

Lawyer Marketing 101

It's Not the Steak, It's the Sizzle

As a lawyer, you're taught to be a linear thinker. You're taught that if you build a case using pertinent case law, present compelling evidence and testimony, ask the right questions and make a well-reasoned argument, you will win. The process is always finite and conclusive – a zero sum game. In the end, you either win or lose.

But marketing is neither finite nor conclusive. It's not a linear process; it's a cumulative process. It's not about winning or losing; it's about *building*. It's a combination of a lot of little things ? often intangible or unexpected things ? that combine to build public awareness and get prospective clients to choose you over your competitors.

It's not about the steak, *it's about the sizzle*.

The Purchasing Opportunity

Two things you need to recognize up front before engaging in marketing and/or PR:

- 1) **The law business involves a limited purchasing opportunity.** Any marketing success is dependent on *purchasing opportunities*, and purchasing opportunities are few and far between for attorneys. For the most part, people only need you when they're hurt or in trouble, which doesn't happen that often. By contrast, if you own a restaurant, purchasing opportunities abound because people have to eat – usually three times a day, sometimes more.
- 2) **The purchasing decision is more complex and the stakes are higher.** Let's take the restaurant. When deciding to patronize a particular eatery, a prospective customer might see a TV commercial and think, "The food looks good and they've got that two-for-one special on Wednesday nights. I think I'll give it a try." If he doesn't like it, there's always next Wednesday night.

When choosing a lawyer, a prospective client is weighing dozens more serious factors: Is she experienced in cases like mine? Does she have a track record of big verdicts? Does she have experience trying cases before a jury? How much is this going to cost? What happens if I lose? The list goes on and on, and the prospective client knows if he makes the wrong choice, it could ruin his life.

The Three C's of Marketing

I'm pretty sure this isn't an original idea, but I always tell clients there are three C's of marketing –

Commitment, Consistency and Creativity. I list Commitment first because building brand and convincing people to choose you takes time. Consistency is second because if you don't stay in front of the consumer and build top-of-mind awareness, or "mind share," they won't choose you when a purchasing opportunity arises. And, while some advertising consultants might argue creativity is most important, it's least important in my book because the most creative campaign in the world is worthless if consumers don't see it or hear it often enough to remember it.

Building Brand

In essence, your brand is your name, but it's really much more than that. It's a collection of feelings and perceptions about quality, experience, image, status, credibility and other intangibles associated with you and your law firm. The goal of your marketing campaign should be to create a perception in the minds of prospective clients that there is no other firm in the market quite like yours. In short, effective branding offers the prospective client a promise and then delivers on it.

Branding for law firms includes the following factors:

- Presence ? Prominence in paid (advertising) and unpaid (news) media; a high-profile market presence leads to brand recognition and increased sales.
- Awareness ? Top-of-mind awareness, or "mind share," residual awareness (how much do they remember you after you're gone) and recognition are directly related to presence; higher "mind share" translates into more and better cases.
- Positioning ? Differentiation from the competition, which is established by a combination of all elements of the brand. (We're more experienced, we win more cases, etc.)
- Quality ? High-quality service and results will translate into more satisfied clients who will come back for other legal needs and refer family and friends.
- Reputation ? Public opinion of brand character, which is built over time and difficult to change once it's established. PR and free (news) media are key at building a good reputation.
- Image ? Perception of brand traits resulting from a variety of factors, including paid media presence, free media exposure, word of mouth and many other intangibles. Like reputation, image is difficult to change once it's established. Again, PR and free (news) media are key.
- Benefits ? Consumers may associate certain positive and negative consequences ? warranted or unwarranted ? from using your services.
- Preference ? Predisposition displayed by consumers toward a specific brand.
- Market Share ? Increased market share is a direct result of successful branding.
- Client Loyalty ? Built through long-term branding and consistently high-quality service.

Building "Mind Share"

Creating a strong brand identity will lead to "mind share." That means prospective clients will think of you first when they need to hire a lawyer. For example, when you think of tissues, which brand comes to mind? Kleenex, of course. That's because the Kleenex brand (yes, it's a *brand*) has built so much mind share that it's literally synonymous with facial tissues. When wrapping a Christmas present, you'll say, "Hand me the Scotch tape," not realizing you are actually referring to a specific brand. Similarly, when you want a cup of coffee, you might say, "Let's go get a Starbucks." Did you know Dumpster is a brand name? The reason behind such strong brand-product associations is the rock-solid brand identities and "mind share" these companies have built.

Patience Is a Virtue

There are five basic steps in the marketing relationship, which of course apply somewhat differently to law firms than other types of businesses. Although the nomenclature varies, they are awareness, preference, purchase, repeat purchase and loyalty.

For new lawyer advertisers, the first step is making the public aware you exist, building brand identification and recognition, creating a positive perception of your brand and positioning your brand against your competition, all of which of course doesn't happen overnight. New advertisers often find it frustrating that after a month of TV advertising, clients aren't beating a path to their door. But after a month of TV advertising, unless you have a huge budget, the majority of people in your target demographic (adults 25 to 54) have probably only seen your ad once or twice, which doesn't even register. Studies show that TV viewers don't remember a commercial until they have seen it at least 3.5 times.

The key to marketing success is staying in the market long enough and often enough, so that when the purchasing opportunity arises, a prospective client calls you instead of your competitors. When that occurs, you know you have achieved mind share, and you have leapt from step one to step three – awareness to purchase. Steps four and five? repeat purchase and loyalty? occur only after a client has used your services and has come away highly satisfied.

Everything You Do Is Marketing

I always tell clients advertising will bring clients through your door, but what they see and experience when they get there is what sells them and makes them come back. If you can't show clients that you and your staff are worthy of their trust, no amount of advertising will help you sign up new cases. Therefore, successful marketing begins at your door with a commitment to superior service that permeates your entire organization.

Think about a five-star hotel and everything that goes into the experience – from the bellman to the bed sheets to the chocolate mint on the pillow. It *all* matters and it *all* creates a positive customer experience. It's *all* marketing. From your receptionist to the décor in your waiting room to the on-hold music on your phone lines to your restrooms to the clothes you wear to work – it's all marketing and it's all important.

Think about it. If a prospective client comes into your office for the first time and there are files strewn all over the place, your clothes are disheveled and you have a big coffee stain on your shirt, what is he going to think? You could hope he thinks, "Gee, this guy's really busy and has a lot of cases. He must be a good lawyer." But he's probably going to think, "This guy's a disorganized mess! If I hire him, my case is going to be buried in one of these piles. Get me outta here!"

Everything you do is marketing!