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Rainmaker Q&A: BuckleySandler's Michelle Rogers

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Michelle L. Rogers

Michelle L. Rogers is a partner at BuckleySandler LLP in Washington, D.C. Rogers represents institutions in a wide range of enforcement and litigation matters, including government enforcement actions, class action litigation, regulatory examinations and internal investigations. Her breadth of experience is exemplified by the range of clients she supports, which include bank and nonbanking financial services companies, mortgage originators and servicers, secondary market purchasers, auto lenders, and telecommunications companies.

She has represented clients before the U.S. Department of Justice, Consumer Financial Protection Bureau, U.S. Department of Housing and Urban Development, Federal Housing Finance Agency and state regulators such as state attorneys general and bank regulators. Rogers is currently focused on several False Claims Act and Financial Institutions Reform, Recovery, and Enforcement Act investigations and a number of CFPB examinations and investigations.

Prior to joining BuckleySandler at its inception in 2009, Rogers was an associate at Skadden Arps Slate Meagher and Flom. Rogers is a frequent speaker at financial services conferences on fair lending, UDAAP, and false claims acts issues, and has published a number of articles about these and other subjects.

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

A: Listening — to clients, colleagues and myself.

First and foremost, this job is about client service. It's so important to understand your client's goals, to explain the risks of the decisions and issues at hand, and to help them achieve a result that balances their concerns with their desired outcome. The same facts with the same decision points might mean completely different things for different clients, so you have to learn about what is important to them, learn their business and understand their culture. You also need to solicit their feedback on how things are going, what's working, and what isn't. I think client feedback has made me a better lawyer and a better business partner.

I also learn so much from soliciting feedback from my colleagues. I have been incredibly fortunate in my career to have wonderful mentors who have helped to guide me, both professionally and personally, and colleagues who help me to enjoy the job that I do. Being able to solicit feedback from them on substantive legal issues and business development items helps to ensure I am giving my clients the best and most current advice possible.

Lastly, I had to get comfortable with listening to myself, which I think comes with time. Many of the issues I deal with aren't found in case law or neat fact patterns. You have to trust your instincts and your own expertise to address new issues as they emerge — but just as importantly, you need to be comfortable with saying "I don't know, but I'll find out."

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

A: I think a lot of preparation happens as you go, by making sure you continue to stay on top of emerging issues and trends in your field. If you aren't disciplined in doing this regularly, you really won't be able to learn it all just for any one pitch. Much of what I do is nonpublic, so my ability to advise clients on issues that matter to them depends on my staying informed about what is happening in the industry.

In addition to staying on top of the trends that may matter to a client, I try to learn everything I can about a client. I ask as many questions as I can before the pitch so that I can align my message with the client's expectations and concerns. Finally, I try to make sure any pitch is as much a conversation as it is a presentation. Asking questions throughout can provide you with the opportunity to identify new issues and demonstrate your expertise in other ways.

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

A: I was asked to jump on a quick call with a potential client to discuss their planned approach in a pending enforcement matter. I had about five minutes to prepare, I had never worked with the client before, and I didn't even know what area the pending enforcement was in (Payment processing? Auto? Mortgage?).

I joined the call, asked for background, and walked them through their questions. Throughout the process, I made some suggestions about how they might improve their plan and suggested that they consider a modified strategy. I didn't know that we were even being considered for the matter, but shortly after that call we were hired to assist them. Even better, our approach worked and we achieved a great outcome for the client. We continue to work with the client on a variety of examination and enforcement matters.

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

A: First, try everything you can and work with everyone who is willing to work with you. I fell into financial services because I liked the clients, my colleagues and the substance of the work. But the work I did before that, which included health care fraud, class action work and some deal work (really), made me a more well-rounded lawyer. Working with different partners helped me to see that there are different ways to achieve a result and its okay to have your own style. It exposed me to new clients with new issues, and helped me understand not just the legal aspects of this job, but the business aspects as well. Different clients have different definitions of success.

Second, so much of this job is about building relationships — spend time getting to know the people you work with. Knowing what is on the horizon for a client and their strategic goals not only allows you to manage ongoing work better, but also helps you be creative in identifying ways you can assist the same client in the future. It's important to know what matters to your clients beyond any one matter so that you can add value wherever possible. But I also think how you work with your clients is important.

Delivering great results is the goal, but you should be able to do that in an environment that makes your client's life easier, if possible.

Be responsive, meet your deadlines, be respectful to everyone. People want to work with people they like, and the associate general counsel working on your matter today may be the general counsel at a client you want to work with a few years from now.

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

A: Time! It's challenging to find the time to do the work, grow relationships and stay visible in the industry (and in my case, like many others, while raising a family). But working with other talented lawyers, collaborating with others in the industry and liking what I do have really helped me to find the right balance to focus on the issues that matter to my clients and that help me be a better lawyer. Once I found that comfort zone, the rest came much more naturally.

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