

# Leadership Profiles

*Insights from Legal & Compliance Thought Leaders*



## Featuring Marla Persky



Former SVP, GC &  
Corporate Secretary  
**Boehringer Ingelheim USA**

Former Acting GC &  
Corporate Secretary  
**Baxter International Inc.**

*BarkerGilmore Strategic  
Advisor and Leadership  
Development Coach*

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to care about  
business results  
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### What's your backstory and what influenced you to pursue a legal career?

I grew up in Pittsburgh when it was a dying steel mill town before it transformed itself into a white-collar city and left the city as soon as I could to attend college. I went to Northwestern as a theater major believing I would be a brilliant actress, and an award-winning director. But every high school drama club star does not make it on Broadway. However, I gave myself a year after graduation to see whether I could break into the theater. It eventually dawned on me that I would probably be waiting tables my whole life if I stuck with the theater, so I stepped back to figure out what to do with my life. Law was a default choice for me. I thought if I was a trial lawyer, it would sort of be like acting, so I went to law school.

### Any life lessons learned trying to break into Theatre?

Several, including the importance of being good at assessing talent, including your own. You must be willing to openly assess a situation and evaluate your options so that you can pivot. That becomes

really important in building your own career and in how you help others see the possibilities in their careers.

I went to law school, worked at a law firm, and at the point at which I was likely to be named a partner, I realized that although these people were very good lawyers, they were not astute businesspeople, and I didn't want to tie my financial future to them. That is when an opportunity to move in-house presented itself and I again pivoted. That pivot turned out to be the very best thing I could possibly have done, because as it turns out, I like business more than I like law.

### What makes a good in-house attorney?

First, you must know the business and understand the marketplace and your organization's dynamics so you can help apply law and regulation as a tool for success and competitive advantage. I never looked at law and regulation as limits. I looked at them as opportunities. That helped me align more closely with my business colleagues because they look at business as opportunity and don't want to deal with people who are always talking about limitations.

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# LEADERSHIP PROFILES: Interview with Marla Persky

Second, in-house counsel needs to care about the business results as much as their business colleagues do. Law for law's sake belongs in the courtrooms and in law firms. It doesn't belong in boardrooms, it doesn't belong in C-suite meetings, and it doesn't belong in business strategic discussions. Law is a tool that can add another perspective to the value of a business. But to achieve that value you need to understand the business and not be afraid to make a decision that's not purely legal. Many in-house lawyers have said, "That's a business decision. I can't make that." You're part of the business. If you can't make the decision, it's because you don't have the knowledge to make it. It's not because you don't have the remit to make it.

## Does a General Counsel need to understand a balance sheet?

You need to be financially savvy and know what a balance sheet shows, compared to a P&L or cash flow statement. This is not the first thing you need to learn out of law school, but when you're a part of management and responsible for helping make business decisions and seeing risks and opportunities, you should be financially savvy. There are plenty of accounting people out there who can explain things and answer questions. So, if you don't understand the numbers or what they mean, ask. I've learned that if you ask a question in a room of people, there's likely to be others in the room who have the same question, but they don't have the nerve to ask it.

## What made you move on from your General Counsel role?

I spent more than 30 years practicing law including as General Counsel for two of the largest pharmaceutical companies in the world and was always very busy. After a certain point, being busy and being involved is not the same thing as being

motivated. I was driving home one day wondering why I had a smile on my face rather than a scowl. I realized it was because I was working on business issues, not dealing with legal problems, or was helping people get ahead in their careers. I realized that I could create a business based on helping people get ahead in their careers.

In 2014, I set up a company called WOMN LLC dedicated to helping women succeed in the business of law. There are so many brilliant women at law firms who either drop out or don't get ahead, not because they aren't good lawyers or smart businesspeople. Instead, they don't view themselves as a "product" and do what is necessary to build their book of business through personal branding and networking effectively for career development. WOMN's mentoring and training programs have expanded, and we just celebrated our 10th anniversary.

