

How to Succeed in Business Without Really Trying (or at least not much)

The motivational self-responsibility formula, Events + Responses = Outcome, is playing out clearly now. There are plenty of events: a global pandemic, racial unrest, political stress, economic uncertainty and a shifting business environment. How lawyers respond to the current world condition is making the difference in whether their practices are thriving or declining. Law practice marketing professionals agree that lawyers who choose to respond with innovation and creativity are setting the scene to be successful.

PBA Law Practice Management Coordinator Ellen Freedman said, “This is a flash in time. All of the sudden, a lot of law firms are being flash frozen and emerging into a downturn. The ones hearing crickets now are passive, waiting for things to go back to normal. It will not go back to how it was. The reality is

the difference between those who pivoted and those who are being passive.”

Wendy Witt of Million Dollar Attorney, a private law firm business strategy consulting firm in Pittsburgh, said, “Stop using COVID and the world condition as an excuse for not being successful. There are attorneys who are very successful and continue to grow.”

Gina Furia Rubel of Furia Rubel Communications Inc., Doylestown, said there are many marketing tactics that lawyers can do, but the current environment make some of them difficult. “What are ways people can develop business now, without the ability to actually see people?” Those who were working from home have been doing virtual networking for years. People who did not embrace electronic communication prior to this had no choice. For those who had robust LinkedIn accounts

and did podcasts and webinars, nothing has changed.”

The first part of marketing in the current environment is being creative, Freedman said. “Remember the book ‘Who Moved My Cheese?’ What new opportunities are being created by this?” she said. For instance, lawyers who practice employment law focus on the changes and challenges: furloughs, unemployment, loans, how companies can avoid lawsuits, labor unions, etc. Another example is family law. For a few months, family lawyers had little business. The smart ones looked at domestic violence, separation within the home, custody in the time of social distance. That’s the creativity, Freedman said, that will make the difference in survival and growth.

“I look at it as the time you can expand beyond the office. Whether you expand your practice statewide or even nationwide, now is when you can start that. Everybody is getting used to working on the phone and Zoom. That will continue after the pandemic,” Witt said.

Beyond considering what to do and what to enhance, lawyers need to take time to connect one-on-one with clients and employees. Freedman said lawyers need to connect more, not less, when we are physically separate. “Then raise each level of personal connection for each communication you have with a client, from an email to a letter to a phone call,” she said.

“It is vital not to take them for granted. Check in, strengthen the

relationships you already have. For some, that won’t bring in new business. However, those same clients are your referral sources. That’s a key step. Stay in touch as we move forward. You have to really try to understand the needs of your clients,” Rubel said.

Witt said it’s important to realize that people are being pushed to their basic fundamental needs as identified in Maslow’s hierarchy of needs: physiological and safety must be satisfied before the person can move to love and belonging, esteem and self-actualization. Marketing needs to be sensitive to that. “Don’t be tone deaf. Address those basic needs in your marketing,” she said. (See the article on page 2 for more information about this concept.)

Before you can address those needs, however, you have to make sure the list of current, active and former clients is up to date. Freedman said lawyers should use every opportunity to reach out to them. “For example, at least once a year you should send a life events change letter to every client. That is a mix of personal and business news; a new associate, a new grandchild, a new service you offer. Remind them of what you do. Another way is to send client alerts every time a piece of legislation comes up. Tell them about the legislation and why it’s relevant. Tell them you will keep them posted.”

It’s easy to send an email to clients when something happens in the world and remind them that you are there.

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Freedman said the client will remember you as a possible solution, and it can have a huge impact. Lawyers contact clients when something happens in a case. But what clients don't understand is that there are often long periods of inactivity while waiting for the court or the other side. "The client thinks the attorney doesn't care or forgot about them. Every single month, send an email, even if it's to say there is nothing to report but you're on top of it and are waiting for whatever. That tells them you care," Freedman said.

Witt said that an actual phone call rather than an email to check in can be very powerful. "I've never had a client who doesn't get business from doing that," she said. Sending cards for birthdays, anniversaries or holidays, especially Thanksgiving before the rush of other cards, also makes an impact.

