

The 5 Keys to High Impact Legal Marketing...
Even if You Hate to Sell!



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The Five Keys to Highly Effective Legal Marketing ... Even if You Hate to Sell

From the Desk of Cole Silver, Esquire

Dear Fellow Attorney:

Let me start out by asking you if you are satisfied with your legal career and professional life? Do you make the kind of money you want and desire? Are you able to pick and choose the clients and cases you handle? Are you in control of your career? If you did not answer yes to the above questions, let me assure you that there's a lot more you can do to create a career filled with wealth and freedom and start living the life you know is possible.

The business of law has radically changed...but have you? Why are so many of us unhappy with our chosen profession? Studies show that many attorneys do not like the work they do or the clients they assist. According to a recent poll by the *Lawyers Magazine*, almost a quarter of lawyers want to leave the profession because of stress and long hours. The survey also shows that 20 per cent of managing partners — those in charge of the firm — wish they were in another job. Sadly, leaving the law is something many attorneys contemplate...a lot!

And the changing environment of practicing law is accelerating. With over 1 million lawyers in the United States alone, competition is fierce. Globalization, consolidation creating mega firms, increased utilization of request for proposals (RFP), budgetary caps on fees, practice groups switching firms to go to the highest bidder, marketing of legal service plans, self-help legal guides, mass demotions at large firms, outsourcing legal services overseas, and new technology that commands 24/7 attention, are all altering the legal landscape. Today's law firms are run more like a business than ever before. And like their counterparts in the business community, revenues and earnings drive major decisions.

For many, law firm life is overflowing with bureaucracy, alienation and lack of input, which causes great frustration to an already disenchanted professional life. According to author Douglas Litowitz, young lawyers are morosely unhappy by every conceivable standard. They arrive at law school brimming with enthusiasm, but a decade later, they are reporting staggering levels of anxiety, drug addiction, and depression. In legal circles, there is talk about a "crisis of professionalism" and a "decline in civility," but the problem goes much deeper.

And for those of us who no longer qualify as members of the "young lawyers section" of the local bar association, the situation is not much better. Whether it's the long hours, the loss of control, de-equitization of partners, or the lack of purpose or meaning, something is amiss. And even worse, many of us feel trapped between an acceptable standard of living and a profession that is unsatisfying. Many simply do not know where to begin to address these issues.

Face it, the bottom line is that law, accounting, medicine, engineering, or any other profession, is a business. And businesses exist to make money. In the legal profession, revenues are derived from clients. Oh sure, you could bill an outrageous amount of hours or even be a national expert in your area of the law, but these factors are no longer a guarantee of your financial and personal success.

A loyal following of profitable clients is only thing that will guarantee your financial and professional success!

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For those of you who want a more balanced and comfortable life, one filled with financial and personal freedom, and the time to do the things YOU want to do, you MUST have a steady stream of new and existing clients. Having an easy and workable system to get and keep profitable clients is the vehicle which will determine your overall professional success and impact.

But, how do you create a steady stream of new clients? How do you develop your business and make it dynamic, fun and successful? You may reject what I have to say right off the bat, but the truth is in order to get what you really want, you have to consistently market yourself and the solutions and benefits you deliver!

Rainmaker's Have a Great Lifestyle

The Duchess of Windsor may have been correct when she said: "You can never be too rich or too thin", but more to the point: "You can never have too many (profitable) clients." This is obvious when it comes to rainmakers. Have you ever noticed that rainmakers are the highest paid people in the firm? Not only do they make more money, but they also look good, dress well, and probably have better sex. People who are really good at client development have a great life. They are members of private clubs, dress in the finest clothes, eat at great restaurants, have the largest house in the best neighborhoods, have second homes at the beach, and most importantly, they **enjoy their career's more.**

Yes, I know you're probably thinking that clients should seek us out, not the other way around. Besides, don't they know how great you are? Well, don't hold your breath. While many of us are uncomfortable with the idea of having to "sell" or "market" ourselves, just look around at the great life and careers that "rainmakers" have and you'd have to admit that it is not only a necessity; it is the solution to all that you seek.

