Q&A with Chambers USA Editor Toby Eccleshall

Q: So Toby, you’ll be launching the new USA guide on Thursday 25th April. What can we expect to see?

A: Our aim for this year was to build upon the success of the Chambers USA 2018 guide and utilise the information amassed during thousands of client interviews to continue to expand our coverage of the US legal market, focusing on investigating emerging practice areas and digging deeper into already established markets.

In Chambers USA 2019 we will be ranking 18,293 lawyers and 6,126 law firms across the country. We have introduced new tables in New York, Washington and Arizona, among others, as well as city-wide and regional tables in California, Florida, Pennsylvania, North Carolina and Texas, allowing us to deeper penetrate those markets.

We will be introducing our Nationwide Cannabis Law table, which recognises firms and practitioners assisting on all manner of transactional and operational challenges facing clients in the ever-expanding US Cannabis industry. We fully expect to broaden our coverage in this space over the coming years as the market continues to grow. There have also been significant changes made to our Nationwide Capital Markets: Debt & Equity tables.

As we enter our preparations for the Chambers USA 2020, we already have many ideas for new areas to look at, but we welcome suggestions from firms if they feel there are any practice areas missing from those we already cover.

Q: Can you tell us what makes a good Chambers submission?

This is the question I probably get asked the most, and there are many things that firms can do to improve their submissions. It is important to note that a written submission must be backed up by excellent external feedback, so it is recommended to include a referee spreadsheet to support the written document.

While it is not compulsory to use the Chambers submission template, we would always encourage you to do so, and please stick to our submission guidelines. Our researchers are tasked with reading a large number of submissions for each area they research, and using the template ensures that they are able to easily source any information about the firm they are looking for.

Make use of sections C2 and C3 of the submission (feedback on our coverage). This feedback can be incredibly useful to us in shaping our research. Don’t just wait until the interview to give us feedback, as we can’t guarantee that we will be able to interview all firms.

Many firms find it difficult to decide how much information to give us in their work highlights and we fully appreciate that it is far from easy to get that balance right. While we would always encourage firms to keep their work highlights easily digestible, we also know that certain matters require more explanation than others, so there are four main points you want to think about when writing up your work highlights:

- What happened in this matter?
- Why was it significant for the client?
- Why was it significant for the wider industry/practice area? (e.g. setting new precedents)
- What is the current status of the matter?

Please stick to the one page limit for work highlights. You can submit up to 20 matters, and we would urge you to always include as many as possible within that limit. Feel free to alter the template to include more publishable work highlight and delete confidential work highlights, or vice versa. We do not mind as long as
you stick to the limit of 20 matters. Also, if you are trying to highlight a certain lawyer this year, make sure to give them work highlights and client referees to support their case for their inclusion.

The final rule when it comes to writing submissions is if you assert something, make sure you can back it up with facts.

Q: We’re fortunate that many firms provide us with sensitive material. How does this affect the rankings?

Whether a matter is confidential or not will have no bearing on the rankings. We ask firms to let us know about the confidentiality status of a matter so we know what we can publish in our guide, but beyond that, it isn’t relevant to us.

Most firms are understandably very switched on when it comes to listing clients or matters as confidential or publishable but occasionally they leave things unclear. If there is any confusion about a something in the submission, we will not publish a reference to it. That said, it is up to the firms to ensure that there is no ambiguity regarding confidentiality. Please make sure that confidential clients don’t appear on publishable matters.

Q: And do you offer extensions to any of the submission deadlines?

A: We do not offer extensions on either submissions or referee spreadsheets. That said, you will not be penalised for submitting late, although it is in your best interests to make sure you hit the deadline. If your submission or referee spreadsheet is going to come in after the deadline, there is no need to keep us updated. We will be notified when the documents are uploaded. Prioritise the referee spreadsheets, as they need to be processed, and upload the written document when it is finished.

However, in extraordinary circumstances we will move the deadline. This has happened in the past for firms affected by natural disasters or extreme weather, such as Hurricane Irma and the Houston flooding in 2017.