There is power in networking with other lawyers, so events, even virtual ones, are important to attend. CLE sessions mean other lawyers are present to talk to. Solo and small firm lawyers should not hesitate to reach out to bigger firms and ask them what they are doing to market, Rubel said, and it is important to create and use connections.

Rubel said that lawyers should be the thought leaders. "Give answers to problems. Write blog posts and articles, create podcasts, and make videos. It is a misnomer that clients don't want to hear any more. All data supports the fact that people are still opening emails about COVID-19, racism and diversity because they need to know the answers."

She cited an example of how a lawyer can use a situation to create an opportunity. All the high schools in her area decided that they were going to have football games on a Friday night. Then the federal appeals court restored the state's crowd-size limit, and every district handled the situation differently. It was chaotic, with crowds of parents showing up for games they couldn't attend. A smart lawyer would have put content out that answers the questions parents should be asking. "The information

could be a summary of the guidelines, what the legal restrictions are, what parents and students need to know. It would also include how to reach the lawyer. That's business development," Rubel said.

"You're the lawyer; you have the knowledge. People hire the lawyer, not the firm. It takes more time to do this. But really think about changing your communication so your target audience is listening," Rubel said. She likened it to a business-to-business request for proposal-style marketing. "You're writing content, doing a podcast on an area of expertise. Send a link of the podcast to people and demonstrate that you know what you're doing."

Those family lawyers who were waiting out the halt in divorces? Now is the time to talk to clients about what they need to be aware of. Estate lawyers can tell others how to get a power of attorney signed virtually. "Give away information so when they need you, they will hire you. That's thought leadership," she said.

Her law professor told the class that the way to win a case is to look on the periphery. "Just as you look on the periphery for evidence, look on the periphery for communication. We have to look for long-term gain," Rubel said.

Witt said any way that establishes you as the expert is helpful. Also, giving away information, even if it's something the person could find online, creates affinity and trust. "There is homeostasis. The person is more likely to want to reciprocate and become a client," she said.

Knowledge sharing is consultative selling. Focus first on establishing a strong relationship with a potential buyer and second on selling the potential buyer a service. The person with the solution steers the person with the problem toward an appropriate solu-

tion. "When you are doing intake, have real conversations. Ask questions so that clients feel they're being heard," Witt said.

Lawyers can be "newsjackers" and issue press releases when a world situation has a connection to what they do. In time, lawyers can be media ambassadors, the expert on a topic that the media contacts when it needs information or a quote. "You start with the local media and build a reputation and a media reel. There is nothing like that for marketing," Witt said.

She also suggests email drip campaigns, a series of emails sent out at specific times and dates. Research shows they can generate 50% more sales-ready leads. Welcome packages sent to new clients that have information about the firm, the law, maybe a magnet or desk calendar, are useful as well.

"You could also have official referral programs and market it to other attorneys. Helping someone else build their businesses helps you to build your business," Witt said. It can be as simple as creating a referral list. "Always look to give. That is key," she said.

Freedman said that all attorneys should have a social media presence. "The staff should be visible, too. It's all about making people feel they have a connection with you before they ever meet you. People are relying much more heavily on the internet now. They rely on third-party reviews and testimonials. Lawyers who have not institutionalized getting reviews and testimonials are big losers here. If you're not doing an end of engagement letter, that is a lost opportunity to tell them about the other areas



of law that you do. In the letter, provide the URL to Facebook or LinkedIn and ask them for a review. You need to do this 100% of the time. Mid to large firms have the extra people to do this, but small and solos are missing a huge opportunity."

Witt said that it is important to be careful of anything posted on social media, even a personal account, because everything a person does is part of the brand. "Communicating complaints on social media is a mistake. Posting photos of people defying COVID-19 safety measures affects the brand. Failing to see that the team is the brand and outside actions matter are mistakes."

Abdicating the marketing messaging task is a big mistake. "Lawyers don't want to deal with it. You can delegate the administrative tasks but the actual tone needs to come from you. Tone and message are your responsibility," she said.

The days of being excessively clever without offering information are over. Witt said, "Using fancy titles for your articles and podcasts doesn't work today. You want to create scarcity, things like, 'What you must now read to be successful.' This is backed up by data. People will read anything that has to do with the future because we want to get out of the present. That's marketing 101."

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