

Increasing the Benefits of Law Firm Marketing

By Scott L. Parker



One of the most interesting trends among law firms over the last two years has been the marked increase in spending on "marketing" efforts or, as some firms call it, business development. Websites have been constructed and improved in complexity and complementary "navigation," so that they are easier for visitors to use. Brochures and pamphlets on a variety of topics have become more prevalent and available. Some firms have even added advertising to their marketing mix. Support materials have improved in their visual presentation, and they have become a more significant part of the competitive "pitch" to be chosen for a specific assignment.

But, the typical impression of many partners is that they and the firm overall are seeing little tangible benefits from the marketing efforts or from the marketing staffers who have often been added as part of this increased emphasis on marketing. Consider the comments of two different, quite senior, partners in two different major law firms operating in two different practices. A senior antitrust partner in a large, multi-office firm stated that they have many people working in business development across their offices in the U.S. and in other parts of the world, but he hasn't seen them helping their practice across those same offices. A senior tax partner from a different, but equally successful, firm characterized the firm's marketing efforts as very weak, in his view, for an organization of their size and breadth. The general impression is one of frustration with the lack of effectiveness of the firm's marketing efforts to make a difference.

This frustration, when coupled with a continuing weak economy affecting at least some of the key practices of US-based firms, could well cause many firms to begin to trim these marketing expenditures. But, is this answer the right one, or are there some underlying reasons for the lower-than-expected performance that could be corrected after careful analysis and review?

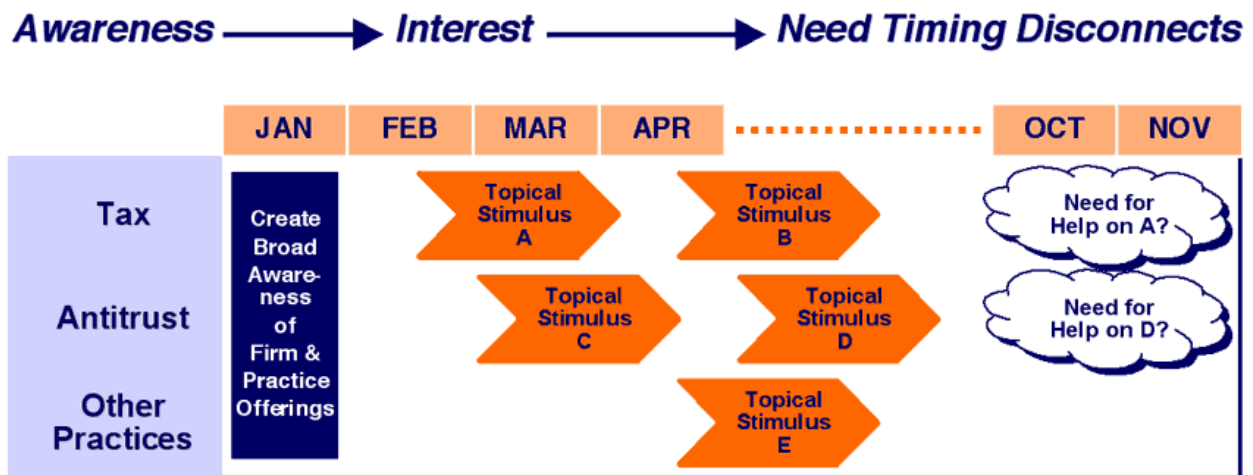
Understanding Marketing from the Client's Perspective

The subtitle for this section should be: *So, What Do You Expect from Marketing vs. What Should You Expect?* For most lawyers, the term "marketing" and the business functions implied are not part of their training or experience, other than as a besieged consumer. It is important to know what to expect from marketing in a professional services environment in general and in law firms particularly. The most effective way is to look at the question from the client's perspective.

The typical sequence is that a client moves from awareness of the service offeror and the service breadth to the stimulation of interest in one or more of the offered services, and, finally, to the eventual decision that they need the services. At that point, the client becomes a prospective "buyer," presumably moving through a process of considering from whom they will buy and on what criteria. One purpose of marketing, therefore, should be to ensure awareness, at least with respect to the firm's high quality practice services. But marketing should also stimulate interest in certain sub-areas or capabilities that may be points of differentiation for the firm vs. its competitors. A truly international firm, for example, should make it clear that they are ready and able to service the global needs of multinational clients. The ultimate purpose, of course, is to be

at the top of the client's mind when "interest" is translated into "need" by the client; because that is when they actually begin to think about who could help them with this situation. In other words, the firm's marketing should help to generate incremental opportunities that otherwise would not be apparent, but does it?

Again, looking at marketing from a client's perspective, the linear process of moving from awareness to interest to need for professional services, including legal services, is often disconnected by time, because the need is caused by circumstances over which the client often has limited control. Consequently, raising awareness of the firm's distinctive services in January and stimulating interest in a particular facet of its practice in March may not create a new opportunity immediately, because the circumstances that would apply (e.g., a tax issue or an antitrust situation) may not occur until October.



