



Association of Legal Administrators
Webinar Presentation

Today's Best Practices in
Law Firm Marketing & Business Development

John Remsen, Jr.
President
TheRemsenGroup

September 6, 2018



BIOGRAPHICAL PROFILE

John Remsen, Jr. - President

John Remsen, Jr. is widely recognized as one of the country's leading authorities on law firm leadership, management, marketing and business development. After serving as in-house marketing director at two major law firms, John formed TheRemsenGroup, a consulting firm that works exclusively with law firms to help them develop and implement long-term strategic objectives to improve cohesiveness, performance and profitability. Since 1997, he has worked with over 375 law firms and thousands of lawyers. Most of his clients are smaller and mid-size commercial law firms, ranging in size from 15 to 200 lawyers.

John is a frequent speaker and author on law firm leadership and marketing topics. He has spoken at national, regional and local conferences of the American Bar Association, Association of Legal Administrators and Legal Marketing Association. He has also been a featured speaker at numerous state and local bar associations, and law firm networks. His articles have appeared in such well-respected publications as *ABA Journal*, *Asian Lawyer*, *Florida Bar News*, *For the Defense*, *Law 360*, *Law Practice Management*, *Law Practice Today*, *Lawyers Weekly*, *Legal Management*, *National Law Review*, *Marketing for Lawyers*, *Marketing the Law Firm*, *Managing Partner*, *New York Law Journal*, *Rainmaker's Review* and many more.

In the late 1990's, John served on the national Board of Directors of the Legal Marketing Association (LMA) and was President of its Southeastern chapter for three years. Under his leadership, the chapter was recognized as LMA's Chapter of the Year in 2001. In addition, he was Executive Editor of *Strategies*, LMA's monthly newsletter. He also served on The Florida Bar's Standing Committee on Advertising for six years and was the only non-lawyer appointed to serve on its 2004 Advertising Task Force.

In 2001, John created The Managing Partner Forum, the nation's richest source of information and the most highly acclaimed conference series for leaders of mid-size law firms. More than 1,150 managing partners and leaders from more than 900 law firms in 43 states have participated in 26 leadership conferences. Each week, he publishes and distributes *The MPF Weekly*, an electronic newsletter distributed to more than 9,000 law firm leaders. For more information, visit ManagingPartnerForum.org.

In 2007, John was appointed to serve as a core member of the ABA's Law Practice Management Section. In 2008, he was appointed to serve on the ABA's Education Board. Since then, he has contributed numerous articles to various ABA publications and has been a featured speaker at ABA meetings and conferences throughout the country.

In 2013, John was elected as a Fellow of the College of Law Practice Management in recognition of his 25 years of demonstrated expertise in law firm leadership and management. Founded in 1994, the College honors those who "inspire excellence and innovation in law practice management." Membership is by invitation only and includes just 200 individuals. In 2016, John was recognized by LawDragon as one of the "Top 100 Consultants and Strategists" to the legal profession. In 2017, John was recognized as one of the world's top "leaders and influencers" in the business of law by the Association of International Law Firm Networks.

A native of West Palm Beach, Florida, John holds an MBA from The University of Virginia (1985) and a Bachelor's degree in Business Administration from the University of Florida (1980). Before enrolling in graduate school, John was Executive Director of The Florida Council of 100, an organization consisting of Florida's top CEOs and business leaders.

December 2017




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TODAY'S BEST PRACTICES IN LAW FIRM MARKETING & BUSINESS DEVELOPMENT

John Remsen, Jr.
President – TheRemsenGroup

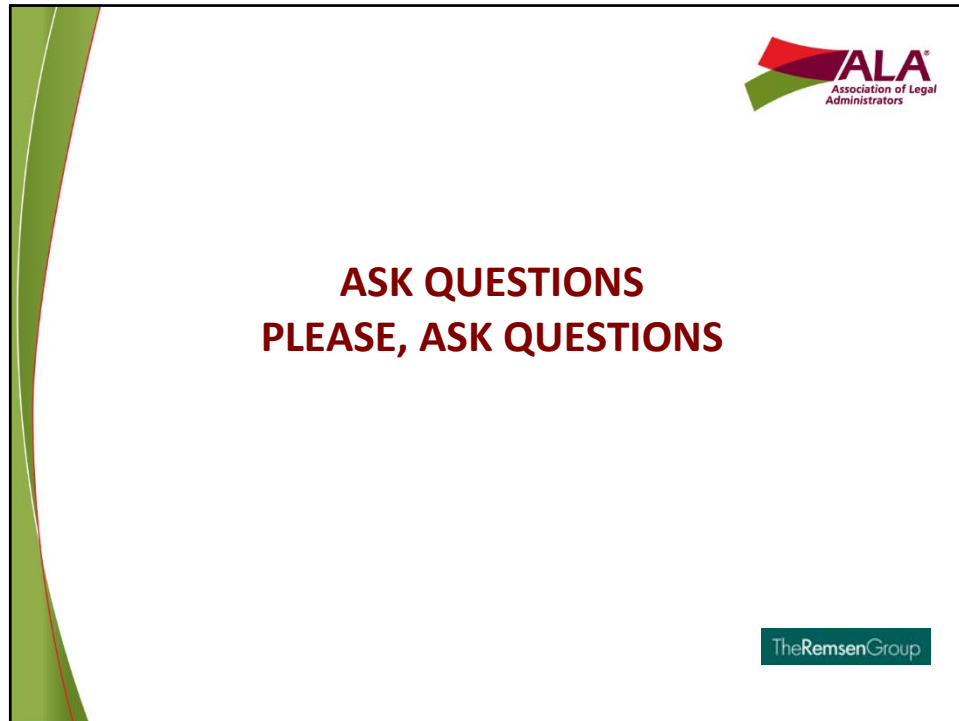


JOHN REMSEN, JR.

- President, TheRemsenGroup
President & CEO, Managing Partner Forum
- Strategic Planning, Marketing and Business Development,
Firm Retreats, COO/CMO Searches
- Gunster, Porter Wright
- More than 390 law firms since 1997
- Speaker:
American Bar Association, Association of Legal Administrators,
Legal Marketing Association, LF Networks, MPF Annual Conference
- Education:
MBA – University of Virginia
BSBA – University of Florida

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LONG-TERM TRENDS

- The Economy Is Globalizing – So Are Law Firms
- Technology Is Expanding/Improving at Breakneck Speed
- Clients Are More Demanding
- Competition Is Much More Aggressive
- BigLaw Is Getting Bigger
- Disruptors Will Continue to Proliferate
- Record Level of “Merger & Acquisition” Activity
- Successful Law Firms Run More Like Businesses

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THE LAWYER PERSONALITY

- Highly skeptical
- Hate change
- Risk averse
- Love autonomy
- Low resilience
- High sense of urgency

Source: Dr. Larry Richard – LawyerBrain, LLC

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PRIMARY SOURCES

- **MPF Leadership & Governance Survey**
Anonymous online survey, 48 questions, April 13-21, 2017
154 CEOs, MPs, firm leaders, 10-200 lawyers
- **MPF 2017 Leadership Conference**
Audience polling results, May 4, 2017
87 firm leaders, 8-500 lawyers
- **ALA/MPF 2017 Leadership & Governance Survey**
Anonymous online survey, 48 questions, August 4-15, 2017
254 COOs, EDs, firm administrators, 5-500 lawyers

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WHAT FIRMS ARE DOING

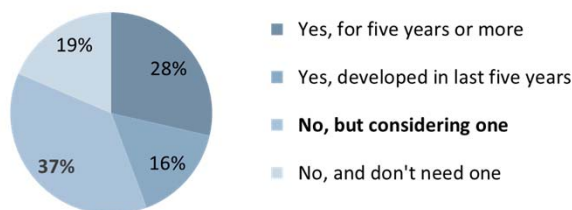
- More and More Firms Are Developing Strategic Plans
- Yet, Many Firms (>50%) Still Don't Have One
- Many Firms Struggle with Implementation
- Even So, Firms with Plans Report Positive Results
- "BigLaw" is Way Ahead of "MidLaw"
- Top Strategic Planning Priorities:
 - Marketing & Business Development
 - Lawyer Productivity
 - Succession
 - Growth
 - Firm-First Culture