ALL THE LEGAL KNOWLEDGE IN THE WORLD IS WORTHLESS WITHOUT A CONSTANT STREAM OF PAYING CLIENTS!

To bring this point home even further, let me tell you about a lawyer named Carol. She was a partner at a mid sized law firm in downtown Manhattan. After practicing for 15 years, she was too busy representing the firm's clients on major transactional work to have any time for her own business development. This suited her well since she actually hated that part of the "business" and just wanted to "practice." She enjoyed putting her head down and getting the deals done or writing articles for various legal publications on issues of secured lending. She was fairly well known in her field, and was what some might call an "expert." Yet, despite her expertise, one late summer day the managing partner called her into the office and told her that due to her lack of a book of business, her salary was going to be capped and her partner status would no longer be "equity based." She was "de-equitized"!

Understandably upset that she had given the firm her best working years, sacrificing time with her family and friends, three months later she quit and took a job as in-house counsel with a global financial services company. While the salary was less than she was accustomed to, she felt at home. There was no need to "market" or "sell" in-house. Her only clients were the shareholders

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and officers of the company. However, a year later, her new employer was sold and at the ripe age of 45, Carol was out work.

I know that many of you reading this went to law school never giving thought to the idea of having to market your services. Like Carol, you too probably just wanted to “practice.” After all, isn’t practicing difficult enough? The long hours, demanding time constraints, firm politics, dealing with opposing counsel on every nit. Yes, I agree, practicing is hard, but the realities are that just being a good lawyer or legal tactician is simply not enough anymore. Just ask any managing partner what they would prefer: a great legal mind or an average lawyer with a great book of business. While law firm leaders (and legal recruiters) will say it’s impossible to define the criteria for partnership, it’s difficult to find an instance where someone with a substantial book of business didn’t remain an equity partner and command a high salary.

Yes, I agree, selling and marketing can be a drag. To some it’s seen as demeaning; time consuming and a waste of our precious time. And many of us dread the very idea of it. Yellow page ads, obnoxious late night cable commercials, or costly glossy brochures all serving only to gratify an attorney’s ego rather than sell real benefits and value reinforce this negative view of legal marketing. Most of us know that today’s typical legal marketing activities represent the opposite ends of the spectrum...either professional garbage about the impressive “image” of the lawyer, or raunchy ads about getting the client massive amounts of money for injury claims.

The reason the majority of us dislike marketing is that we were never taught how to do it in a professional and personally fulfilling way. Let me assure you that if approached in a new way, marketing will not only help you get and keep more profitable clients, and the types of cases for clients you enjoy working with, it will also enhance your enjoyment of practicing law. It all depends on your attitude and your approach, which means how you view the value you deliver, and what you really want out of your career and lifestyle. The development of deep and rich client relationships, which are aligned with your passions, offers the solution to the many who want a more stress free, freedom driven and purposeful career as a lawyer. In other words, you can design your life around your passions and interests, and make it FUN. **When you know how, it will be easy and enjoyable to market yourself.**

EVERY SUCCESSFUL PERSON HAS TO SELL!

If the definition of “marketing” is telling people repeatedly what you do, and what value and benefits you deliver, then the real question is which strategies and tactics will you employ to accomplish this important goal? Attending the occasional power lunch or networking event doesn’t cut it any longer. You need a plan that is strategic to your overall career goals, tactical to your daily activities, and built on deep client relationships, trust, and value. When marketing is viewed and executed as providing a “total client experience” where the benefits to the client outweigh many times the value of their investment, you win.

You will also need to adopt the mindset of a rainmaker, for **being a rainmaker should be the most important activity you’re engaged in and having a list of profitable and loyal clients should be viewed as your important asset.** You are simply going to have to recognize that marketing is not selling your soul or compromising your ethics, but is the key that will dictate your future.

