

Looking In on Focus Groups

Focus groups are a widely used market research technique that law firms are just beginning to explore, but success requires more planning than just getting people together in a room

By SALLY J. SCHMIDT

A law firm with a significant litigation department sought several years ago to determine whether local companies would be inclined to use the services of an alternative dispute resolution practice. Before undertaking a written survey of potential clients, the firm — mid-sized and Midwestern — conducted focus groups of companies representing the "profile" client: manufacturers with a certain number of employees.

The focus groups helped the firm determine the extent of these companies' familiarity with ADR techniques, which in turn allowed the firm to design a written questionnaire that recipients could understand and would be likely to answer. The firm

Self-Study

learned that its potential clients wanted their day in court and avoided the costly mistake of developing a practice area that clients said they would not use.

In most industries, the focus group interview is a widely used market research technique. Among law firms, however, where market research is scarcely employed and frequently limited to client surveys, the focus group presents a new and largely unused information-gathering method. Yet there are many situations in which focus groups would benefit a firm.

GUIDED DISCUSSION

A focus group generally involves a group of 8 to 12 individuals who are led through a fairly unstructured discussion by a skilled moderator. The moderator's objective is to focus a loose discussion on a chosen subject.

The meeting, which usually lasts for 1-1/2 to two hours, can be held at any number of sites, including the firm's offices, a neutral location, or a market research agency. Each location has its advantages and disadvantages. For example, holding a focus group to discuss a firm's image in the firm's offices may influence the participants' responses

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because they see the space and interact with members of the firm.

The purpose of a focus group is much different than a personal interview, written survey, or any other one-on-one, highly structured questioning process. Much of the benefit of focus groups is derived from the interplay that occurs among participants during unregimented discussions. Each participant is exposed to and can react to the ideas of other group members, which often results in a greater depth or variety of information.

As a result, focus groups are appropriate for obtaining reaction to an idea or soliciting issues for a more specific follow-up survey, not for determining a particular course of action. Specifically, focus groups are best used to:

- Generate information that can help the firm design an effective and detailed survey. For example, a firm might use a focus group to develop a list of criteria clients use to evaluate the firm. The criteria might be incorporated in a follow-up written questionnaire asking a mix of clients to evaluate the firm.

- Provide background or general impressions about a firm (e.g., its strengths, weaknesses and image) or its market (e.g., its competition, opportunities and threats).

- Obtain impressions about a new service or idea, such as a new practice area or office location.

- Solicit reactions to marketing techniques, such as newsletters, brochures, advertisements or seminars.

- Elicit fresh ideas for the firm's consideration on such topics as service, telephone or communications systems, relationship management techniques or quality efforts.

There are many benefits of using focus groups as a research technique. These include:

- Group dynamics. Quite often, group interaction produces a greater number of ideas or insights than would a collection of individual responses.

- Stimulation and snowballing of ideas. The comments of one participant frequently will result in responses that others might not have raised.

- Less intimidation. Many people feel freer to participate or make comments in the perceived safety of a group.

- Accuracy of responses. Since participants are not required to answer every question, they may only speak up when they have

a strong reaction or good idea.

- Probing. The forum allows the moderator to delve into ideas or issues in order to flesh them out fully.

NOT ALWAYS APPLICABLE

As noted earlier, focus groups are not appropriate for every research or information need. For example:

- Results are not representative of a larger group. Since the participants are few and are often hand-picked, the firm cannot say, for example, that "90 percent of clients" feel a certain way.

- Expense. The greatest cost, and most important investment, of a focus group is the moderator. Experienced moderators with backgrounds in market research often charge \$7,500 a day, although consultants who have conducted focus groups may be retained for less. Other expenses will be incurred as well, including the cost of the meeting site, meals and gifts.

As a rule, focus groups of clients are less time-consuming to put together and therefore less expensive than groups involving strangers who are randomly selected and heavily screened.

- "Group think." There are times when a focus group will get on a roll, so to speak, or may be influenced by a particularly strong or vocal participant. This can be minimized with a good moderator, however.

- Lawyer concerns. Many lawyers express discomfort at the notion of getting several people together in a room to talk about the firm. They worry that one client's complaints will affect other group members' image of the firm.

This is a risk. However, clients who have gripes with a firm have them whether they voice them or not, and the firm is more able to address complaints if it hears them. In addition, clients are often just as likely to affect group members with praise of the firm as with criticism.

