regular meetings within local practice groups, there are now chances for B&K lawyers from the different areas to get together.

“We’ve just had our so-called ‘Transaction Day’,” Wilkman elaborates. “We gather transaction lawyers from all four jurisdictions and go through documents and examples of the sort of thing that each one of us might encounter in these types of deal. You share this knowledge and know-how – and then, of course, we look more generally at the market and the perspectives for the coming year, discussing recent experiences and so on.

It makes sense that if you have a very dedicated workforce, which I like to think we have, then they will do their jobs to a higher standard

“We’ve also had a couple of lawyers going to stay with one of the Baltic offices and working there for a few months, and people coming the other way. This is great for those lawyers individually, but also good for the firms, both in terms of integration and in terms of all-round experience.”

One of the main reasons that B&K offers such advanced levels of in-house training is because, as Wilkman points out, the firm has noticed a circularity of cause and effect involving its clients, its lawyers and their training.

Team players

“The training isn’t just important for clients directly,” she says. “In order to continue providing top-class services, we need to have the best people working for us. If you look at our employees and ask, ‘Why are they here?’, the simple answer may be because they need to pay the mortgage; but more and more, if you look at young people today, they want to develop professionally – and the type of training and education you can give them is so important with regard to recruitment.”

The idea that the firm owes as much to its staff as it does to its clients reflects just how important the team ethic



Left:
Nina Wilkman

is at Borenius & Kemppinen. This support also works both ways, with every member of the firm – from junior associate to managing partner – expected to pull together.

“We very much see ourselves as a team,” says Jyrki Tähtinen. “How much people value you here is not so much a question of your title, but rather a question of how good your lawyering is; how well you attend to clients and colleagues; how responsive you are to the employees you delegate work to; and whether you let other people grow alongside yourself.

“The message to our lawyers for a number of years now has been that getting appointed to the partnership doesn’t mean that you will automatically be respected more than you were before. Actually, the expectations will be much higher than they were when you were a senior associate.”

It seems that once you have a satisfied team who are appreciated for their work, client service issues are more likely to be resolved. Certainly, checks and balances are needed to ensure that nothing is missed, but the hardest part of the battle is won.

“It makes sense that if you have a very dedicated workforce, which I like to think we have, then they will do their jobs to a higher standard,” says Wilkman. “We notice that and respect it – and the client notices as well.”

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