When viewed from this perspective, marketing your solutions and benefits is about serving more, solving more and helping more! It is financially rewarding and emotionally satisfying. And when you experience the success this type of marketing brings, you will have more of the things you want out of your practice. You'll be able to pick and choose the cases you want and fire the clients that are ungrateful, unprofitable or annoying. You'll be able to leave the blackberry and cell phone turned off, take more vacations, do more pro bono work and accomplish all the things that you planned to accomplish when you first entered the field of law. In short, marketing will not only set you apart; it will set you free.

PEOPLE DON'T CARE ABOUT HOW MUCH YOU KNOW UNTIL THEY KNOW HOW MUCH YOU CARE!

For just a moment, let's take a look at the attorney-client relationship. This relationship is truly unique and special. Why? Because the client is buying YOU! They are paying for your trust and advice. Therefore, they must like and trust you. They must feel that you're empathic and compassionate when it comes to solving their problems, and even more important, that you care about them. There is nothing more seductive than demonstrating your sensitivity and understanding of the client's life situation. If people believe that you sincerely empathize with their problems, and that you are not trying to sell them anything, they will respond.

Unfortunately, most lawyers have it the other way around. They talk about themselves. They brag about making law review or winning the big case. Their marketing activities center on selling themselves! They have the best service, they are the brightest lawyers, most aggressive litigators, are more experienced, and have gone to the best schools. So many lawyers say the same thing. But this type of marketing approach and attitude just shows a person to be self-absorbed and self-centered.

Crying Out, "BEST, BEST, BEST, Leads Nowhere!"

Since every lawyer says they are the best, it's completely irrelevant whether you are the best. The reason? You simply cannot differentiate yourself when using this type of "bragging" strategy. Bragging doesn't work because it fails to show humility, empathy or caring. Go to a party and start telling people how great you are and see how many people want to hang with you.

IF YOU DON'T TAKE CARE OF THE CLIENT...SOMEONE ELSE WILL!

When most of us think about marketing, we envision brochures, shaking hands at useless and annoying networking events, mixing sweaty palms with pigs in a blanket, all in one massive business card swap or some other type of useless marketing tactics we're told will work. We often forget about the acres of diamonds already at our feet. What about you? Are you properly differentiating your practice in the marketplace? Are you tying in a targeted unique selling proposition with an irresistible offer? Are you leveraging all of your existing assets by maximizing the value of your networks, utilizing strategic partners and relationships, and most importantly, are you properly serving your existing clients?

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Did you know that:

- The costs of attracting a new client are 5 to 12 times greater than the cost of keeping an existing client.
- The return on investment is up to 10 times higher for investments in client retention than for the acquisition of a new client.
- Converting new clients takes more time, effort and expense than is required for current clients.
- Existing clients have greater usage levels and can be easily crossed sold.
- Existing clients are less-price sensitive.
- Existing clients exponentially increases profits.
- Existing clients are the best referral source for new clients.

Were you also aware that dissatisfied clients tell an average of 10-20 people. And up to 93% of dissatisfied clients will not return to you and won't tell you why! Failing to treat your existing clients like the treasure they are will not only prevent you from utilizing your best resource, but ignoring them will start a spiraling effect of lost revenues and severe damage to your reputation. By the time you figure out what happened, the damage may be irreversible.

Your marketing program can (and should) be based around your existing assets and relationships. Client focused retention and loyalty strategies will do more to increase your bottom line than any speech, article, public relations blitz or advertising campaign. Client based retention tactics, because of referrals and up selling, should be 90% of your marketing strategy. What's more, it's a lot more comfortable than traditional marketing, is highly ethical and represents a highly effective economical and leverage strategy. The "client only marketing strategy" is a powerful one and represents the lynchpin of most successful rainmakers.

TELLING PEOPLE WHAT YOU THINK THEY NEED, INSTEAD OF WHAT THEY TRULY WANT, IS A BIG MISTAKE!

