

## Solutions-The Benefits of Preemptive and Preventive Legal Training

Often the best result for a business person is not being required to hire a lawyer in the first place. There will be times when businesses will need a lawyer to draft or interpret legal contracts, to represent them in business transactions, or to resolve business disputes. However, there are preemptive and preventive training actions that businesses can take to minimize the need to retain lawyers; except for when the businesses determine the need to retain a lawyer.

Think about your business and about when you have needed to hire a lawyer. Did you hire a lawyer because you needed to do so because your business required a legal expert or was it because you, an employee, or your company failed to follow good business practices or misunderstood the legal implications of actions or inaction? If it was the latter, then you should consider making an investment into preemptive and preventive legal training as this not only will improve your business operations; it will also lower your legal costs in the long run.

### Why should you conduct Legal Training?

Preemptive and Preventive legal training is similar to other types of training you and your employees have taken. The benefits of training can include (i) improvements in how your company handles legal situations; (ii) greater understanding of the legal risks associated with various business activities ;(iii) lowering of your legal risks; and (iv) lowering your legal expenditures.

### What Type of Legal Training should you conduct?

The most important training needs of companies vary depending upon the nature of the business activities and the size of the company. For companies that sell or buy materials or products, training on how to negotiate a contract may be most important. For companies that have many employees, employment related training, including anti-harassment training, may be most important. For companies that depend upon brand names and technology offerings, Intellectual Property training, including licensing training, may be most important. For companies in the real estate industry, real estate purchase, sale, and leasing training may be most important. For companies involved with export or import of products or services, regulatory training, including foreign corrupt practices act training, may be most important. For companies regularly involved in litigation, pre-litigation dispute resolution training may be most important.

### What should you do if you think Preemptive and Preventive Legal Training is needed?

Here are a few of my suggestions:

1. [Identify the areas of your business that create the greatest legal risk](#) – Similar to how you would conduct an audit of a financial, manufacturing, or distribution function, conducting a review and identifying potential and costly legal risk areas is an important first step.
2. [Meet with a lawyer that understands how businesses operate](#) – Work with a lawyer that takes the time to understand your business. As you discuss the business activities that give you the greatest cause for legal concern, your lawyer will be in a position to tailor a training program that focuses on your greatest legal risk areas and that best meets the needs of your business.
3. [Work with a lawyer that practices preventive law](#) – Business managers understand when a person wants to help a business succeed versus a person that is looking to only bill for their services. The lawyer you choose to work with can greatly impact whether your business operations will improve and whether your training expenditures will provide you with a value added payback. Choose a lawyer that demonstrates an understanding of how you measure success and how preventive legal training will bring benefit to your business operations.

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