



## REINFORCING BASIC MARKETING CONCEPTS

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I recently had the pleasure of attending a seminar entitled *Build a Practice from Referrals!!* which was presented by the Delaware Valley Law Firm Marketing Group ([www.dvlawmarketing.org](http://www.dvlawmarketing.org)). It was hosted by Dilworth Paxson in Philadelphia, with lunch provided by FindLaw. I was amazed at how many attorneys, legal administrators and law firm marketing personnel attended the midday meeting.

The impressive panel of speakers included Michael D. Ecker Esquire, a corporate lawyer at Dilworth Paxson; Jeff Lindy Esquire, a solo Criminal Defense attorney, Officer of the Philadelphia Bar Association, and former federal and state prosecutor; Lori Shemtob Esquire, a Divorce and Family lawyer at Shemtob and Shemtob, and former chair of the Montgomery County Family Law Section; and Kathleen Stephenson Esquire, a Trusts and Estates attorney with Pepper Hamilton. The session moderator, Mary Beth Pratt of MBPratt Consulting, is a marketing consultant and a partner in the newly-launched Managing Partner Development Institute ([www.ManagingPartnerInstitute.org](http://www.ManagingPartnerInstitute.org)).

The panel members brought perspectives from diverse firm environments, varying types of clients, and different areas of practice. This was certainly not a “one size fits all” presentation. Yet, throughout the session, there were concepts and strategies repeated by all panelists.

I spend a great deal of time assisting law firms with marketing issues, both through the Bar and privately. And I have amassed considerable marketing resources as well. So I was not surprised that there were no epiphanies for me. But it was helpful to be reminded of concepts I know so well, and sometimes regard as so fundamental I often fail to emphasize them. As I glanced around the room and saw quite a number of people taking detailed notes, I realized that failing to continue to emphasize the basics is a strategic error on my part.

## 1. Spend time planting the seeds.

One of the questions raised concerned how to explain to young attorneys that they must spend non-billable hours developing their personal and professional networks, regardless of whether their firms actually “count” those hours in compensation decisions. The answer was uniform among the panelists, with the heads of many in attendance nodding in agreement.

In order to be successful as a rainmaker, one must begin by building a network in a variety of circles. As Woody Allen said, “Eighty percent of success is just showing up.” All of the panel members were active at one time or another in their Bar Association. The result was name recognition, establishment of a fairly wide network, and especially establishment of a high credibility factor.

One panelist explained how easy it is to land a client who calls and asks about expertise in a particular area, who in turn receives a response to the effect of, “Yes, in fact I chaired the section of the Bar covering that area of practice.”

It isn’t necessary that your bar activities be confined to your area of practice. In fact, you may not want to impress your competitors so much as other attorneys who may refer work to you. So consider becoming active in a bar group which focuses on issues of interest to you personally.

## 2. Spend your time on activities you like or that interest you.

Let’s take the previous concept a little further. It’s bad enough you work long hours. And on top of that, you have to give up even more hours for networking. So it’s important that you pick networks which have interest to you. Whether that be in a particular industry, for a particular charity, for the bar association, for an activity related to your child, like coaching, or taking a leadership role in your local community. All of these activities will assist you in building a network of individuals who get to know you well, and will eventually be sources of business referral.



### 3. **Keep your antenna up.**

Most people don't realize that business development opportunities abound in many situations. A client of mine provides an excellent case in point. He was a coach of his son's soccer league because he wanted to spend quality time with his son, and liked the sport. In the years he coached he got to know the parents of team members. They knew he was a lawyer, but that's about how far it went.

One day he glanced up in the stands and had a true epiphany. He did all kinds of corporate work. And up in the stands were the parents, a great percentage of whom were entrepreneurs with businesses which he could help. Suddenly he realized they weren't just parents, they were prospects.

From that point on, he made sure that the parents, one by one, knew the kind of work he did. He got around to asking about their challenges, and letting them know he could assist. In short order he converted a large number of the parents into clients. His practice flourished.

### 4. **Prepare your elevator speech.**

Ok, you've probably heard this before. But maybe you haven't done it yet. Pretend you have about 20 – 30 seconds in an elevator with someone who asks what you do. Before the elevator stops you have just a brief period of time in which to say not just that you're a lawyer, but to impart what kind of lawyer you are and how you might be of assistance.