CLIENT INTERVIEWS

Q: Let’s move on to your research with in-house counsel and other third parties. What are some common mistakes that firms make with their referee spreadsheets?

A: Make sure you make full use of the 20 spaces allocated. The more referees you put down, the more we are going to be able to talk to (hopefully) and the better an understanding we will have of the firm’s practice.

Be selective about who you put forward. We would recommend listing someone who has had recent experience working with the firm, preferably with multiple members of the team.

You want to put forward referees who are likely to be able to respond to us and it doesn’t necessarily need to be the client’s most senior contact. We speak to a great many General Counsel and CEOs but the reality is that many of them are simply going to be too busy to speak to us. If you feel that that is the case, it may be worth listing a more junior member of the client’s team but someone who will still able to give us an informed view on their work with the firm. In fact, some more junior members of the client’s team will be able to give an excellent perspective on the contributions made by multiple attorneys at the firm.

Finally, check with your clients about whether they have a policy about giving appraisals and make sure they're happy to speak to us. We wouldn’t want you to waste any referee slots.
Q: What happens if a law firm is unable to find 20 clients to put forward?

A: We would always suggest that you put forward clients as referees, as Chambers is a resource for clients and we want our guide to reflect their views on the market. However, you are able to put forward non-clients as well. We would encourage you to put forward clients over non-clients, but you can put forward other professionals as referees who are able to speak to the firm’s strengths, albeit in a non-client capacity.

Q: How often will your team contact those clients suggested by a law firm?

A: We do not want to be a nuisance to your clients, so we have our own internal guidelines in place to limit how often we get in touch with them. However, these are not set in stone and we will use our judgement if getting back in contact someone we believe would be happy to speak to us again.

When we talk to clients, we keep our conversations open-ended to try to ensure that we speak about all firms that have put forward this individual as a reference. We use the information stored on our database to ask not just about the firms that have put them forward this year, but also in previous years, in case the relationship is ongoing. Our researchers are trained to be appropriately probing and illicit as much information about the quality of the legal services they receive from all firms.

We contact all clients referees a firm puts forward, however, due to the rolling nature of our deadlines, they may be contacted at a different time of the year. Our research schedule lists the name of the researcher responsible for the area of research and the month in which it will be researched. This does not guarantee that this researcher will contact all of your clients. If your client has been put forward as a referee for a different firm in a different practice area, it is possible that they will have been contacted by another member of the research team, who will then ask about both firms.

If you would like to give your referees a heads up that we will be getting in touch, the best thing to do is to tell them to look out for an email from someone from Chambers, as opposed to a specific member of the research team. Our emails will always come from an email address ending with @chambers.com.

Q: Ok, I know a lot of firms are keen to build up relationships with your team; how do you feel about firms making direct contact with the Research Analysts?

A: The research team enjoys good relationship with our marketing and business development contacts at firms and recognise the integral role they play in our research process. Researchers are happy to share some information about their research with firms, such as timing and response rates. We do ask that you are respectful of their time and efforts, as they work incredibly hard to make sure all clients are contacted.

If you want to ask them about response rates, the best time to do so would be at the halfway point of research for that particular section (you can find this information on the research schedule), but please do not overload them with questions. There may be times when they will put you in touch with one of my Deputy Editors.

Q: I’ve occasionally heard law firms inform us that some clients haven’t been contacted. What should the firm do?

A: The most important thing to do is to tell the researcher assigned to the practice area and location you are submitting for. Sometimes our emails get caught in clients’ junk mail or deleted by mistake, so we are always happy to follow up. However, we must do this in accordance with our own internal client contacting guidelines.
As we have a very strict policy on not revealing our sources, we are limited in the information we can reveal to firms about whether we have got back in touch. That said, if you raise an instance where a client believes that they haven’t been contacted by us, there will have to be a good reason why we would not follow up with them.