As lawyers, we're trained to give advice because that's what we do. But the fact is that nobody ever got rich or successful by telling people what they need. However, a whole lot of people have become rich selling people on exactly what they want. It doesn't matter what you think...only what your client thinks. And it doesn't matter what you want...only what they want!

And what is it they want? They want what we all want...empathy, compassion, comfort, understanding, respect, their problem solved and, mostly, **to feel appreciated and important.**

SUPPLY PEOPLE WITH WHAT THEY WANT, AND YOU GET WHAT YOU WANT.

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So, how do you go about achieving this? How do you give people what they want? Are you ready for the biggest secret? You start out by listening, serving, educating and providing a memorable experience. Find their pain and what they truly desire and provide it to them even before they become a client. The result is that when they need a lawyer...you're at the top of their list because you were there for them. You solved their problems without making any demands. **They will then seek you out.** Why? Because of the law of reciprocity. People have an innate desire to reciprocate when they are given something or treated in a certain way. And guess what? You'll be the beneficiary.

OFFER, ACCEPTANCE AND CONSIDERATION... WE HAVE A DEAL!

When you think about it rationally, we are all always selling ourselves at some level. Life in itself is really about marketing, selling and enriching relationships. No one ever gets anything done in life without these three factors. You start out as a cute little packaged newborn baby and you're selling your parents on responding to your every whim and desires right from the start. Throughout our lives, we re-package and re-market ourselves continuously. We sell our parents on caring for us or giving us the freedom or toys we want. We sell our spouses on loving us and staying with us. We try to sell our children on obeying us (never works for me); we sell juries on ruling in our favor and we sell employers on hiring us.

However, legal marketing is much more than just selling. It encompasses everything from starting with creating the right image of you and your practice, one that fits your desires and values, offering real benefits to your prospects, followed by providing a respectful return on investment for the client, which in turn is perceived as highly credible, valuable and memorable. It all starts with an offer...a quid pro quo. You offer your solutions and for a fee, you'll solve your client's problems and make them feel good.

The 5 Keys to Highly Effective Legal Marketing... Even if You Hate to Sell are:

1. DEVELOP THE "MINDSET" OF A RAINMAKER

Ask any successful businessperson what they believe is the key to success and they'll tell you "marketing" and "profitable customers." You're going to have to come around to the logical, as well as visceral feeling, that marketing is the most important activity you're engaged in and that a list of loyal clients is your most precious business asset. Preparing to market yourself and obtaining a marketing mindset is not all that difficult. In fact, it should and can be creative and fun. If it doesn't feel that way, don't do it.

A marketing mindset is simply the expansion of your value proposition and awareness into the relationships and assets that already exist within your business and sphere of influence. You already have what you need to become a master rainmaker; you just have to leverage your existing assets for the opportunities that await you.

2. GET TO KNOW YOUR CLIENTS INTERESTS, MOTIVATIONS, AND DESIRES

“It’s not who you know that’s important...it’s what you know about who you know!” Truer words were never spoken. It’s only through this type of knowledge and relevant data points can you propose your benefits and provide the solutions your clients need and want. This is accomplished through database analytics, networking, and personal and consistent attention. By knowing your clients real motivations and desires, you’ll be able to give your clients what they want in a consistent and memorable way.

3. CREATE AN IRRESISTIBLE OFFER TO THE CORRECT TARGET

Create a unique message and couple it with an irresistible offer to a targeted niche. In other words, why should people hire you and what’s in it for them? What’s the quid pro quo? Do you help them get what they need and want? How do you improve their life? Do you make them feel safe, have more peace of mind, save money, make money, win big? What’s in it for them? Once you’ve decided on your irresistible offer and your resulting message, you’ll need to target a group that will be receptive to your offer. And then spend 90% of your time going after that group. By spending time figuring out what they want and need, and then providing it, you’ll become invaluable to them.

