

MARKETING



By Sally J. Schmidt Look Outside the Law Firm

Lawyers like to be comfortable with their marketing activities. In my experience, one of the things that makes them most comfortable is knowing another firm has tried something first. For example, a lawyer in the firm's employment area will propose a seminar for clients. The rationale? A primary competitor held a labor and employment seminar and more than 200 people showed up.

This "me, too" mentality has been responsible for innumerable marketing decisions, from hiring marketing staff to producing client newsletters. I have even seen law firms copy the logos, image ads or tag lines of other law firms—things that should be among the most visible and fundamental ways to differentiate firms.

I believe law firms which prosper in the years ahead will be those which aren't afraid to set themselves apart from the pack. They will watch their clients and their clients' industries closely and will attempt to apply mar-

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keting principles that work for businesses to their own law firms. In other words, they will look outside the legal industry for inspiration and ideas.

Yes, Law Firms Are Different

I concede law firms are different from most enterprises in many crucial ways, ranging from the partnership, consensus-building environments often found to the ethical restrictions on certain conduct (including marketing and communications efforts). And many activities that are successful in "industry" will be neither acceptable nor effective for law firms.

At the same time, there is much we can learn from other professionals—and really all businesses—about the marketing function, differentiation and positioning strategies, quality and client service, and specific marketing tools and tactics.

Thinking Like a Client

I'd like to give you just a few examples of how you might begin to think differently about your marketing initiatives.

Marketing and image materials. The tangible marketing materials law firms use may provide the most obvious examples of imitation. Gray flannel brochures. Logos comprised of initials of the name partners or the scales of justice. Written copy that touts "quality legal services" and "excellent service at a reasonable price." Isn't that really the price of admission? Should a client expect any less?

A law firm needs to determine what really sets it apart, and convey this in the copy as well as the graphic design of the materials. As you set out to identify or communicate your firm's unique selling proposition or distinguishing features, I suggest you gather samples of advertisements, brochures

and capabilities pieces to review—but not just those of other law firms; look at those of clients or those you would like to represent, as well. How do your targets differentiate themselves? What approaches will they be comfortable with? It might even make sense to hire advisors who have worked with—and know—your target markets.

Market research. Market research is one of the most important tools in business. It allows entities to make better decisions about everything from investing in new markets to the efficacy of specific marketing activities. Yet law firms spend scant time and money on market research.

Market research will allow you to understand your clients and referral sources, how they think and how they are changing, and how they plan to use lawyers in the years ahead. Maybe more important, it can be used to assess the same information for those not presently using or referring business to your firm. What are they looking for, and where are they finding it? What does your firm need to do to get on their radar screen or to create (or overcome) perceptions? Growth will come through new relationships, and to build these relationships you need to know how people think.

Participation in business forums. If you own a for-profit law firm, if you have employees and if you support community or charitable organizations, then your law firm is an important business enterprise. Consequently, you need to see your partners or the members of your management group as business leaders, not just as time-keepers.

Lawyers involved in firm management should look for opportunities to participate in forums, seminars or discussions with CEO's and presidents of other types of organizations in your market(s), and do so as business leaders, not simply as lawyers looking to network. They will learn invaluable information about how other organizations operate and what makes them successful, as well as trends of which your firm should be aware.

Marketing activities. If you're looking for a way to get your target audience's attention, don't copy your competitors. In fact, if they've already

Con't on page 66

MARKETING ■ *Cont'd from page 64*

cornered the market or staked out a reputation for a certain activity, you need to do something different.

If your primary competitor has a quarterly newsletter, why don't you fax or e-mail a more timely alert each time an important matter is resolved? If your competitors are holding a huge symposium for an industry you target, why don't you host some informal roundtable discussions for decision makers in that industry? Find and fill a need.

Conclusion

It seems to me that many of the leaders in the legal profession have worked mightily to "circle the wagons," both to keep nonlawyers from infringing on territory that has traditionally belonged to lawyers and, in

many cases, to restrict the activities of their own practitioners. This parochial approach will only serve to make law firms more vulnerable to competition in the future. I believe others who have identified law-related service lines as opportunities—be they financial institutions, accounting firms, paralegals or alternative dispute resolution companies—will find ways to go around these barriers.

Push the envelope. Think out of the box. Get out of your comfort zone. Whatever cliché you use to describe the process, your law firm needs to be open to change and embrace new ideas. By looking outside for ideas, both your firm and your clients will benefit. ■