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WRITTEN FIRM-WIDE STRATEGIC PLAN

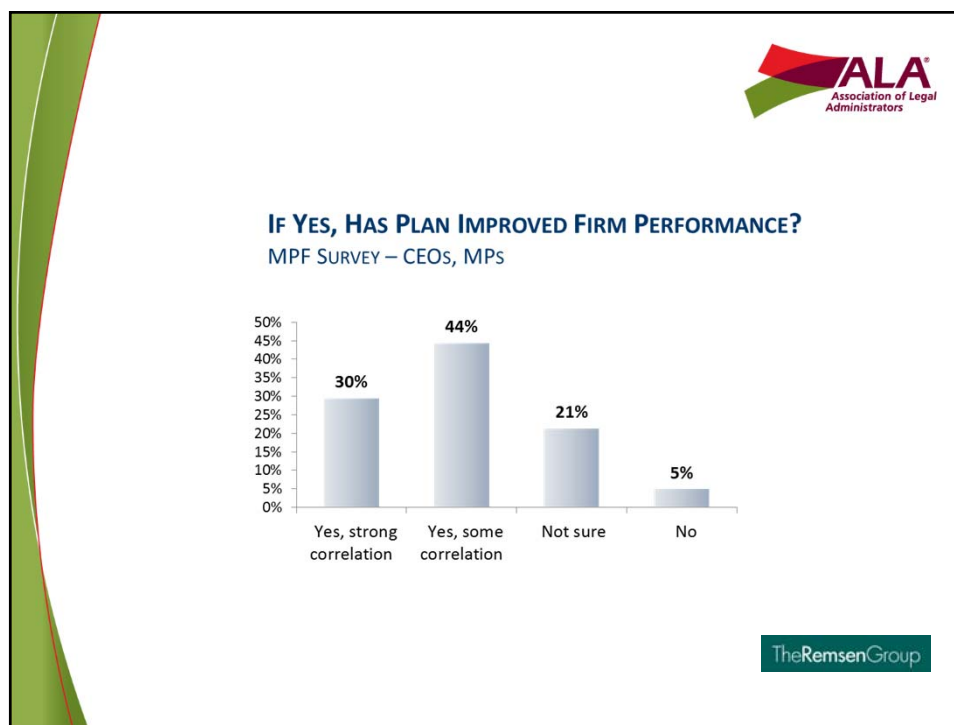
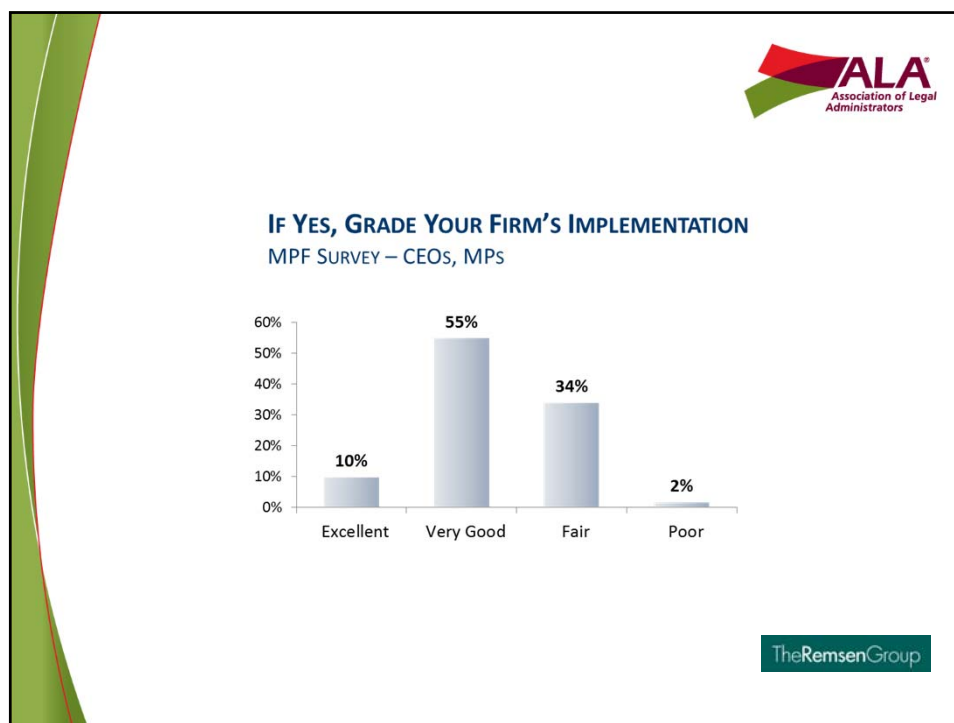
MPF SURVEY – CEOs, MPs



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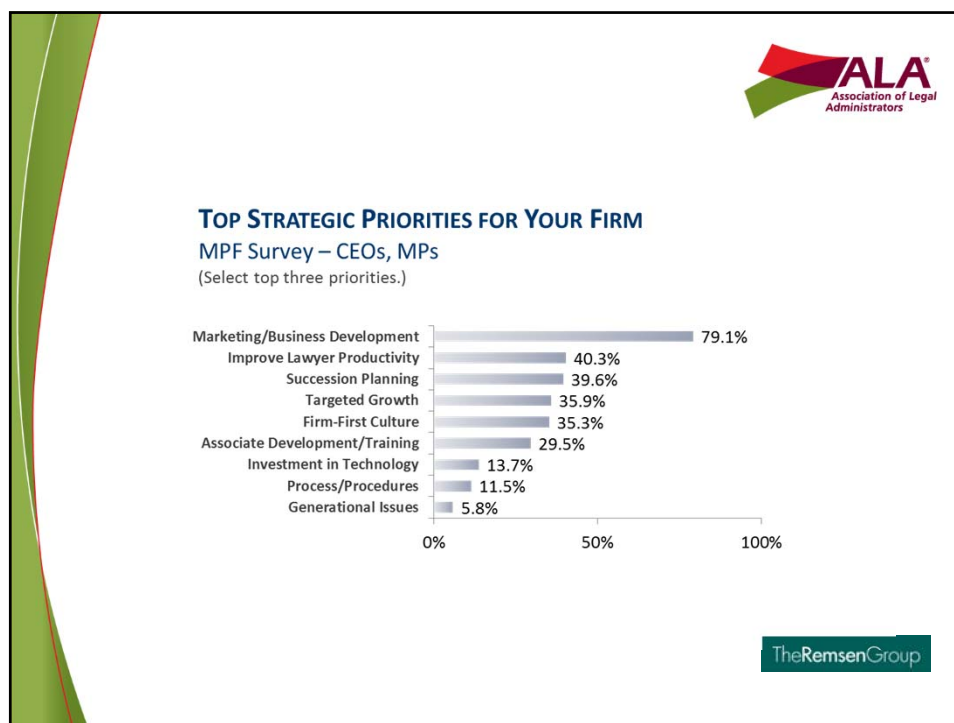
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MPF RECOMMENDATIONS

- Bring on the Bench-Marking Data!
- Work Toward Plans (Firm, Practice Group, Office) Where You Can Get Them
- Be Inclusive in the Process
- Five-Year Vision with Three Short-Term Priorities
- KISS. Specific, Realistic and Achievable.
- Establish Deadlines and Accountability
- Take Progress Where You Can Get It
- Update the Plan Regularly
- Be Sensitive to Tradition, Culture, Personalities