For example, it doesn't do any good to say "I'm a fiduciary lawyer." Yeah, right. Think anyone will ask for your card? On the other hand, saying, "I am a trusts and estates attorney. I assist people in protecting and planning for the eventual transition of their assets in accordance with their wishes, and in handling any tax issues which arise. . ." You can see how this is more memorable and how a layperson can easily identify the appropriate situation and benefit of utilizing the attorney's services.



## 5. **Credentials matter.**

Each of the members of the panel has some special credentials which serve to place them in front of their peers. Credentials create opportunities. And those opportunities create additional credentials. It's like a small snowball rolling down the side of a snow-covered mountain. It just keeps picking up more snow and getting larger and larger.

Lori Shemtob, for example, is a Fellow of the American Academy of Matrimonial Lawyers — a distinguishing honor bestowed on only 67 lawyers in Pennsylvania. Kathleen Stephenson is a Fellow of the American College of Trust and Estate Counsel, and the current chair of the Philadelphia Bar Association Probate Section.

Gaining those credentials took time and effort. Other panel members had special awards for significant contributions elsewhere. Yes, it all takes time and money. But in order to survive in a competitive environment like we have nowadays, you must be able to stand out from the “crowd” in some meaningful way. Doing good work and providing good client service just isn't enough. *All* of your competitors have those same goals in mind.

## 6. **You're in it for the long haul.**

Developing extensive networks doesn't happen over night. And when it does, it doesn't necessarily lead to business development over night. It is a cumulative process which never ends. It must become part and parcel of your life as an attorney. It's not something you just dabble in here and there.

In order to develop networks successfully you not only have to be “out there,” but you also have to go out of your way to develop and maintain more personal relationships with many of the people you encounter. One very successful partner once told me, “In order to make it all work, your best referral sources become your friends, and your friends become your best referral sources. That's the only way to have a life and have the time to spend developing the relationships too.” It's a viewpoint I have heard repeated many times by successful rainmakers, including one of the panel members.



## 7. **You need the personal touch.**

Panel members each had a way of tracking important information regarding their referral sources, and of following up periodically to maintain regular contact. Whether that is through use of a sophisticated marketing software program like ACT or Goldmine, or using Microsoft Outlook, each made use of their technology to assist them. It meant that they could track information on birthday and anniversary dates, spouse and children names, what and when they had sent items of interest, and so forth. It meant that they could flag a contact to make sure they contacted them within a certain amount of time. Don't laugh. If you don't make it happen, life has a way of passing at alarming speeds, and the next thing you know a year or more can pass without you even thinking about a previously good referral source.

## 8. **Keep track and always say thank you.**

One thing about referral sources is that they appreciate receiving an acknowledgement from you for every referral. Even if you don't take on the case, or even if the prospect doesn't call, you should always send a written thank you when a referral source says they've given out your name.

There were mixed feelings about paying referral fees. Most panel members were dead set against it. One panelist said that when asked, he responds that he is willing but that it will be disclosed to the client in the engagement letter, in accordance with the R.P.C. Usually, but not always, that causes the referral source to rescind their request.

Keep track of your referral sources. Be sure that you include their name, whenever appropriate, in referrals you make. And be sure to let them know. Nothing destroys a referral relationship more than failing to reciprocate when the situation presents itself. Every time you refer work to attorney Smith, send an email or letter, or leave a voicemail message, and let him know you gave out his name.

You can't mention to attorney Smith to whom the referral was made without the prospect's consent. But be sure to ask the prospect to mention your name. Better yet, you may want to provide the prospect with a



“letter of introduction” to any of the attorneys on the referral list you provide, and encourage them to present it upon meeting the attorney. You can create a generic form letter and have it ready, and literally produce a few in a minute while the prospect waits — all you’d need to do is insert / change the addressee information. The prospect will be impressed at the extra attention and care on your part. And you will be assured that attorney Smith and any others to whom you refer will know you are thinking of them.

The days of being a skilled lawyer and making partner without making rain are long gone. If you’re a young lawyer, or even a senior associate or junior partner without a book of business, take heed. It is never too late to develop your rainmaking skills.

I have said it before, and will continue to express my opinion that marketing is a *learned* skill. Any lawyer can learn how to market. Let me rephrase that. Any *willing* lawyer can learn how to market. Law firms must help their attorneys develop these skills; not just provide assistance related to developing professional skills. It all starts, however, with developing networks of people. That must be started in law school, and continue until retirement. Every successful rainmaker has in common that each has built strong referral networks. That is the fundamental and most basic marketing concept upon which you will ultimately build additional skills.

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