To maximize benefits from marketing efforts, the law firm needs to:

- Recognize that the effort must be periodically consistent, because opportunities “to get up to bat” will often be inconsistent
- Use the periodic consistency to create a dialogue with the client on the topic, even if there is no immediate need. An easy-to-read, but informative, newsletter could serve as the discussion stimulus. Two-way communication is always more powerful than one-way.

One senior partner from a smaller firm noted to me that he often finds it useful during the heat-intensive, slower summer months to produce one or two brief thought pieces on topics that he feels would be of key interest to clients. The voluntary, unsolicited response has been favorable from current clients and prospective clients. The obvious question is whether it would be possible to set aside time at other points during the year to produce a series of perhaps bi-monthly or quarterly pieces that would keep that awareness and interest high and that would perhaps create a more active client dialogue?

Balancing Active vs. Passive Marketing

Ask yourself to what extent your firm's marketing efforts consist of largely awareness-building efforts, such as standard brochures and a website, both of which are relatively passive marketing devices. Most law firm websites, for example, assume a high degree of inbound effort on the part of the visiting client or prospective client. Even then, you often find little information on prospective events at which a partner is going to speak or new points of view or articles

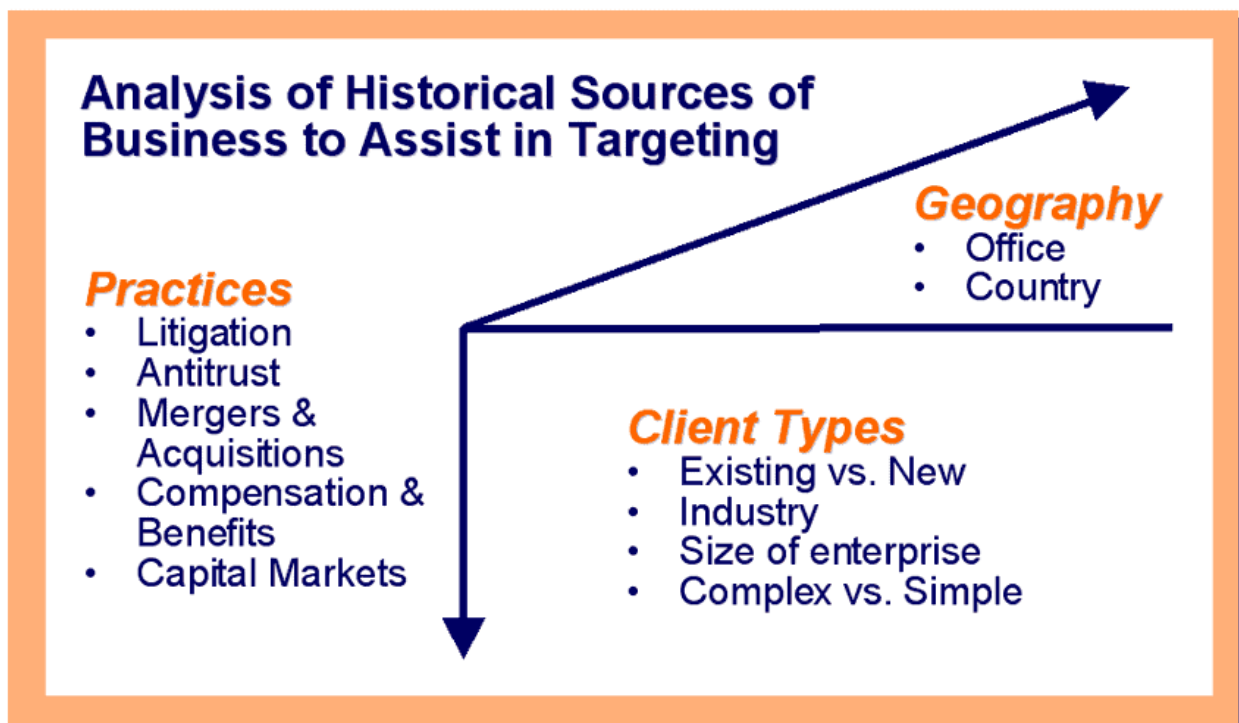
highlighted in an engaging way. Often, the websites provide background on the firm and its practices, location information, and bios on the partners—useful, but relatively passive marketing information, even when it refreshed periodically. So, why would visitors return?

It is usually very useful, and not expensive, to complement these passive marketing efforts with more active, outbound stimuli that often cause the interested party to ask for more information. If the stimulus is delivered via e-mail, for example, the insertion of a link to the appropriate portion of the firm’s website with downloadable information, if desired, is easy to effect.

- Make the marketing information process easy and accessible for clients. Don’t depend on the client’s taking the initiative to get your information.
- Make the communication relevant to specific clients, with at least a lead-in or cover note, so that they can easily derive the key message relevant to them. They will also feel that the sender cared enough to personalize the content.
- Make the material “inviting,” as one senior company executive noted to me. So much of what he *does* receive from law firms as outbound, interest-stimulating materials is dull, with no visuals, and in a printed form that has little aesthetic appeal. He throws away most of what he receives without even opening it. To the extent that your firm produces stimulus pieces, have you ever actively sampled the reaction? If not, why haven’t you?

