

### The Seven Habits of Unsuccessful Marketers

SALLY J. SCHMIDT

Looking over the titles of popular business tomes, most seem to highlight success strategies. There's *Seven Habits of Highly Effective People*, *The One Minute Manager* and *The Millionaire Next Door* to name a few. While we can learn by exploring success stories, it is sometimes every bit as useful, if not more so, to review failures.

What makes a marketing initiative or strategy unsuccessful? What activities can be eliminated from your marketing effort? There are seven key mistakes made repeatedly by law firms.

#### Bad Habit #1: Doing It Once

A law firm places a tombstone ad about its environmental expertise in one issue of a statewide bar journal, hoping to solicit referrals. A tax practice group hosts a one-time seminar for accountants on emerging, controversial issues. An international practice group sends out one update on some proposed regulations. Each activity is the first and last of its kind.

If your firm is looking to eliminate something from its marketing strategy, start with the activities for which there is no follow-up or reinforcement. If you place one ad in one place, what are the

odds that targeted readers will see that page? They may skip the article printed near your ad, be on vacation when the issue comes out or simply put the journal into a "to be read" box. Every good marketer knows that marketing results require reinforcement and follow-up. An effective advertising campaign requires at least six insertions.

#### Bad Habit #2: Reacting Rather Than Acting

The Chamber of Commerce wants your firm to sponsor a table at a dinner event. A local business publication is highlighting real estate and suggests that your firm buy an ad. An employee benefits consulting firm asks if you would like to cosponsor a seminar.

Many law firm marketing efforts are completely reactive—they respond to requests and opportunities. Instead, your firm or practice groups should be

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planning. You should determine what initiatives make the most sense in positioning the firm before its target market. Evaluate real opportunities that arise; but think proactively rather than simply writing a check when someone asks for it.

### **Bad Habit #3: Copying**

#### **Your Competition**

Your closest competitor is developing a "branding" campaign, so your firm wants one, too. They hired a marketing director, so your firm hires one, too. They have an IP newsletter, so you start one, too.

The problem is that truly effective marketing strategies are customized to

a firm's situation and opportunities. The first one "to market" with a product or service gains a tremendous advantage in the minds of consumers. If your competitor is already hosting an annual business forum, you need to think of something different to get on the radar screens of the same audience.

### **Bad Habit #4: Setting Unrealistic Expectations**

Your firm hosts a seminar for 50 human resources managers on labor and employment issues and half of the attendees are nonclients. After the program, your lawyers complain that the program wasn't effective because no new business was generated.

You need to be sure that what you expect from a particular initiative or effort is realistic. In this example, getting phone calls from nonclients after a seminar, while not unheard of, is not always to be expected. Companies that are not using your firm either think they do not need a lawyer or are working with another law firm. One seminar presentation is unlikely to break that mind-set or bond. Also, the attendee may not be the decision-maker for legal work.

A more reasonable objective for a seminar would be to create a perception of expertise and position your firm in front of representatives of nonclient companies.

■ JOHN R. WYLIE

## Effective Habits

### For Building Relationships

*How do effective marketers improve their chances of receiving referrals? In our September "Best Practices," John Wylie of Holme Roberts & Owen shares how he builds relationships that keep clients talking happily about their lawyer. (See page 64.) Here's additional advice from Wylie on improving business development.*

**Build relationships with other professionals and consultants who work with your target client base.** For example, get to know the client's accountant, banker, insurance agent and management and human resources consultants. Build visibility and credibility with them and they will develop into a key source of referrals. You may not be the only one on someone's referral list, but you should show up on everyone's short list. (And it's good to be on the same page with these people so the client gets consistent, integrated advice.)

**What's the best way to learn how to build relationships with other professionals as well as clients?** To some degree, business development techniques can be learned through traditional educational channels such as seminars and books. However, such skills are most effectively "caught" rather than "taught." Therefore, it is helpful to identify one or more mentors who can be observed. At the same time, it is best to take from each of those mentors only what feels best and most natural, because it is critical for everyone to be genuine in whatever marketing approach they choose. ■

### Bad Habit #5: Ignoring Your Client Base

Your trusts and estates lawyers think a Florida office would be a gold mine. Your banking lawyers want to present a program on computer crime. Your MIS department wants to implement a new client voice mail feature. These activities are implemented with no research into the perceptions or reactions of the targeted groups.

So, when the Florida office closes its doors, only 10 people sign up for the conference or clients complain about the new procedures, who is to blame? Every major marketing initiative should

### Bad Habit #7: Waiting Until You Need Business

The final step to failure is to stop marketing when you are busy. When the work slows and lawyers need work to fill their plates, firms often scramble to initiate individual marketing plans or lawyer sales training, hoping to spur business development. Marketing is a slow process that results from positioning the practice positively and building relationships with decision makers. Neither of these can be done overnight. Efforts must be maintained even, or especially, when lawyers are busy.

Keep in mind that marketing con-

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start with research on the targeted market. One of the easiest ways to ensure failure is to ignore the people who will be affected by your actions.

### Bad Habit #6: Not Measuring Your Results

Many firms do not invest in measuring whether the marketing activity achieves the desired result. If you spent \$50,000 to sponsor a public television program, you would want to know whether it had the intended effect on people. However, this requires two things: Having a reasonable objective to measure and putting a method to measure in place. For example, with a TV ad, through a pre-and post-advertising sampling of viewers, the firm should be able to measure whether its level of name recognition or awareness has been raised.

sists of many shades of gray—every marketing strategy has potential, depending on the value of the idea, the market being targeted, competition and execution. Stay flexible, see where your firm stands on potential marketing mistakes and steer clear of the things that aren't working. There are plenty of ways to turn them into activities that *will* work. ■

#### ACTION

*Why Lawyers Fail in Business Development.* (Schmidt Marketing Memorandum, Summer 1999.)

*Marketing the Law Firm: Business Development Techniques.* Sally J. Schmidt. (Law Journal Press, updated semi-annually.)

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