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WHAT FIRMS ARE DOING

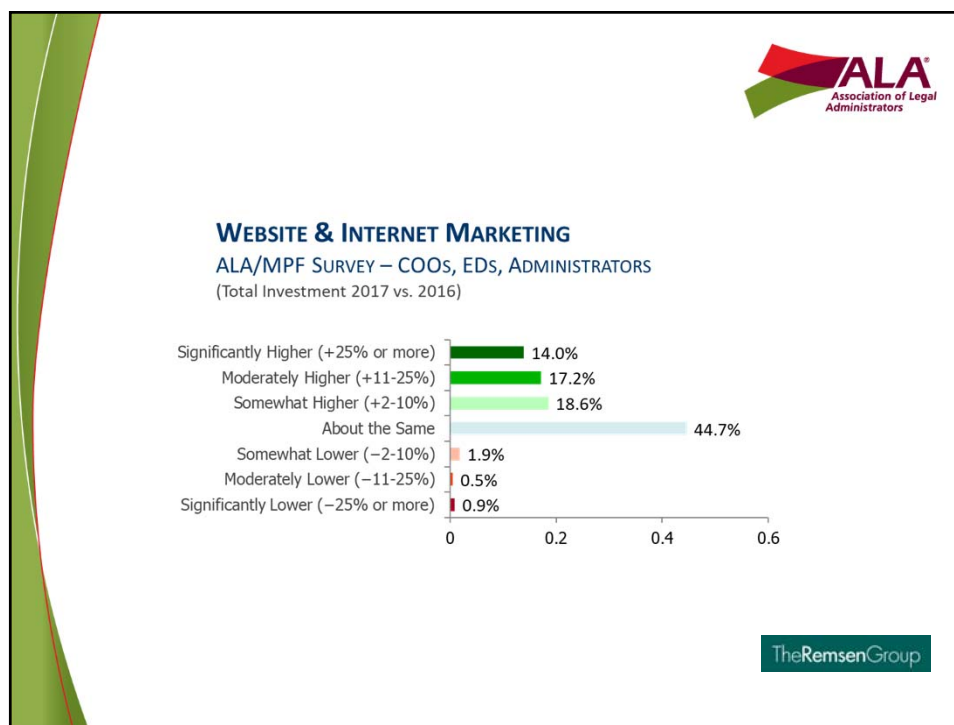
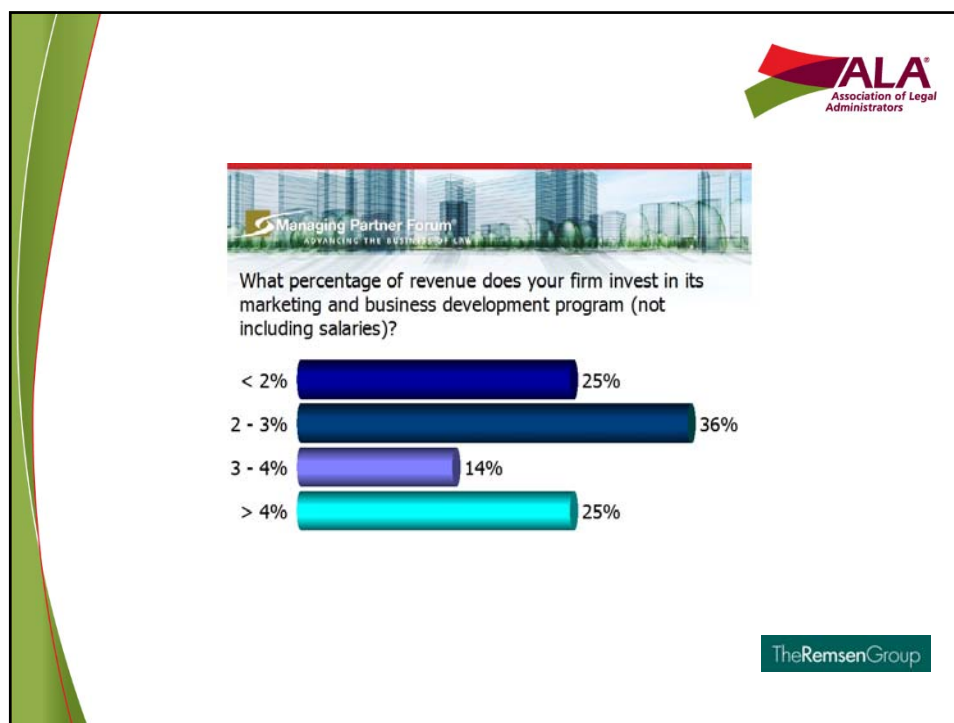
- Investing 2-4 % of Gross Revenue
- Shifting Resources from "Marketing" to "Business Development"
- Increasing their Budgets
 - Website & Internet
 - Seminars & Events
 - Branding & Content
 - Marketing Directors
- Yet, Still Wasting Lots of Time and Money
 - Charitable Contributions
 - Powerful Partner Pet Projects
 - Rankings, Directories & Listings