- Difficulty in recruiting participants. The focus group obviously requires an extensive commitment on the part of the individual participants. This commitment is easier to obtain from clients than from individuals with no connection to the firm. If recruiting strangers, the person organizing the focus group may need to make 20 calls to get one positive response. Generally, half to two-

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thirds of clients recruited will agree to participate.

• Lack of definitive answers to questions and difficulty in analyzing the data. In a good focus group discussion the firm may find almost every viewpoint represented. For example, in asking a group of business people what they think of law firm newsletters, the group may produce responses from liking them to hating them and everything in between. A more likely result — and better objective — would be to learn the characteristics that make newsletters most appreciated or effective (e.g., practicality, indices, brevity).

CASE SPECIFIC

There are many situations in which a law firm might consider the use of a focus group interview. The following are some situations in which I have served as a consultant:

• A firm with a health care practice held several focus groups of physicians to learn more about their legal information needs and personal use of legal counsel. The impetus for the research was a series of seminars the firm was planning to hold for the doctors. The firm wanted to know what topics the doctors would be interested in, the best time to hold the seminars, how long they should be and with what frequency they should be held.

The focus groups were conducted at a hospital. They identified a number of key issues for the firm to incorporate into its seminar programs as well as its overall marketing strategy.

• Viewing the firm's lawyers as her clients, one law firm marketing director held two focus groups to help her evaluate the firm's internal communications. At the crux of the research was a desire to learn the most

effective ways to communicate marketing-related information throughout the firm.

The participating lawyers represented a wide range of practices and levels of seniority, and they commented on the firm's existing internal communication tools — two newsletters — as well as their general receptivity to other approaches. The marketing director revamped the newsletters to better

in the community.

They discovered that the image of the new entity was still largely unknown. The lawyers decided to promote firm-sponsored events and increase visibility in key publications as well as to make community contributions, such as underwriting public radio programs, to get the firm's name out.

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meet lawyer needs.

• A solo practitioner with a personal injury practice wanted to develop a more effective Yellow Pages advertisement. He was interested in which types of messages and presentations were most attractive to the average resident in his community.

Without knowing who was sponsoring the research, participants in two focus groups reviewed Yellow Pages ads for attorneys and discussed everything from pictures to headlines to the sizes of the advertisements. Their comments helped the lawyer develop a distinctive and effective campaign.

• A large firm had merged with a smaller firm to obtain a presence in a small community. Two years had passed since the firm's entry into the market. Lawyers from the new firm wanted to know how the merger was perceived, and they commissioned several focus groups of clients, referral sources and community leaders to learn the firm's image

among amateurs. The way it is organized and directed is paramount to its value.

Many key decisions will arise in the course of focus group interviews. These include:

• Who will moderate? A skilled moderator should lead the discussion with the aim of achieving the research objectives while avoiding influencing group members. The moderator must encourage group members to express opinions and must guide dominant or recalcitrant participants. The moderator must show empathy and involvement in the subject, yet retain a certain detachment. Attempts to steer the discussion toward a particular conclusion or defensive behavior will quickly stifle discussion.

• Will the participants remain anonymous? In some cases anonymity is important or desirable; in others, it is not. The answer will determine whether the firm's lawyers

should tape record or videotape a focus group, or watch the group through a one-way mirror.

• How will participants be selected? Eight to 12 participants is a good rule of thumb. Smaller groups are too easily dominated by one or two members; in larger groups individuals can get frustrated waiting their turn to speak. But there are many criteria firms can use to determine who should participate. Generally, focus group planners try to make each group fairly homogeneous, which minimizes conflicts and discussion of issues not relevant to the study's objectives.

• How will the firm entice people to attend? Experience shows that existing clients are fairly receptive to helping out the firm by participating in focus groups. But what about non-clients? With consumers, firms may find it necessary to pay participants; with business people, personal letters from the lawyers, meals or gifts might be needed.

One law firm, which conducted both focus groups and written surveys to assess its image, found an interesting result. Those business people who had participated in the focus groups were more likely to feel the firm was progressive and creative. Scientifically, it was impossible to say that the focus groups themselves were the reason for this perception, but many participants noted that hosting the group was an innovative activity for a law firm to engage in. Several commented that their businesses conducted focus groups as well.

In any event, market research is essential to making good marketing decisions. The focus group interview presents an excellent research alternative that allows a firm to probe and explore ideas before embarking on a full-fledged research effort or implementation of a marketing plan.