Knowing Where Your Business Comes From or Could

An obvious, but too often overlooked, question in constructing an effective marketing program is where does the firm’s new business typically come from? The related question is obviously, where could it be supplemented? The answers may be different for certain practices and even certain offices, but it is important to explore the historical sources and speculate on logical extensions that could be aided by an effective marketing program. History tends to be a helpful guide to targeting the marketing efforts so that they are more productive.



If, for example, the firm has been successful in collaborating with financial services providers to build its corporate finance practice, are there other complementary services that could be offered through this partner network, even to the extent of co-marketing with the partner to the ultimate client base? How could marketing efforts with selected partners stimulate awareness of and interest in these complementary offerings?

If, for example, the firm has been very successful in building its practice mix across the needs of certain major corporations, are there other clients of the firm where a similarly broadened mix of practice services may apply? Obviously, this approach begs the question of whether the firm can effectively cross-market, and eventually cross-sell, among practices and even among offices, but the important marketing lesson is recognizing first that the untapped opportunity may be there. A simple, matrixed analysis of the firm's top 30 clients by practice can often reveal some interesting pockets to consider as potential targets for joint marketing and selling efforts. *The Case of Cross-Selling* is a separate topic in itself, but a useful source of guidance is the chapter of the same title by Maister, Green, and Galford in their book entitled *The Trusted Advisor*.

The key point is that knowing where your business has come from can help to answer several targeting questions for effective marketing efforts; i.e., what to aim, at whom, how frequently, and via what active and/or passive marketing vehicles. Scatter shots rarely hit anything.

Leveraging Partners' Time to Drive Marketing Effectiveness

The last hurdle in achieving a more effective marketing program for your firm is typically deciding how the changes will be made and reinforced through the continuing actions that will be needed. In other words, who is going to do what? Two types of errors often occur:

- 1) Partners assume that the Marketing staff will handle these issues, *but the marketing staff rarely have sufficient knowledge of the issues to handle the content side*
- 2) Marketing staff assume that the Partners will have sufficient time to participate actively and consistently in the marketing efforts, *but the Partners' time is always pressed by client service issues and by the need to meet their billable hour targets*

One step in the right direction taken by at least two firms to whom I have spoken is to name practice-specific liaisons among the marketing staff. It is rarely economically feasible to name a liaison for each practice, but naming one for the homogeneous practice clusters is usually possible. A liaison is more effective than merely having a central pool of marketing staff. Proximity helps.

The marketing liaisons can build a basic knowledge of the practice, and, perhaps more important, they can begin to generate trust among the key partners in the practice that marketing can and will be helpful in actually effecting improvement. Nevertheless, the concept of leverage, so well understood by partners with respect to the use of associates in the practice of law, also needs to be applied here. Marketing liaisons must be more than the tactical executors of the marketing program. They must be alert to the identification of market-worthy, client-targetable developments and information. They must extract the relevant insights quickly and succinctly from the partners. They must draft market-worthy nuggets and translate them into different marketing-useable forms, obviously with the final approval of the partners. In short, the

marketing liaison needs to be the catalyst that drives marketing effectiveness by effectively leveraging the time of the contributing partners and by coordinating with the central marketing staff to carry out the tactical functions that will bring those ideas to clients and prospective clients on a consistent and timely basis.

Most firms *can* achieve greater degrees of marketing effectiveness by placing more emphasis on moving client awareness to interest and ultimately to need, at least for some of their practices and offices. But, to increase the benefits of your marketing efforts, the firm needs to assess to whom they are directing their marketing efforts, for what purpose, with what content, and with what frequency? Then they need to consider what changes could increase effectiveness, drawing on best practices from other law firms and, also, from other professional service firms, many of whom have been using marketing as an important part of running their “business” for a much longer time than most law firms. There are useful lessons, both in the assessment and in the generation of improvement ideas, with which an outside advisor can be very helpful in identification and suggested application.

Here’s a quick checklist of the key questions:

- How would we assess our marketing efforts from a client’s perspective? Are our efforts periodically consistent and do they create a dialogue with the client even when there is no immediate need?
- How well are we balancing our passive marketing with active marketing? Have we made the marketing information process easy, accessible, inviting, and relevant for specific clients, so that they can easily derive the key messages? How would we know?
- How well do we understand where our business comes from vs. where it could come from, and do we apply that understanding appropriately in our marketing program?
- How well do we leverage partners’ time in developing effective marketing programs, and have we created sufficiently proximate marketing talent to help make the liaison work?

You *can* increase the benefits of law firm marketing by assessing what you are doing now and by reviewing alternatives, at least some of which draw on best practices from other professional service firms. Rather than trimming expenditures for next year, increase marketing effectiveness.



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