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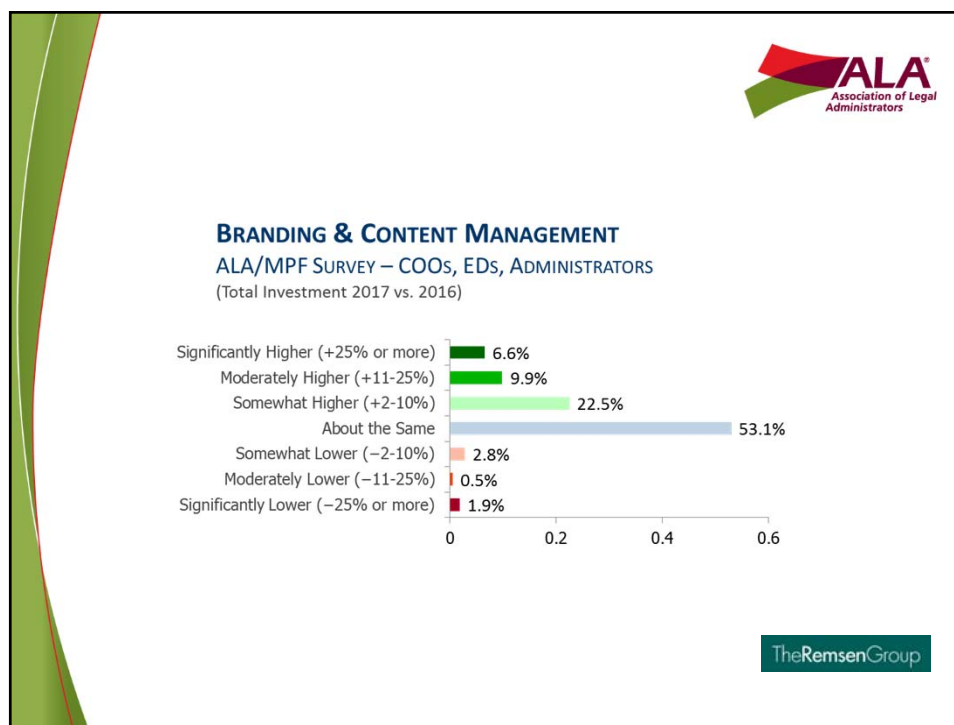
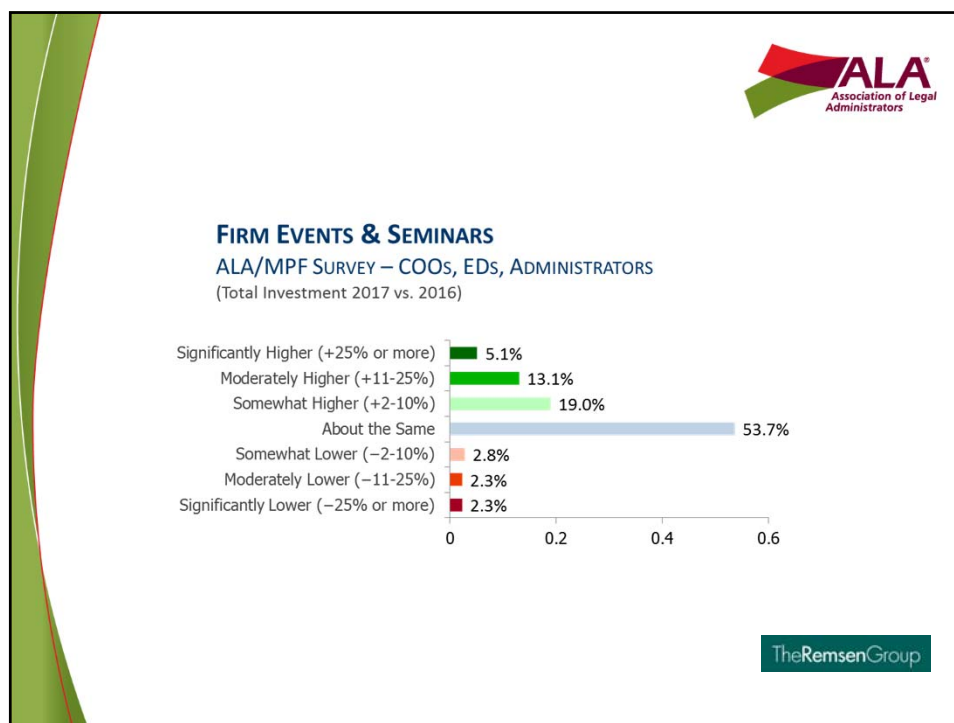
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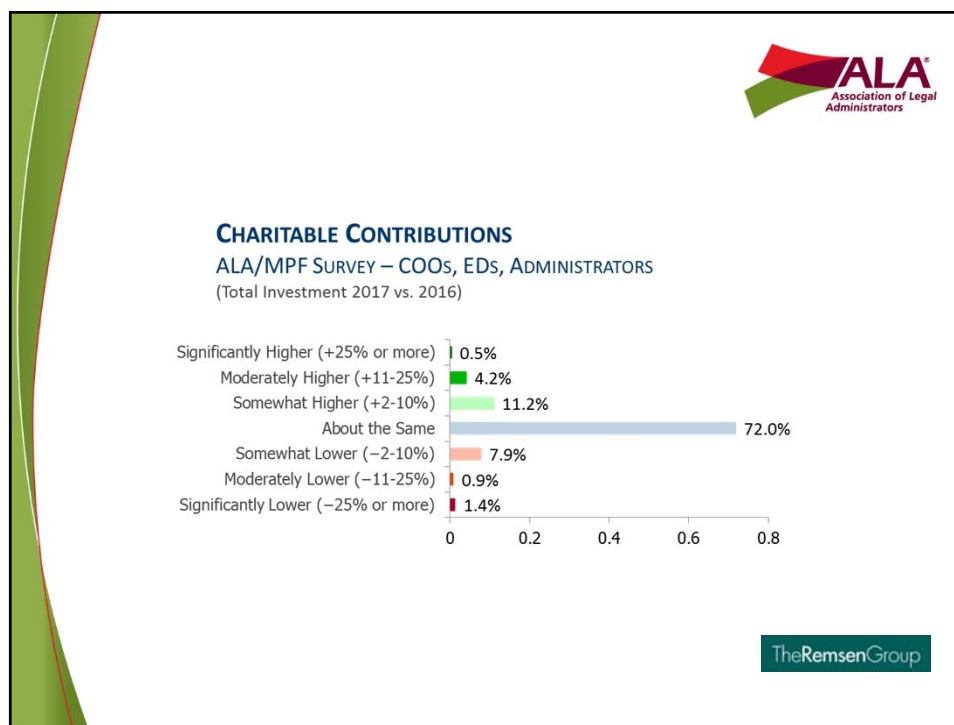
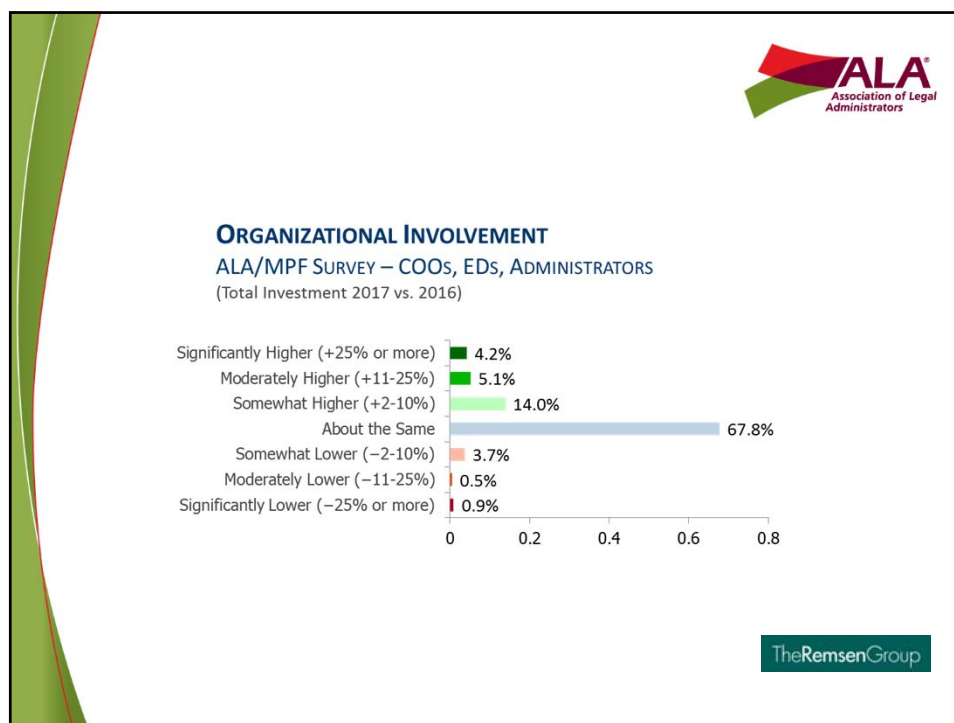
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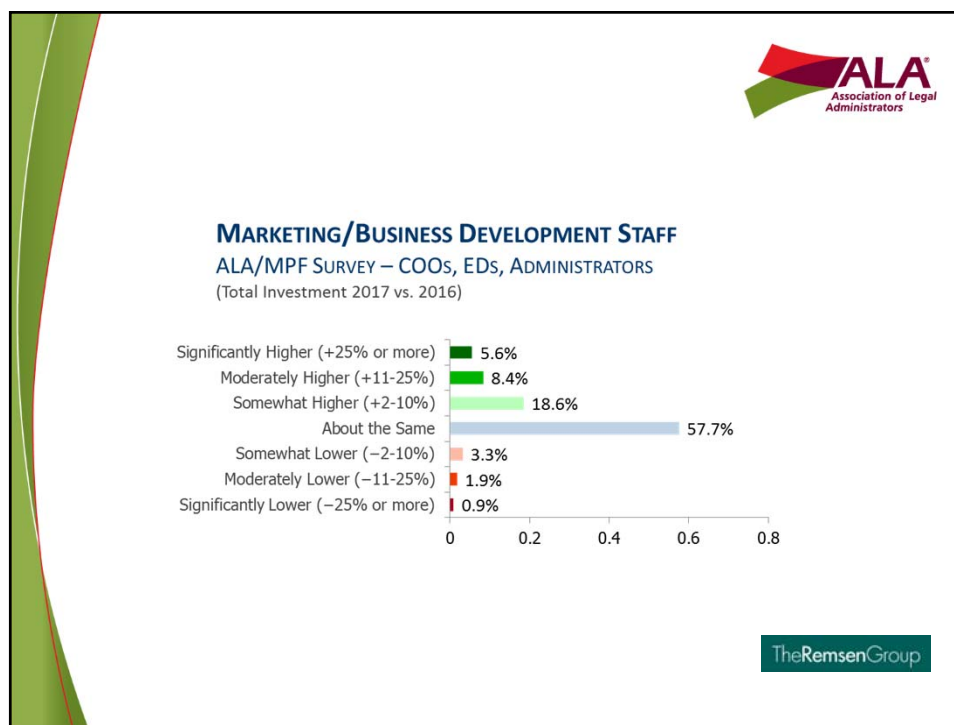
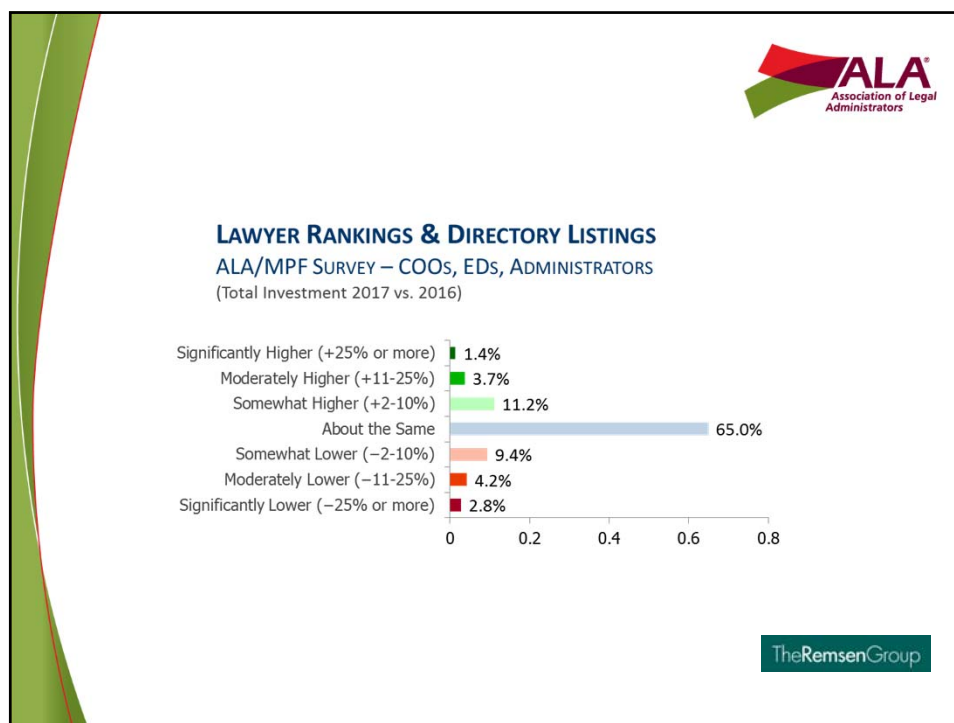
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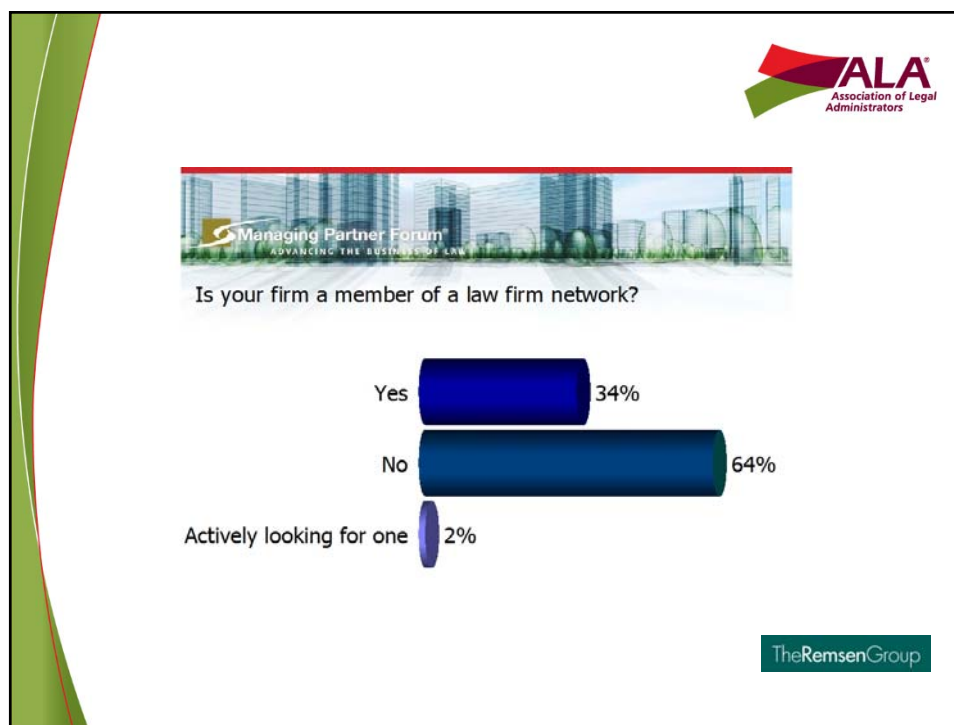
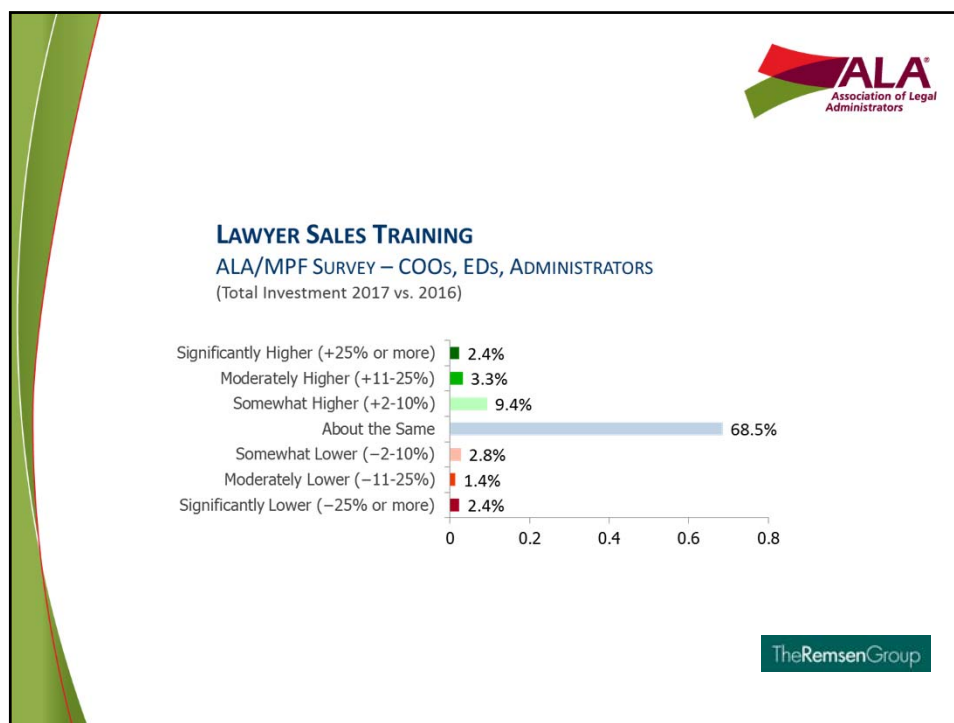
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TRG RECOMMENDATIONS

