

Marketing

FOR LAWYERS

Vol. 10, No. 12/April 1997 — Published by Leader Publications, a division of the New York Law Publishing Company

DIVIDE AND CONQUER/By Sally J. Schmidt

Target Marketing: Not Just for Products Anymore

THE HEAD of a commercial/corporate practice group calls the firm's marketing director with an all-too-familiar request: "Since the annual labor and employment symposium is such a success every year, we decided that we want to organize the same type of program on general business issues. We need your help."

What's wrong with this scenario? The lawyers began by picking a tool — the symposium — which may or may not have been appropriate, effective or useful for their target audience. Different practice areas have different decision-makers, who have different information needs, legal needs, levels of sophistication, reactions to or acceptance of marketing activities, and time available.

So instead of asking the question, "How do you market litigation (or bankruptcy or tax or securities law)?," lawyers should ask the three questions outlined below. The answers will lead them to the most effective marketing strategies for their respective practice areas.

Road to Effective Strategies

(1) Who is the target audience?

Before developing a marketing plan or activity, the lawyers should first define the target audience, i.e., who is in a position to send the group business. This will often lead to the conclusion that there are many potential targets for their services.

This is the process of segmenting the market.

For example, family lawyers could identify the following sources of referrals:

- Lawyers in large firms without family law practices.
- Family counselors.

- Members of the clergy.

These lawyers also might be able to determine some good prospects for their services among professions with high divorce rates, such as airline pilots, physicians or other lawyers.

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INTERVIEW WITH A PORTRAIT PHOTOGRAPHER

You Oughta Be in Pictures

DAVID LUBARSKY has photographed lawyers at some of New York's biggest firms, including Shearman & Sterling; Debevoise & Plimpton; Proskauer Rose Goetz & Mendelsohn; Kaye, Scholer, Fierman, Hayes & Handler; and Moses & Singer. Below, Mr. Lubarsky talks with *Marketing For Lawyers* about how to plan for the big day.

Why should every law firm have photos of its attorneys on file?

I try and explain to some of the

younger associates who don't quite understand why they're being photographed, that the bottom line is marketing exposure; that as they get deeper into their craft, there will be opportunities for them to speak about what they do — at conferences and in the print media — and that a corporate executive portrait or, as I prefer calling it, a power portrait, would be useful.

You mean a head shot?

I dislike the term "head shot,"

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And what the lawyers will discover is that, while there may be some tools that are appropriate for most or all of these market segments, the message and media usually needs to vary depending on the audience. Read on...

(2) What information do these audiences seek?

After defining the target audiences, the lawyers need to determine what messages will be most effective. For example, referring lawyers, of course, want to know that you will take good care of their clients, but perhaps more important to them is knowing that you will give the clients back at the end of the engagement.

Entrepreneurs want to know that you understand their industry and the way they run their businesses; that you operate cost-effectively; and that you get good results. Once you develop your message, you can consider the medium...

(3) What resources do these audiences turn to?

As lawyers brainstorm for the most effective way to communicate their message(s) to their target audience(s), they need to consider what forums already exist. Existing resources can compete with your firm's marketing activities — or offer opportunities.

For example, lawyers should determine to which organizations their targets belong. These groups probably have meetings that compete with the seminars or workshops your firm wants to organize; conversely, they

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SEGMENTED SELLING SPELLS \$UCCESS

Marketing Successes

GOOD MARKETING activities demonstrate an understanding of positioning, reinforcement and the target audience. Examples include:

- An update that Minneapolis' Leonard, Street and Deinard sends to litigators in other states, advising them of changes in Minnesota tort law. (*Resulting in top-of-the-mind name recognition among potential referring attorneys.*)
- Baker's Dozen roundtables of business executives, hosted by Indianapolis' Baker & Daniels. (*Providing 13 business leaders with a place to interact with each other and hear firm, and other notable, speakers discuss timely issues of importance to them.*)
- The Transportation Industry Defense Association, founded by Hinshaw & Culbertson's St. Louis office. (*Giving people involved in transportation industry defense claims, i.e., risk managers and in-house counsel, a professional organization in which to discuss common concerns and, at the same time, giving the firm's lawyers a forum for networking and speaking with potential clients.*)

Marketing Failures

Ineffective marketing strategies show a lack of appreciation for the target audience and its needs. A few real-firm examples include:

- A breakfast seminar for physicians. (*They're either doing rounds or in surgery in the early morning.*)
- A roundtable on legislative issues for school administrators early in June. (*They're busy wrapping up the school year.*)
- A letter to 'bankruptcy lawyers' requesting referrals. (*Relationships always precede referrals, and one letter does little to build name recognition or awareness.*)

—Sally J. Schmidt

may provide a forum for speaking or networking.