## You were teaching personal branding long before it became an accepted practice.

It's about knowing and articulating your value proposition and then marketing yourself through your brand channels. The cornerstone of all this is networking. Attending cocktail parties is not networking. My definition of networking is establishing mutually beneficial long-term relationships. Every single company board I've ever gotten on is because of networking. I stay in touch with the people who I've worked with over the years. When I was a young lawyer, I was working with young businesspeople. Now many of those people are CEOs and they're on boards. If you stay in touch with people throughout your life and do good turns for them, most will remember you and appreciate what you've helped them accomplish. That's how I got on company boards. Today, I serve on boards in addition to coaching, which I do through two channels: WOMN and BarkerGilmore.

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# LEADERSHIP PROFILES: Interview with Marla Persky

## How do the two channels of coaching differ?

The people I coach through WOMN reach out to me personally, including women partners in big law firms. Law firms teach people how to be good lawyers, but not how to be good businesspeople, or teach what it means to market oneself. Marketing is not what golf club you belong to. How clients buy legal services is changing, and so the outreach for new clients must change as well. I work with my law firm partner clients on how to define and mine their networks. But before they can establish their brand, they must define their value proposition, and who they are.

The people I'm coaching through BarkerGilmore are General Counsel whose companies are supporting their executive coaching. I coach mature career professionals in times of change, challenge, and transition. BarkerGilmore gives me a channel to work with people who otherwise I might not connect with.

## Can you provide a few details on your networking strategy?

Very simply, stay in contact with people. Care enough about the people with whom you shared an important connection at some point in your life and stay in touch with them. That's the key to networking. In our internet age, it's very easy to stay connected. I Google people all the time to follow up with them. I also connect with people through LinkedIn and send them things when I think about them. I start every day by spending 10 minutes on LinkedIn before I go into my email to see who in my network has posted something so that I can connect with them for a reason.

## Do coaches need to be part psychologist?

People I'm coaching are usually experiencing some type of career change or challenge. Either they want to get a new job, or they just got a new job, and they don't want to fail. Or they just got a

new CEO and need to prove themselves again. Or they've never looked for a job because jobs have always found them. There's always something on the horizon that is not "status quo." When I coach people, I often begin by finding out what makes them happy and exploring how they can spend 60% of their time doing things that make them happy. Expecting total happiness in a job is not realistic, but feeling valued, contributing, and achieving success is what a person should strive for in their career.

There are psychological aspects to coaching. Career or executive coaches recognize what I call "human foibles" and help their clients create a tool set to either compensate for, overcome, or take advantage of them. Not all foibles are bad, by the way. You help clients with tools and recognition, without going into the reasons why their foibles exist. They can hire a psychologist for that. It's a coach's job to explore how to deal with their foibles.

## What do you consider to be the greatest value you deliver as a coach?

I believe I have two notable coaching-related "value adds" to teams, to people, and to organizations: I listen well, and I'm not afraid to ask questions. There's active listening and passive listening, and I'm an active listener; focusing not just on what is said, but also on what's not said. Many times, that's where my questions come from. You must listen well to hear what the messages are or should be. That has great value in a team setting, for example, because I'm able to summarize what happened in a meeting before everyone leaves. That ensures everyone is aligned in terms of what was said or decided, and there can be agreement on the next steps and individual responsibilities.

Additionally, most people I coach are either General Counsel, or their next job is going to be a General Counsel. I've had that job, and I know what it's like. When I coach clients, I'm not only

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# LEADERSHIP PROFILES: Interview with Marla Persky

bringing my General Counsel experience and what I've seen and heard from others, I also bring my C-suite and business experience. Because I serve on boards, I understand what boards expect and think. I'm prepared to help clients understand how what they do will affect their legal department, the business, the C-suite, and the board.

## What do you consider as some of your career accomplishments?

I was and still am in the pharmaceutical industry. I serve on biopharma company boards. The products I help bring to market are something I am extremely proud of. I'm also grateful to be part of those teams, which include everyone from bench scientists to CEOs because it takes the entire organization to get a product to market that will help to improve, extend, or save lives. That's what I'm proud of from an industry perspective.

From a lawyer perspective, I feel I was very adept at being both a sword and a shield for my clients by helping them figure out how to use laws and regulation for competitive advantage and how to protect company assets from external attacks, whether they were environmental, customer-related, regulatory, or competitive. It's always a battle out there. A good in-house lawyer helps clients navigate and fight the battles. I know it's frowned upon to use war analogies, but often somebody wins and somebody doesn't.