We do ask that you don’t give our researchers’ contact details out to clients, as this distorts the research process and can mean that we give less weight to the feedback provided. We want to ensure that your clients don’t feel pressurised into providing feedback.

**OPERATIONAL ISSUES**

**Q: How about your interviews with partners and associates at law firms. If a firm is not approached for an interview, will this affect its ranking?**

Due to the large number of submissions we receive, we cannot guarantee we will be able to interview every firm that provides one. We prioritise speaking to firms that have submitted, but will try to interview a cross section of ranked and unranked firms, and try to ensure we are speaking to a different firms each year.

The US editorial team is happy to answer questions and provide some limited feedback on the decision we made, and some indication as to whether it is worth submitting again. We will answer up to seven queries on our ranking decisions per firm. Alternatively, the firm is able to purchase an unpublished report, which will give a much more detailed analysis of the firm’s performance.

In many cases, some persistence is required, so please do not give up.

**Q: What should a firm do if particular practice area isn't covered in Chambers USA or if their teams have suggestions for a different way of covering the market?**

A: Please feel free to send me an email to let me know. We are always open to introducing new sections for the guides. If you ever have suggestions, talk to me and I can look into it. I will often ask you to produce a short proposal listing what the firm does in this area and some information about the wider market, such as key local clients and other firms active in this space.

We cannot guarantee that we'd be able to research that particular category that year for inclusion in the guide, but we will always explore the possibility of doing so.

If you do have questions about the wider research process, please feel free to get in touch with me or one of my Deputy Editors. Our contact details are on the Chambers website.

**Q: Is diversity important to Chambers USA?**

The topic of diversity is increasingly being raised by clients as a factor in their selection of outside counsel. I want to see more from firms on submissions about what they are doing to promote diversity among their teams.

We are also very aware of the need to speak to a diverse range of market sources to ensure that women, different racial groups, LGBT lawyers and those with disabilities are fairly represented in our guides. More and more clients mention diversity as a key factor in their counsel selection process and this must be reflected in our guides.

During research for Chambers USA 2019, we tried to increase the number of women attorneys we spoke to as part of our interviews with firms in order to make sure we are capturing a range of opinions from the market. I expect this to continue into next year and would ask firms to work with us on this. We understand the
political sensitivities that come with arranging who should speak to the Chambers researcher, but if we have selected a particular lawyer to speak to, there is a good reason for doing so. However, if you feel that the person we have chosen is not the best person for us to speak to, please feel free to suggest an alternative and know that it won't be held against the firm.

We would also ask that firms think about which referees they are putting forward for us to talk to and recognise the importance of giving us a diverse range of contacts.

Q: Looking ahead to Chambers USA 2020, are there going to be any major changes to how the guide is researched?

A: The research process is tried and trusted, and we do not want to make wholesale changes to our methods for compiling our rankings tables for the sake of it. That said, we acknowledge that we can always improve.

The USA editorial team wants to make sure that our research team continues to have the resources and knowledge required to conduct interviews with our most sophisticated market sources, so we can produce a product that is truly useful to them.

Ultimately, our aim is to speak to more clients. We face a number of logistical challenges in arranging interviews with them, but the research team is incredibly proactive in how they go about contacting clients and I fully expect this to continue. The more clients we can speak to, the more reliable a product we can produce. We will be using new appointment booking software, Calendly, to facilitate our phone calls between the research team and firms’ clients and cut out unnecessary admin for both parties.

Up-and-coming attorneys will continue to be a major area of focus for us. We are incredibly proud of our track record in identifying the next generation of future stars among the legal community and we will strive to continue to do so. We want to see more up-and-comers and associates ranked in Chambers USA 2020, as those lawyers will form the backbone of our rankings tables for years to come. Last year we made a concerted effort to engage with younger attorneys by conducting interviews with them in order to get their perspective on the market, and this will continue next year.

There are also a number of exciting new developments at Chambers and this year we will be launching offices in New York and running a series of forums. This will give us the opportunity to meet more with firms and in-house counsel more regularly and provide more transparency on the research process.