

# Marketing

## Make-or-Break Steps for Winning the Business

**SALLY J. SCHMIDT** | Many lawyers don't like the phrase "pitching business." Nonetheless, that is exactly what lawyers are often in a position to do, especially during meetings with prospective clients and referral sources.

Sometimes a pitch for business is part of a formal process, for example, when a company has invited several law firms to make presentations. Other times a pitch may be more informal, such as when a personal injury lawyer is being interviewed by a prospective client or a litigator is meeting with another lawyer to solicit referrals.

Whatever the situation, many lawyers either aren't comfortable with or aren't trained in how to effectively make their case to the prospect. But the central fact is, your preparation and execution will make or break your chances of getting the business. Here are tips that will shift the odds in your favor.

### Being Prepared

The first key to getting business is to understand that the meeting is not about you or your law firm—it is about the prospect and his or her needs. While that may sound simple, many lawyers have shot themselves in



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the foot by droning on and on about their expertise without ever connecting with the prospect or the issue at hand. To put the focus on the prospect, you should prepare for the meeting in several ways.

- Learn as much as you can about prospective clients in advance. Why have they called your firm? How did they find out about you? What is their current situation—legal, business or personal?

- Anticipate questions, issues or objections. What concerns might this prospect have about you or your firm? What risks could he or she face in giving business to you—for example, unpredictable costs, losing face with a boss or, in the case of another lawyer, losing a client?

- Run a conflicts check. You certainly don't want to ask for business that you can't accept.

- Ask colleagues for information that might be of assistance. It could be that someone in your office is a neighbor of the prospect or knows something of special interest about the company.

### Running an Effective Meeting: Focus and Clarify

Once the meeting day arrives, you want to make sure you put your best foot for-

ward. Here are pointers to consider.

- First off, be on time! The prospect's time is every bit as valuable as yours—if not more so. Don't make a prospect sit around because you're late to the interview.

- Focus only on the prospect. If you meet in your office, clear your desk so that you (and the prospect) won't be distracted by other clients' files. Put your phone on "Do Not Disturb"—and let the prospect know you're doing it.

- Make introductions. If there are multiple people from the firm involved in the meeting, explain why each has been invited to participate. Make sure everyone has a role in the meeting, be it to explain a practice area, field particular questions or the like. Introduce your secretary if you walk by the workstation on the way to the meeting room. This conveys a sense of teamwork.

- Summarize your understanding of the meeting's purpose. For example, "I've been looking forward to meeting with you and having the chance to tell you about the work we've done for other contractors." Or, "I understand you're interviewing a few estate planning lawyers to help with a succession plan for your business." Then ask the person to confirm that he or she has the same agenda that you outlined.

- Ask a lot of questions to engage the prospect. If the prospect was referred to you by a mutual acquaintance, you could ask, "So, how do you know Jean?" Also ask informed questions, ones that demonstrate an inter-

est in the person or the problem. For example, "I see from your Web site that you have some overseas operations. Do you have plans to grow internationally?" As you proceed through the meeting, confirm and clarify along the way to make sure you comprehend the situation.

- Demonstrate that you understand the prospect's primary issues and needs. For example, "It sounds like the most important thing to you is to ensure the deal is concluded in an amicable way." Or, "From what you've told me, turnaround time seems to be your greatest concern." Again, ask for confirmation and clarification.

- Don't be afraid to talk about fees. In most cases, if you haven't discussed money, you haven't gotten the business. Make it easy for the prospect by raising the issue, perhaps by saying, "Let me tell you how I charge for my services."

- Be ready to address potential concerns. If, for instance, it's the relatively small size of your firm, take the lead in explaining how you staff and handle major matters.

- Confirm your interest in the business. Some lawyers will ask for a specific opportunity. For example, "Would you let us show you how well we can do for you by allowing us to handle your next loan closing?" Some will express a more general interest, like, "We'd love the chance to work with your company."

- Clarify the decision-making process. When will the prospect make a decision? On what basis will the decision be made? Will he or she want any more information from you?

- Be enthusiastic. Clients want to work with lawyers who appear to like what they do, and most people are flattered by expressions of interest.

#### Supporting the Pitch: Materials and Follow-up

The written information that you provide to prospects can also bolster their view of you, both during the meeting and afterward.

- Prospective clients especially like to know how you've helped other clients with similar problems or issues, so you want to provide materials that speak to your experience. Examples include a list of representative clients, a list of cases handled, a summary of recent transactions or selected case studies.

- You should provide other materials that reinforce your expertise and credentials, such as the lawyers' bios or resumes, practice area descriptions, articles related to the prospect's legal or business issues, and your fee schedule.

- Lastly, don't be afraid to follow up with your prospects. Ask if they would like additional materials or other information from you, inquire whether a decision has been made about the business, or just reiterate your interest in working with the prospect.

#### At the Center of Everything

Although this discussion has assumed that the lawyer was contacted by the prospect, you should, nonetheless, consult the Rules of Professional Conduct regarding the solicitation of business in the jurisdictions in which you practice. But regardless of specific prohibitions, the bottom line remains the same when you seek new business: If you keep the prospect as the center of attention, your odds will go up dramatically. ▀

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