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Client Choice Guide 2008

Tilleke & Gibbins International Ltd
Thailand



Success by the book

Thailand

Tilleke & Gibbins International Ltd

Over the past century or so, Tilleke & Gibbins has achieved that rare feat of staying true to its values while driving forward its practice, with clients that desire professionalism and a personal touch the key beneficiaries

Many firms believe that they offer good client service; few can say that they have written the book on it.

In the case of Tilleke & Gibbins, however, such a claim is substantiated by the volume found on every employee's desk: *Lyman's Laws for Lawyers (and Everybody Else, Too!)*. The guide aggregates the wisdom which chairman David Lyman has gleaned over the course of 40 years at the firm and a decade of prior experience in the US Navy, comprising 105 axioms relating to conduct, practices and attitudes. It also mentions the word 'client' no fewer than 70 times, stating in the first law: "Love the law. Love its practices and love serving clients. Ours is an honoured calling." By law four, the importance of client care has been explicitly asserted, but the message is implicit throughout. Law 19 advises that all incoming correspondence must receive a response within 24 hours. Law 96, meanwhile, emphasizes that clients should never be in any doubt that they've come to the right firm to solve their problems.

A Thai institution

The increasing number of international and domestic companies which believe Tilleke & Gibbins is the best fit for them is borne out by the firm's growth from 30 to 300 staff members over the past 40 years, making it one of the largest independent law firms in Thailand. Continuing success is

also evidenced by a new southern office in Phuket, a greater presence in Vietnam and the relocation of its Bangkok headquarters to larger premises. Even more significantly, it is apparent in the first-class reputation of Tilleke & Gibbins's corporate, dispute resolution and IP practices, the latter in particular cleaning up on the awards circuit over the past few years. Yet Tiziana Sucharitkul, a co-manager of the firm and the head of its dispute resolution department, explains that the ILO Client Choice accolade will have a special place in their trophy cabinet. "We are ecstatic over every award because they validate our efforts, but this is the first time we've been recognized for the non-legal, non-technical side of our service. The legal profession is much more than delivering just technical advice."

Sucharitkul's perspective gets to the heart of what makes a worthy Client Choice winner and is one that pervades Tilleke & Gibbins. "The law is about people," stresses Lyman. "Our lawyers get to know their clients on a personal level, because you have to understand them to appreciate their concerns." Similarly, the firm's creed begins simply by stating "We care", before going on to describe clients as "our guests". Tilleke & Gibbins may be a successful commercial enterprise, yet there is no sense of marketing hype in the creed's contention that: "We are a business, yet family." Lyman took over the firm's helm from his father in 1984 and the influence of parental guidance is readily apparent in his laws. The practice's familial feeling, however, is a more universal one, stemming from the cultivation of mutual respect within the firm. Indeed, the degree to which obligations as well as rewards drive Tilleke & Gibbins can be seen in its engagement with the local community. Whether aiding reconstruction efforts after the 2004 tsunami or training Bangkok's police force, the firm has an institutional status in Thailand that befits its earlier role in helping to found the national stock exchange.

Super soft skills

Of course, many successful home-grown firms find that expansion encroaches on the personal touch which makes them special, but Tilleke & Gibbins is well prepared for this challenge. Partner Edward Kelly became the firm's first

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chief client relationship officer in 2006, with the task of leading by example when it comes to client interaction. As Kelly had previously headed the contentious and transactional IP department, the role seemed like a natural extension of his duties. “Because of the sensitivities of being entrusted with a company’s intellectual property, you can’t help but become involved in some very deep relationships. What we realized was that clients respond well to a more personal approach and so as a firm we tried to improve how we institutionalized that.”

Yet while the creation of the role may signal a more formal attempt to maintain standards, Kelly is quick to emphasize that much of the firm’s success comes simply from its happy, family-like atmosphere, something obvious to those being served. While Tilleke & Gibbins lawyers do measure their performance against business plans which include the practice of soft skills, Sucharitkul says that this is not so much a coercive instrument as a way of directly rewarding associates for non-billable efforts that all too often go unrecognized in other firms. Kelly elaborates: “It would be incorrect for me to say it’s something we do in a calculated way; it’s part of who we are. We happen to be friendly, client-oriented people and our success is a function of that, rather than trying to be something we’re not.”

Openness, curiosity and drive are characteristics which clients should expect from lawyers here as a matter of course, alongside professionalism and technical competency. Excellent communication is also a key priority. This is particularly important for an independent firm serving a wide range of international clients, some located on the other side of the world, and Kelly observes that his colleagues make themselves available around the clock when the situation demands it. However, in a jurisdiction not known for transparency, the firm considers good communication on a deeper level as well. “We pride ourselves on preventing the client from having any surprises,” comments Kelly, “whether about substantive matters, procedural matters or billing.” A former in-house lawyer himself, Kelly appreciated those moments when external counsel prepared him for bad news, as well as the times when they highlighted the latest victory. However,



Left:
David Lyman

Opposite page

Right:
Darani Vachanavuttivong

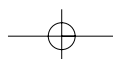
Far right:
Tiziana Sucharitkul

while the best lawyers he dealt with delivered a constant flow of information, their listening skills didn’t always operate at the same level. “It’s surprising how many lawyers don’t actually know much about the business of the client they’re trying to serve. Our lawyers will spend time at the client’s offices, attend their functions and go to conferences where they’re presenting. We understand both them and their industry intimately.”