Another important question to ask is what publications your target audience reads. These may compete with your firm's newsletters and updates, but also may give your lawyers opportunities to write, advertise or simply stay up to date on issues.

Other important resources could include:

- Industry research.
- Experts, consultants or other professionals serving the target audience.

- Trade shows or other meetings.

Finally, lawyers should scrutinize the activities of their competitors. Is the firm across town doing a monthly newsletter for your target audience? If so, your firm should do something different. Did another firm organize an annual award for the industry?

Instead of taking out an advertisement in the dinner program, your firm should find another way to make its mark. Lawyers need to find fresh, creative ways to position themselves in front of their audiences:

More Keys to Success

Once lawyers have answered the three crucial questions set forth above, they are in a much better position to make decisions about marketing strategy. The following steps will improve even further the potential effectiveness of their activities:

(1) Survey your audience. Find out what your targets are interested in. For example, if you're going to hold a seminar, ask potential attendees a few questions: Would you prefer a large group or a small group format? What specific topics are of

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Producing Power Portraits

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although it is descriptive. I take a lot of time and effort to make it right, and the term 'head shot' cheapens the experience. You think of Sears, or passport pictures. And when firms realize I won't take one or two exposures — you're looking at half a roll to a full roll and 20 minutes of an attorney's time — that's not a head shot.

Does the law firm have unlimited use of the photos?

There are several different tiers of rights. Most of the time, we call it "for general public relations use," such as if the attorney is giving a speech and his or her bio is going to be in the program. It could also be used for a firm newsletter or face book [directo-

ry]. Cleary Gottlieb is doing an on-line database and they're going to be using power portraits; that would be part of general public relations use. Also if a trade newspaper just needs a quick little black-and-white.

What it would not cover are one-time uses like an annual report, corporate brochure or print ad. It also would not cover an environmental portrait which I might do at the request of a consumer magazine like *Forbes*, or a trade publication like *The National Law Journal*.

How do you bill firms — by the number of attorneys?

I charge by the half- or full-day and, of course, depending on the use.

How do law firms generally go about

selecting a photographer?

They're all different. I've had situations where the communications/business development/marketing director has gotten my name through word of mouth. I come in with my portfolio. I tell them how I work with subjects — personality and 'connecting' is what it's all about; it goes without saying that you want someone who can do competent, clear, concise pictures.

When they bring up my estimates to a committee, some firms will go with a photographer who is charging less money, or sometimes a little bit of nepotism may come into play ('my brother's cousin is a photographer'), or sometimes they go with me because they like who I am and the work I do.

Sometimes, the design firm that is putting together a brochure will contact me.

Do all firms want pictures of all their attorneys? Color or black-and-white? And how often should pictures be taken?

Some firms do only partners, some do just certain partners, some do all partners and associates.

Firms call me often. For Morgan, Lewis & Bockius' New York office, I get called in three or four times a year. They schedule new attorneys for photos within a month of their arrival.

It's much more economical if a firm books me for a full day, or several days, to photograph as many people as possible. But a lot of times, especially in the financial world, the different departments are disjointed and will call me to shoot a power portrait of one person. As far as that being cost-effective — not! I suggest that they find some other people, because getting me there is one of the costliest things. Morgan Lewis includes retakes of other attorneys in the photo shoot schedule. They ask their attorneys to retake their photos every three to four years.

Where do you take the pictures — in

Target Marketing Strategies

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most interest to you? How long would you like the program to last? By asking what people want, the lawyers can design programs to meet their prospects' needs.

(2) Reinforce your marketing strategies. According to the "Rule of Five," 80 percent of new business comes after five or more contacts with a prospect. One mailing, one advertisement or attendance at one networking function will have little, if any, effect on your long-term results. The lawyers must either design tools that have an ongoing impact or come up with appropriate follow-up steps.

(3) Measure your results. You should set measurable objectives for each activity before implementation. For example, how will you determine if a newsletter is successful? By the number of inquiries? If you advertise in an industry publication, how will you decide if the investment was worthwhile? By an increase in name recognition?

Whatever standard or benchmark you use to calculate results, you must then set in place methods to measure it — through surveys, special telephone lines or by-lines on articles in firm newsletters — in order to encourage and then track inquiries.

Conclusion

Successful marketing strategies can:

- Position a firm, raise levels of awareness or name recognition;
- Help develop relationships with prospective clients or referral sources.
- Yes, even develop business.

However, many law firm marketing strategies are terribly ineffective because the lawyers haven't done their homework.

There is no one "right way" to market a firm's services just as there is no "one size" that "fits all" for your audiences. The keys to success are first targeting and then segmenting your audiences, and then determining their needs. ❖