4. SET UP AN EASY, CONSISTENT AND VISIBLE SYSTEM TO GIVE THEM WHAT THEY WANT

The marketing imperative is to consistently stay in front of your prospects and clients. The key ingredients of any marketing plan include: (i) strategic planning, (ii) tactical execution, and (iii) follow-up. Woody Allen may believe that half of life’s success is just showing up, but real achievement comes from preparation and follow-up. Marketing cannot be performed as a shotgun approach like the occasional power lunch or attending a networking event. Every aspect of your plan must address your long and short-term goals, your strengths, niche, and what you want out of your business. Your strategy should be laser-focused and measurable.

The reason most marketing efforts fail is due to a lack of follow-up. More to the point, one of the most critical issues in all client development and retention is NOT following up, but even more significant is not following up with action. And we all make this mistake. In many ways, this is what determines your success or failure, and too often, we don’t realize it until it’s too late.

Your system should utilize a “ladder” or “drip” multi- contact approach which will show you’ve been there for them and you’re the “go-to” person they need and want. The mantra here is to follow-up and stay in front of them consistently. And don’t stop until you either die or they tell you to drop dead!

5. MAKE THE OVERALL EXPERIENCE MEMORABLE!

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Marketing is much more than just selling. It's about matching your solutions to your client's goals. Let me be clear...“selling” sucks, but only if we approach it from the old perspective of selling. I realize that many lawyers view the art of sales as a form of begging. On the contrary, I believe if you approach selling with the right attitude, it is not about talking anyone into anything, but is actually a systematic process of measurable milestones that enable the client to achieve his or her goal, and you to achieve yours. If we approach “selling” in this new way and see it from a different angle such as helping, educating, serving and creating a network around us, then it will be seen as something valuable and precisely the message you'll want to convey.

Whichever marketing tactic you choose, keep in mind that client development and retention comes down to “knock-your-socks-off memorable service.” This means that you are impacting your clients in a highly emotional way. Of course, competence goes without saying because if you're not competent in your area of the law, no marketing or “client service” is going to matter. Results in this business are highly measurable. Most clients hire you to aggressively advocate their position and “win” their case.

But let's face it; you're going to win every case. Clients will be unhappy about something, your bill (always), the result, the time it took to resolve, or a host of other issues. And we all know that some clients are just ungrateful in general, no matter what we do. But all things being equal and assuming you are a competent lawyer, it's important that you strive to exceed your client's expectations, making sure they feel good about you, the experience they have of working with you, and are emotionally pleased with the solutions you provide and outcomes you obtain.

When the “total client experience” is combined with empathy and exceptional value, your prospective client will say: “I have to have YOU as my lawyer!” And through highly personalized service, review and involvement, a memorable experience is created. Your one time prospect becomes a client for life, a constant source of referrals who wouldn't dream of dropping you even if you screwed up. Why? Because they are indebted to you for how you made them feel. You'll be seen as caring and respectful and someone who treats them as the most important client in the world. **They know they're not going to get that anywhere else.** Sure, another lawyer may have a better price, have a better pedigree or even be better looking...but you care the most. And nothing is more valuable to the client! It may be hard to believe that one little aspect of your business can change your life that much, but let me assure you that marketing boils down to one word. CONTROL!

When you can easily obtain and retain profitable clients, you can make more money, at any point in the economic cycle. And when you KNOW you can make money, you have achieved complete control of the game. And total control equals total peace. Isn't the lack of peace of mind the real underlying cause of stress? Control is peace. And mastery of marketing is control. It's that simple.

Cole Silver is a lawyer and certified marketing consultant. His *Expert Audio Series* and book, “**How to Create Wealth and Freedom in your Law Practice**”, *101 Powerful Client Development & Retention Strategies for Attorneys* can be ordered by going to <http://www.findcareersuccess.com>. Cole is available for speaking engagements and consulting and can be reached by calling 609-306-8098 or by e-mail at cbsilver@yahoo.com.