- Start with Current Clients...The Ones You Want to Keep (A,B,C Clients)
- Go Visit Them and Solicit Their Feedback
- Set up Industry Practice Groups
- Implement Individual Marketing Plans
- Provide Business Development Training for Lawyers
- Track the Time and Reward the Effort
- Hire an In-House Marketing Director
- Join a Good Law Firm Network
- Implement Policies to Prevent Squandering Precious Marketing Resources

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*"Half the money I spend on advertising is wasted;
the trouble is I don't know which half."*

- **John Wanamaker**
Father of Modern Advertising

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*"What gets measured gets done."
"What gets measured improves."*

- **Peter F. Drucker**
Author and scholar on management

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"Marketing is a contact sport."

- **John Remsen, Jr.**
World's leading law firm consultant

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The Facts

- It takes 5-7 times more time, effort and energy to generate a new matter from a new client than from an existing client
- 80-85% of next year's business will come from current clients
- 80/20 Rule – 80% of revenue comes from 20% of clients
- It takes 8-11 impressions to convert a prospect into a client

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Conclusion

The highest ROI is achieved through efforts targeting your firm's current clients.

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A Few More Facts

- Clients hire lawyers, not law firms
- Clients hire (and refer) lawyers they know, like and trust
- Great service (responsiveness and accessibility) is the #1 reason clients stick with their current lawyer
- When shopping for a new lawyer, clients are looking for industry expertise

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Conclusion

Law firm marketing is all about lawyer reputation and relationships.

