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## Amicus Curious

### *An ounce of prevention . . .*

If Chicago lawyer Neal C. Zazove succeeds only in small measure in consulting with small businesses, other lawyers will have less litigation work coming their way.

On the theory that an ounce of prevention can be worth a pound of the old litigation cure, Zazove advises small businesses on how they can keep lawyers out of their lives through his pro-active advocacy steps.

Zazove, primarily a litigator since he began practicing law in 1982, consults with small businesses on issues ranging from properly drafting their sales contracts to labor matters in an effort to keep them from becoming entangled in lawsuits.

"If you're using attorneys in litigation, you're already cutting away your profits," Zazove said he tells his clients.

He tries to put the client company in a position to stay out of lawsuits that are "avoidable" and win litigation that is unavoidable. "I can tell them to avoid litigation if at all possible. It's too expensive," said Zazove, who heads a three-lawyer firm that bears his name.

In providing the legal consulting service for nearly 10 years, he's worked with "hundreds" of companies that typically lack in-house counsel, he says. Clients include advertising agencies, computer companies, temporary employment agencies, construction firms and manufacturing facilities.

He analyzes how the company does business and how it can improve certain practices or procedures, at least from his litigation perspective. He tries to get business persons of all stripe to put more of their agreements in writing and to write follow-up letters.

Not all companies implement his program. "Sometimes it's not possible to make drastic changes because it would prevent them from getting business," he said, adding that some companies just need a "fresh approach" to looking at how they conduct their business.

In many instances, he just "fine tunes" certain procedures. "Sometimes it's as simple as sending a confirming letter," he said. "Business cannot be done on a handshake any more, I'm sorry to say."

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