Local knowledge, global standards

Tilleke & Gibbins’s knowledge of the local market also remains second to none, its independent status ensuring a nimbleness that frequently outmanoeuvres the competition. Sucharitkul summarizes: “It means we avoid the kind of policies that are enforced and implemented by management overseas who don’t know Thailand, its laws and how people operate.” For Lyman, the firm’s feel for the local scene is a key asset, although the respect for cultural differences works both ways. Part of the reason he wrote down the first dozen of his laws in 1991 was to help the firm’s Thai staff adjust to serving the international corporate community. Today, Thai and international lawyers are typically paired up to attend International Trademark Association or International Bar Association events, presenting the firm’s multicultural face and showing its interactive spirit in action.

Of course, over the past few decades Thailand has become ever more prominent on the global business map, a fact reflected by the firm publishing its history in five different languages on its website. The Japan-Thai free trade agreement which came into effect at the end of last year reflects the country’s progressive direction, and Tilleke & Gibbins is exceptionally well placed to serve those contributing to its development. Kelly points to his Japanese colleague Torajiro Ohashi as someone who is indicative of not only the firm’s multiculturalism, but also its international service ethic. Although not a lawyer by training, Ohashi has served as a senior counsellor at the firm for six years, after retiring as the president of one of Thailand’s biggest trucking companies, and has been honoured by both the Thai king and the emperor of Japan.



As a firm, we can be a little quirky and we're not afraid to take a position. We try to push the envelope and we often end up delivering impressive – and perhaps surprising – results

“I realized I was in the presence of a master when I first went to Japan with him and saw the particular ways in which clients expect to be served there,” recalls Kelly. “The experience certainly helped me develop in my career and our firm’s culture recognizes the values of enormous respect and curiosity which Ohashi-san displayed. Of course, it also confirmed the importance of gaining a client’s confidence by taking a business approach.”

To ensure it maintains that deep level of commercial knowledge in all of its practice areas, Tilleke & Gibbins continues to believe that it must not sacrifice cohesiveness in an attempt to be all things to all men. “As our brand



grows, more and more clients want to come through our door,” explains Kelly. “It’s almost against my nature to turn down work, but we have to be selective in order to continue developing deep relationships.” The firm’s overseas branches are headed by partners with extensive experience of working in the Bangkok office and imbued with its client care ethos. And while Tilleke & Gibbins has so far limited its presence to Southeast Asian markets, the firm is a member of Lex Mundi, Multilaw, Pacific Rim Advisory Council, State Capital Global Law Firm Group and TAGLaw, networks of leading independent law firms, as well as World Services Group, a global multidisciplinary network of the world’s leading professional service firms – giving clients access to local knowledge the world over.

Profits and plaudits

The success of this strategy is revealed in rising profits, but at a law firm which aims to put people above all else, word of mouth is an even more telling indicator. “Our client base tends to be clustered around market leaders that talk to each other and compare notes about the service they’re getting,” says Kelly. The key point is to ensure they share their opinions with the firm, too. That Lyman asks clients to notify him personally in the unlikely event of any deviation from Tilleke & Gibbins’s creed indicates how seriously the task is taken. In practice, the firm’s open environment means that little encouragement is needed to garner feedback. “We are there for our clients and they understand that we want them to tell us what they think,” comments Kelly, “whether positive or negative. We do take it all in. It’s part of always trying to be better the next time.”

Securing 80% of its work from its existing client base, Tilleke & Gibbins could be forgiven for looking back proudly over a century of stellar service. Indeed, Lyman is not only the firm’s chairman, but also its chief values officer, a role which entails guarding its “virtues, culture, spirit, integrity, ethical principles and moral foundations”.

Yet while the firm is a distinctive product of its history and core values, it is also forward facing and future driven. *Lyman’s Laws* provides the fundamentals, but its author encourages his staff to add their own rules as they gain



Edward Kelly

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experience. Likewise, just as Lyman once persuaded his parents to reorient their practice from the criminal to the commercial sphere, so he believes the firm must retain its responsiveness to the market as globalization continues apace and new industries come to the fore. "Obviously it's going to be evolution, not revolution," he says, "but I think it's time for the younger people to help direct the firm and bring their ideas to the floor." This determination informed his decision to appoint Sucharitkul and her colleague Darani Vachanavuttivong as co-managing partners in

August 2006 – the first time the firm has been led solely by Thais and professional women. Guided by Lyman and an experienced board of directors, they are also assisted by a new generation of partners in their 30s and 40s, ambitious and eager to deliver legendary service. "As a firm, we can be a little quirky," explains Kelly, one of the up-and-comers in question, "and we're not afraid to take a position. We try to push the envelope and we often end up delivering impressive – and perhaps surprising – results."

One result which will have surprised few, however, was scooping the ILO Client Choice Award. "We were delighted to win," reiterates Sucharitkul, "but as you might have gathered we don't rest on our laurels. It's too risky." The last word, however, should go to Lyman, whose book and personality prove that excellent client care is best regarded as a starting point, not an optional extra. "Your clients are your income and probably what motivates you to stay in law," he concludes. "You're there to serve clients."

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