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And Just a Few More Facts about Successful Firms

- Firm-wide vision and strategy
- Strong leadership and open communication
- Sharing, teamwork and cross-selling
- Lots of rainmakers and diverse client base

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Marketing vs. Business Development

- Major shift in past few years
- Marketing is the "stuff" and much of it can be bought
- Business development is the "time" invested in building relationships and trust, and it's hard to buy

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Marketing

- Website
- Brochures and collateral materials
- Advertising
- Directory listings
- Sponsorships
- Branding
- Public relations

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Business Development

- Client site visits
- Organizational involvement
- Speaking and writing
- Client entertainment
- Social media
- Training and coaching

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How Much?

Money

- 2.5-3.5% for midsize commercial law firms (LMA)

Time

- Partners: 200 hours per year (Maister)
- Associates: 100 hours per year (ABA)

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A Few Rules

- Nothing (I mean nothing) replaces face time
- Lawyers working in teams is good
- Mixing clients and prospective clients is usually good
- "Small and intimate" trumps "big and loud" almost every time
- Focus on a specific target audience works
- Persistence and patience is required

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Why so Tough to Track ROI?

- Cumulative effect of marketing/business development efforts
- Difficult to isolate "but for" activity
- Lawyers invariably take the credit
- Sloppy intake procedures
- Few firms have a real handle on profitability



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STRATEGIES AND TACTICS WITH HIGH ROI POTENTIAL



Existing Clients

- Client service initiatives
- Client feedback program
- Client site visit
- Client appreciation event
- Client seminars
- Client e-alerts



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New Clients

- Organizational involvement
- Speaking and writing
- Referral sources
- Social media – to get to face time!
- 8-11 impressions (damn it!)

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Training and Structure

- Industry practice groups
- Marketing plans and budgets
- Monitoring and accountability
- Sales training for lawyers and staff
- Marketing staff
- Rewards and incentives

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Client Feedback Program

- About as direct as it gets
- Consider objectives and best methodology
- Can be challenging to implement
- Do your homework, follow up with client
- Revenue, profits, cross-sell, client satisfaction

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Client Site Visits

- Show thanks and appreciation
- Learn more about company and people
- Leave firm brochure at home
- This involves lawyer time! Train them.
- Revenue, new matters, billable hours

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Industry Seminar Series

- Small, intimate group
- Interactive format on topics of interest
- Team approach works best
- Lawyer time required!
- Revenue, new clients, new matters

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IT'S ALL IN THE
IMPLEMENTATION

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Practical Marketing Tips for Busy Attorneys

Association of Legal Administrators

September 6, 2018

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The Facts

- Two kinds of lawyers in private practice.
Lawyers with clients, and lawyers who work for lawyers with clients.
- Clients hire lawyers, not law firms.
- Clients hire (and refer) lawyers they know, like and trust.

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Become an Expert
Where does your passion lie?

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Develop Your Game Plan
Put it in writing. Make it specific.

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Get into Really Good Habits

They pay off big-time over the course of your legal career.

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Create and Maintain Your List

These are the people who can help you most.

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Focus on Friendships

It's something you should do throughout your entire legal career.

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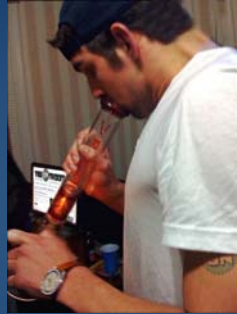
Be Active in One (Maybe Two) Organization

Do your homework to find the right one.

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Social Network Responsibly

Google is not always your friend,
so don't do anything stupid.

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Dress Like a Lawyer

It matters much more than you might realize.

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BUILDING YOUR BOOK OF BUSINESS: YOUR INDIVIDUAL MARKETING PLAN

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A Few Reasons Why You Should Want to Market

- Seize control of your career
- Attract desirable clients
- Work on challenging matters
- It's fun (at least it can be!)
- More clout in the firm
- Make more money
- The firm is willing to pay

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Why You Need a Plan

- Your Time is Valuable
- Makes You Proactive, not Reactive
- It Gives You Structure
- Helps Keep You Consistent
- You Can Measure Progress
- You Can Share and Coordinate with Others

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Characteristics of a Good Plan

- Plays to your strengths and interests
- Simple, realistic and achievable
- Consistent with firm goals and objectives
- Measurable and specific
- Constant – a little bit every day, every week
- Evolves over time
- Challenges you to take it to the next level

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How Much Time?

Partners: 200 hours per year

Associates: 100 hours per year

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Resources

- TheRemsenGroup.com
- ManagingPartnerForum.org
- DavidMaister.com
- LawMarketing.com
- LegalMarketing.org



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CONTACT US

John Remsen, Jr.

404.885.9100

JRemsen@TheRemsenGroup.com

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BUILDING AND SUSTAINING A MARKETING AND SALES CULTURE AT YOUR LAW FIRM

(Or, How to Make Marketing Really Matter)

By John Remsen, Jr.

Getting lawyers and law firms do things differently is not an easy task and instilling a marketing mindset among lawyers is a major effort for most firms, resembling the proverbial challenge of “herding cats.”

A national consulting firm recently examined personalities of lawyers from around the country using the Caliper personality index and was able to quality what many of us have known for years. Compared to the rest of us, lawyers

- Hate change, respecting precedent because it was drilled into them at law school;
- Are highly skeptical of new ideas and concepts, demanding proof that change will work;
- Love autonomy, preferring their own judgment over that of any hierarchy or policy; and
- Have a high sense of urgency, expecting immediate results on even complex efforts.

It's not surprising, then, that most law firms (especially smaller and mid-size firms) operate much like fraternities. Governance and decision-making are often difficult and time-consuming, because everyone wants a voice in the process. However, the most profitable firms are moving closer to a corporate model of governance, with institutional goals, strong leadership and streamlined governance. They are also starting to embrace marketing, recognizing the need to get closer to existing clients and invest time and resources on focused, proactive strategies to go after new ones.

So why try to roll the marketing boulder uphill? Simply because any firm that wants to survive in today's increasingly competitive marketplace must support a marketing and sales culture. Mergers, acquisitions and consolidations, rising associate salaries and operating costs, and client cost-cutting are making lawyers run their firms more like a business, and less like a profession. Failure to market brings red ink, irrelevance and an “out of business” sign on your door. Marketing is what enables a firm to attract and retain desirable clients, and it puts the firm in a position to fire the ones it no longer wants.

That said, a marketing culture can't be implemented overnight - it must be slowly, gradually fostered through basic, focused, step-by-step efforts. Overcome typical lawyer impatience and resistance by showcasing successful pilot programs. A communications effort that presents the proof, demonstrates a successful result and validates the judgment of the participants, will appeal to lawyers' lemming instinct: “If Jim can do it, so the hell can I!”

The key, then, is to create the initial success that will make everyone in the firm believe marketing matters. I mean *really* matters. As marketing consultant to thousands of lawyers at hundreds of firms, I've seen that ten key

elements are absolutely crucial to generate marketing momentum. Neglect even one of them and your legacy will be, "We tried *that* before, it didn't work."

1. Find a Passionate Leader. If a firm's leaders - those lawyers who have the most clout and the greatest respect - aren't committed to marketing, no one will be. Convince them that marketing is an investment in tomorrow, not just an expense for today. Cultivate a senior level marketing czar who is passionate about marketing and inspires others. Don't waste your time on naysayers or junior associates. Convince an alpha male, and the herd will follow.