## Is it the General Counsel's job to promote the value that the legal function delivers to the business?

The answer is yes, however, businesspeople who have worked with good in-house lawyers understand the value they deliver, and they come to expect it. If you need to teach your client how to use their in-house lawyers effectively that means that they've never had the opportunity to work productively with a business-savvy lawyer. They don't know what good looks like, and believe if they get the lawyers involved, that they will hear

"no." In my view, if you're in-house, the only time you say no is if something is illegal. Most people don't want to do something illegal, but they might stumble into it. Most of the time it is a risk/benefit analysis which is not black and white.

## What attracted you to join BarkerGilmore?

I think very highly of what BarkerGilmore does and that they're cutting edge. They look beyond placing talent in a particular role. They work at the continuation and long-term success of the talent they place, and I like that. I also like their innovation and willingness to try new things. Their people are great, and my fellow strategic advisors are exceptional. I learn from them all the time. They've done an excellent job of putting a great crew of people together of which I'm proud to be a part.

## What would you consider to be the most important guiding principles in your life?

It's remaining clear on your priorities and taking the time to ask, "Do I like what I'm doing? Am I happy?" It also involves not sweating the small stuff, to avoid getting mired in minutia. You have to pick your head up and look at the landscape.

## You lead an extremely busy life. How important is it to make time for things beyond work and family?

I feel it's very important to have an impact on the greater world. I could never be a Gandhi, but I can have an important impact on the people around me and on the issues that I believe are critical and important to me. It's important for my life to be a full life. It's not just work. It's not just family. It's what I can do in the environments and on the issues that are critical to me. To accomplish this, you assess what your skills are, what value you can add, and what you can do. Then get out of your chair and do it.

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# LEADERSHIP PROFILES: Interview with Marla Persky

## The performing arts is one place where you've made an impact. You recently won the Einhorn Mentorship Award.

I was honored to receive the Einhorn Mentorship Award, given each year to someone in the Primary Stages theater group community who's been a mentor and inspiration to those who work with them. I serve as chairman of the board of Primary Stages, which is an off-Broadway theater company that's just celebrated our 40th year. Primary Stages exists to give modern American playwrights an opportunity to create and to display their works. There are many really well-known playwrights who got their start with Primary Stages.

## Do you have any advice for the next generation of in-house legal professionals aspiring to senior leadership positions?

There isn't one right way to succeed. No recipe to follow. I believe in the adage that people will forget what you say and what you do, but they will always remember how you make them feel. You need to ask: What value can I add? How do I make someone feel heard and part of the team? How do I help them to succeed wildly? There are jerks out there who are takers and users, but you can't live your life out of fear of the jerks who are 20% of the population. You live your life for the 80% of the people who give as well as they get. You must be a giver if you ever want to "get."

## MARLA PERSKY BIOGRAPHY

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Marla Persky was Senior Vice President, General Counsel, and Corporate Secretary for Boehringer Ingelheim USA, where she oversaw a 70-member department. She was also a member of Boehringer's executive management team and a director of the company and several of its subsidiaries. Before joining Boehringer Ingelheim, Marla spent 19 years at Baxter International Inc., where she held numerous business and legal positions, the last of which was Acting General Counsel and Corporate Secretary. During her tenure, Marla managed global legal services, led international crisis management teams, acquired and integrated international businesses, and designed and implemented legal strategies to manage global mass torts. Before Baxter, Marla practiced law in Chicago at a boutique law firm.

She currently serves as Chairperson of the Board at Xeris Pharmaceuticals Inc., and is a member of the Board of REVULO Biotherapeutics. She is also on the Audit and Strategic Planning Committees of the Board of Directors of medical technology company, YGEIA.

A frequent speaker on leadership principles, mentoring, diversity, crisis management, and negotiation techniques, Marla additionally serves as CEO and President of WOMN LLC, an organization dedicated to increasing diversity in the legal profession and helping women and minority attorneys succeed in the business of law. She earned her B.S. in Speech Studies from Northwestern University and her J.D. from Washington University in Saint Louis University School of Law.

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