

What Marketers *And* Lawyers Can Do to Cross Sell

By Sally J. Schmidt

At virtually every law firm, the same complaint is voiced by attorneys: "We know we could be doing more work for our existing clients." Cross selling is the most logical, yet in some ways the most dif-

icult, place to begin your business development efforts.

Why do firms have so much difficulty with cross selling? My experience has led me to conclude that it is because the lawyers are focusing on the theory

and not the method. Cross selling is a very tactical exercise which includes:

- identifying existing clients with per-

ceived areas of opportunity (companies and individuals, not whole groups of clients);

- evaluating each client against a set of criteria, including the likelihood of using the firm for other services, the relationship with the firm, and the probability of gaining the cooperation of the attorney who has the best contact; and

- mapping out a three- to five-step plan to work toward developing the business. In some cases, the lawyers will need to do no more than set up a meeting to introduce other lawyers and the capabilities of the firm. In other cases, it will be a long-term (several years) effort, in which meetings or contacts will position the firm in the event that the client's situation or satisfaction with

existing counsel changes.

In order to be an effective cross-seller, the lawyer must do four things.

- *Be a good listener.* Only by listening carefully to clients will the firm's attorneys be able to identify needs or opportunities.

- *Know the product.* The product is the firm, its lawyers and its capabilities. It is incumbent upon the attorneys to become familiar with each and every person and service of the firm.

- *Believe in the product.* In some firms, attorneys do not want other lawyers working with "their clients;" no cross-selling effort in the world will be effective in this situation. The lawyers must believe they are doing the client a favor by having the firm handle additional matters.

- *Sell the product.* It is the lawyer's responsibility, when the opportunity presents itself, to introduce the client to other appropriate resources of the firm.

In other words, cross selling is the

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Type?

Derived from this information are the business and marketing objectives that are the daily implementation goals of the corporate marketing department. The department most likely has different divisions such as advertising, public relations, research and development and planning. The marketing director sits at the helm of this operation playing an integral role in the management and strategic thrust of the company.

So why not this same scenario for law firms? Everyone knows that there is less and less high-end corporate work available, creating an increase in competition, and that there are staggering numbers of new lawyers entering the marketplace.

Costs are going up, and the bottom line is dwindling. Law firms must face the task of attracting new business by differentiating themselves from the competition or be swallowed up by the

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firm that do so effectively.

Consider the differences. Large law firms are old institutions made up of a number of different types of people practicing a number of different kinds of law (many that are not homogeneous) loosely held together by a partnership structure. Up until 15 years ago, it was unethical to even think about overtly marketing (better known then as the "M" word). A law firm is a different structure with a rich and ingrained tradition of business by democracy, while adhering to very strict ethical standards. Law firms have been traditionally run by lawyers, not by business managers. Business decisions that managers take for granted as being part of their day-to-day routine have, in a law firm, always been made by a committee of lawyers. Much has changed in the last 20 years, with many firms now possessing a high-end executive director-type position. But there is still a way to go, and marketing is currently on the forefront of that wave of change.

Firms across the country are embracing marketing and hiring staffs. NALFMA now boasts a membership of more than 700. Yet what have these marketing professionals found themselves doing? Do they function as the autonomous business managers and strategic thinkers in the way that their corporate counterparts do, and are they given the resources and credibility to get the job done?

A recent article in *Attorneys Marketing Report* says that today's in-house marketing director is characterized by the following trends:

- "Partners are reluctant to trust a non-lawyer with the marketing management responsibilities.
- "Turnover is high among 'Type A' (high-end corporate-type marketing directors). If they are given responsibility and get results, they are quickly hired away at a higher salary by another firm. Conversely, if they are not given significant authority, they also may leave — often for a non-law firm position."

These are not the problems that corporate marketing directors face. These are problems that suggest that

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solve them. A seminar invitation alone can educate the recipient about a service which he or she was unaware that the firm offered.

- *Brochures and resumes:* Brochures and resumes are also good tools for helping the lawyers introduce different practice areas or attorneys in the process of working with clients.

There are a number of activities that fall into the responsibilities of the marketing director which directly and indirectly support the attorneys' abilities to cross sell, many of which probably are being undertaken already. The real key to cross-selling success, however, is getting lawyers to understand the importance of using (and contributing to) these tools and making a personal effort. ☐

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