2. Apply Some Structure. Attorneys are the world's worst visualizers. Vague generalizations about how marketing works won't motivate them. Your marketing effort has to involve concrete, tangible benchmarks and requirements that show the firm is serious:

- Set clear expectations for non-billable time devoted to marketing. Set a target of 200 hours a year for partners and 100 hours per year for associates. Overcoming the billable hour fixation is crucial for marketing efforts, which often take years to generate results.
- Incorporate marketing into partnership requirements. Derail the partnership track of grinders who sit at their computers all day and don't have a book of business.
- Create marketing plans at every level - attorney, industry or practice group, the entire firm. The marketing plans should be written, simple and focused, and should set short-term goals (have lunch with two media industry prospects per month) in the pursuit of long-term objectives (double billings with media clients).
- Communicate marketing successes by every tool at your command. Meetings, emails, newsletters, bulletin boards in the lounge, Intranet postings, monthly status reports, and more.
- Monitor marketing performance. Hold the laggards accountable and reward the performers. Most marketing initiatives must be repeated ten or more times over a period of two-plus years before they pay off. Rewarding only the ultimate result isn't enough incentive. Peg some compensation to *efforts* that emphasize and support the marketing plan.
- Eliminate the time and expense wasters. Scrap "random acts of golf and lunch" and "powerful partner pet projects" that don't support firm-wide marketing objectives.

3. Provide Training and Resources. Sales techniques aren't taught in law school. There are, however, plenty of sales training programs for lawyers that emphasize the basics: if you've taken a prospect to lunch seven times, *ask* if you can handle their contract work. One-on-one coaching sessions can be supplemented by attendance at the Marketing Partner Forum and the Legal Marketing Association annual meeting, participation in the LawMarketing listserv, and circulation of marketing newsletters. Help lawyers overcome their marketing insecurities by exposing them to best practices.

4. Create a Forum of Accountability. The best way to generate marketing momentum is through face-to-face discussions - but *not* with marketing at the tail end of a long agenda. Create specific marketing forums where groups of 10 to 20 attorneys can report on their initiatives, share leads and ideas, and be held publicly accountable for their marketing efforts. Meetings should be held at least monthly, scheduled well in advance for a set time and place, with mandatory attendance and a leader committed to marketing in charge. Distribute minutes and make sure the results are publicized through reports, newsletters and retreat presentations. The only way to overcome resistance to these forums is to make clear that they are about results and accountability - and then use them to reinforce both.

5. Invest Time and Money. Every firm's needs are different, but certain rules of thumb apply - for example, one in-house marketer for approximately every 40 lawyers, and a marketing budget roughly equal to 3% of gross revenues. Lawyers in their skepticism will ask, "Is this *really* necessary?" Appeal to the lemming instinct by demonstrating which other firms are doing at least as much.

6. Identify Your A, B and C Clients. Law firms often fail to identify the clients and the business they want, making little differentiation in attorney time and effort between getting the \$5,000 real estate contract and the \$5 million IPO. You should identify your A-List clients, the frequent flyers you really want to encourage, and emphasize winning more business from *these* guys. Then target them: Go visit them at their place of business, solicit their feedback on your services and act on it, invite them to events and seminars, join their trade associations, wine and dine them. Showing that you really do care about them is the essential step to getting more work from them.

7. Focus on Industries, Not Area of Law. Too many law firms practice marketing by trying to market their practice. Clients don't think that way. They focus on their business and industry concerns, and want their law firm to do the same. Competent legal technicians are a dime a dozen; law firms that talk the language of the hospitality industry are valued much more highly. Focusing on industries targeted by your marketing plan prevents wasting time and effort by trying to be all things to all people. It also promotes cross-selling among practices, as you identify which real estate, corporate, tax and other services you can tailor to clients in specific industries.

8. Get an Identity. Emphasize that you're not just another law firm. Making an impression captures share of mind, then share of market. All the effective marketer's tools apply here: a logo, a short and memorable firm name (no more than two words), sharp web site, readable collateral materials that are not mind-numbing exercises in lawyer-ese, email templates with links back to your web site, promotional items that clients will want to use. Remember that a nice brochure or impressive web site constitute just a small part of a *total* marketing effort.

9. Hire "People People." Lawyers are trained to be good communicators before groups, whether juries or boards of directors. They typically aren't good at establishing interpersonal, one-on-one communication. Rather than trying to turn an introverted lawyer into a rainmaker, it makes sense to hire lawyers with a focus on personality as well as on grades and law journal experience. Look for outgoing types who are flexible and embrace change, and they can become missionaries for your marketing efforts. The same applies to everyone in the organization - receptionists, administrative assistants and (yes) marketers.

10. Manage Lawyer Expectations. All the steps that we've discussed here take time, and the marketing plan they support will continue to evolve. Make sure the lawyers at your firm know and understand this from the start. Set a limited number of priorities and don't try to move too far too fast. But make absolutely certain that you deliver everything that you promise - which, in the end, is a good definition of effective marketing.

#

About the Author

John Remsen, Jr. is the principal of The Remsen Group, a marketing consulting firm that works exclusively with law firms. He is a Past President of the Southeastern chapter of the Legal Marketing Association and has served on its national Board of Directors. He can be reached at 404.885.9100 or jremsen@theremsendgroup.com.

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655 Sherwood Road NE - Atlanta, GA - 30324
404.885.9100 - FAX: 404.885.9111 - TheRemsenGroup.com

Ten Golden Rules to Make Your New Clients Happy



by John Remsen, Jr.

For most law firms, satisfied existing clients are the best source of future business. They will continue to use your services when they need a lawyer, and they are your best referral source for new clients.

Yet, most clients can't fully appreciate quality legal work because they aren't lawyers. Rather, they judge the quality of your work based on service-related issues, and how they are treated when they deal with you and your firm.

Allow me to use the analogy of the automobile mechanic. If you own a car, you need a good, trustworthy mechanic to keep the car running smoothly and to fix problems as they arise. You don't necessarily want to know what's going on under the hood of your car. Your mechanic is supposed to know all that stuff. And you trust him to treat you right.

If you are like me, you assess the quality of your mechanic's work based on the way you are treated and whether or not you trust him. Does he listen to you when you bring the car in for servicing? Does he keep your car running smoothly? Does he provide an estimate before he starts the work? Is his final bill reasonable and within the estimate? Is your car clean and ready when promised?

These are the same factors that clients apply to lawyers and other professional service providers. They don't necessarily want to know the intricacies of the law. They want a good result. They want to feel like you are taking good care of them. And they want to trust you. These factors are especially important when you are dealing with a brand new client.

With that introduction, here are my "Ten Golden Rules to Make Your New Clients Happy."

(1) Send Your New Client a "Client Welcome Kit"

Be sure to include your firm brochure, a client service

pledge, a current list of contacts with direct dial phone numbers and e-mail addresses, and a nice welcome gift.

(2) Seek to Understand the Big Picture

The best lawyers—the ones who deliver the most value to their clients—take the time to learn about their client's business (and personal) goals and objectives. Visiting your new client's place of business is a great way to get things started on the right foot.

(3) Create Expectations and Then Exceed Them

Walk your client through how you propose to handle the matter and what he can expect in terms of results and timelines.

(4) Always Follow Through on Your Commitments

Nothing aggravates a client more than a broken promise. It also has a very serious negative consequence when it comes to building trust.

(5) Always Promptly Return Telephone Calls, Always

Clients get upset when you don't return their phone calls. Adopt a policy to return all your calls and e-mail messages on the same day.

(6) Communicate in the Manner Your Client Prefers

Ask your new client the method and frequency of communication he prefers and deliver your updates and progress reports accordingly. If you can't be flexible, tell your client up front how you operate.

(7) Introduce Your Client to the Team Working on His Matters

Take the time to invite your new client to your offices to meet the team who will be working on his matter. Be sure to include the paralegals, legal assistants, receptionist and others he is likely to be talking to on a regular basis.

(8) Resist the Temptation to "Overlawyer" the Matter

Trust me; clients don't want to pay their lawyer more

than necessary to have their matter properly handled. Be sensitive to the issue and do what's right for your client.

(9) Never, Ever Send a Surprise Invoice

It's good practice to discuss estimated fees and costs up front with your new client. Beyond failure to communicate, sending a bill that wildly exceeds expectations is one sure way to lose your new client.

(10) Show Your Client That You Appreciate His Business

Be sure to invite your client to your firm's annual client

appreciation event, take him to a ball game, play golf and invite him to lunch or dinner on occasion.

There is more to practicing law than providing quality legal work. You've got to provide great service, too. If you practice these golden rules consistently, you will end up with loyal, long-term clients and an enjoyable and gratifying legal career. And that's a promise! ■

John Remsen, Jr. is president of TheRemsenGroup. He can be reached at 404/885.9100 or jremsen@theremsen.com.

disclosures

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THE BEST WAY TO CATCH NEW CLIENTS? FIND THEIR ASSOCIATIONS AND GET ACTIVELY INVOLVED

by John Remsen, Jr.

Generally speaking, I find that many (maybe even most) younger attorneys I meet - say those born after 1960 - are willing and, in many cases, eager to "market." They realize that marketing and business development are part and parcel of being a successful lawyer and essential to operating a successful law firm.

In most law firms, existing client relationships tend to be controlled by more senior lawyers. That means that junior lawyers must go outside the firm to find clients and build their books of business. And we all know, it's just not that easy.

Studies tell us that it takes 8-11 "impressions" to convert a prospect to a client. On top of that, it takes 5-7 times more time, effort and energy to generate a new matter from a new client than from an existing one. Needless to say, finding new clients takes time (non-billable), commitment and perseverance.

So what should a young lawyer who wants to build a book of business do in order to create these 8-11 impressions? Where is the best place to invest that precious time, effort and energy?

To use a fishing analogy, you've got to first figure out what kind of fish you want to catch and then hang out where they do. The "fish," of course, are the prospective clients. The place they hang out -- the "reef," if you will -- is their association. It's where they go to be with others like them. It's where they learn and keep abreast of industry trends. And you need to be there...one of the fish, part of the school, actively involved and, one day, leading the way.

When it comes to organizational involvement, most lawyers join and seldom go. Or they pick the wrong organization for marketing and business development purposes. Our October "Marketing Tip of the Month" counts down our top ten recommendations to maximize your ROI from involvement in associations.

#10) Stay Out of The Bars

Your parents always said that hanging out in bars can only lead to trouble. And, from a marketing and business development perspective, spending lots of time in bar associations is probably not the best place to meet and build relationships with prospective clients. Alas, many lawyers find comfort here among other lawyers and they call it "marketing." But I'm going to suggest that you find somewhere else to go.

#9) Figure Out What You Want to Catch

Here we are back to that fishing analogy. But it proves my point. The more clearly and narrowly you define your target audience - the kinds of clients you want - the more effective your marketing and business development efforts will be. Let me repeat that. The more clearly and narrowly you define your target audience, the more effective your marketing and business development efforts will be.

This is half the battle for most lawyers and law firms. They tend to want to be all things to all people and they try to market every tiny little thing they do. But if you spread your marketing time and dollars too thin, you wind up catching nothing.

Another important consideration: Market what you *want*, not what you *do*.

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655 Sherwood Road NE - Atlanta, GA - 30324
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Best Way to Catch New Clients? Find their Associations and Get Actively Involved

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#8) Think Industry, Not Area of Law

Most lawyers and law firms like to market their areas of law, such as corporate, tax, environmental or litigation. Clients, on the other hand, look for lawyers and law firms with knowledge and experience in their industries, such as construction, entertainment, transportation and health care. There is a growing body of research that supports this most important distinction.

The moral of the story: Market to an industry, not your area of law. That suggests that you should get involved in an industry trade association. Many law firms, following the lead of banks and CPA firms, have taken the next logical step and created Industry Practice Groups.

#7) Do Your Research and Develop a Short List

There are associations for just about everything. And if you live in a large metropolitan area or state capital, chances are you can find a number of organizations to consider. For example, if you are a banking lawyer, check out your state Bankers Association. If you are a female real estate lawyer, take a look at an organization called Commercial Real Estate Women (CREW).

Do some online research. Talk to clients and prospective clients about the organizations to which they belong. Check out these organizations' websites. Take a look at the Board of Directors. What about the rank and file members? Are they decision makers? Can they hire or influence the decision to hire lawyers? Talk to a Board member about upcoming meetings and opportunities for you and your firm to get involved. Find out what other lawyers or law firms are involved. You are looking for a target rich environment where you will have the opportunity to get involved. Do your homework and develop a short list of organizations to consider.

#6) Pick One and Go Deep

Next, go to a meeting or two of each group you have identified. Ask one of your clients if you can go to an upcoming meeting as a guest. This is the time to conduct some due diligence, because once you find the right organization, you must become active and invest lots of time there to make it pay off.

Although there is nothing wrong with the Chamber of Commerce or the United Way, these groups cross industry lines. They are too diverse and their memberships are typically too fragmented. I submit that you'll find a more target rich environment if you stick with an industry trade association.

My advice is to find the right group - just one - and go deep. That will be far more effective than peripheral involvement in three or four organizations.

Finally, if the organization you seek isn't out there, start it. That's what we've done with the Managing Partner Forum (www.ManagingPartnerForum.org) and we've worked with many law firms to create similar opportunities.

#5) Jump in With Both Feet

Once you've found the right organization, you've got to get actively involved. And, frankly, this is where most lawyers and law firms fall down. They join and then never go. Too busy. Kid's softball game. Conflicts. Whatever.

Well, guess what? Getting meaningful results through organizational involvement is like joining the gym. If you want results, you have to go and you have to exercise. You've got to make it a top priority. You get involved by going to monthly meetings. And you go religiously. You start to meet people. You develop friendships. Remember those 8-11 impressions? Here's where they start to happen fast and, in time, it will start to pay off. It's an investment in you. Make it part of your routine. A little bit every week.

#4) Join a Committee and Perform

Early on, you should join a Committee and I often suggest the Program or Membership Committee. Both tend to be active and visible within the organization and will afford you the opportunity to meet lots of people. Once you've selected your

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Committee, volunteer to lead a highly visible project and perform like crazy. Do what you say. Meet deadlines. Exceed expectations. Do a great job and people will notice.

Remember those 8-11 impressions? Here's where they start to happen really, really fast...and it all happens very naturally.

#3) Throw Some Money At Them

Ask the firm to sponsor a meeting or two, or run an ad in the membership directory. Make an impact with your dollars and resist the temptation to spread them too thin. For example, it is far more effective to pick one high profile annual event and own it as the primary sponsor, rather than being one of three dozen bronze sponsors for a multitude of events throughout the year.

#2) Befriend Future Leaders

Make it a point to befriend key leaders (both current and future) of the organization. Seek them out at meetings. Set up a breakfast or lunch meeting twice a month with selected Board members and Committee Chairs. Do some research ahead of time and ask questions about their company, its plans for the future and their role in the organization. Get to know them on a personal level. Be sincere and, by all means, don't ask for business too soon. You've got to build trust and that takes time...it takes 8-11 impressions.

#1) Achieve a Leadership Position

In time, you should seek to Chair a Committee. In most organizations, this can be realistically achieved within two years. A year or so later, you are likely to find yourself in a position to run for a seat on the Board of Directors. I guarantee that you can become President of almost any organization you want within five years if you set your sights on the prize and go for it. It's not hard. It just takes time, commitment and perseverance,

As you climb within the organization, seek opportunities for you (or your colleagues at the firm) to participate in programs and contribute articles to the newsletter or website on a regular basis. Talk to the Program Chair and the Newsletter Editor about your interest in helping them put on good programs and provide timely and relevant articles for the members. Chances are you will be pleased by the responses you get. Find out what they need and help them get it.

Conclusion

If you find the right organization and do the things we've set forth in this article, it won't be too long before you and your firm are recognized as can-do people who know and understand the concerns and issues facing the industry. Along the way, you will have developed relationships with persons in a position to hire or refer you. It doesn't get much better than that.

But it takes time, commitment and perseverance. Get out there. Get active. Start today.

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About the Author

John Remsen, Jr. is President of TheRemsenGroup, a marketing consulting firm that works exclusively with law firms to help them attract and retain the clients they want. He is Past President of the Southeastern Chapter of the Legal Marketing Association and is a frequent speaker and author on law firm marketing topics. He can be reach at 404.885.9100 or JRemsen@TheRemsenGroup.com.



655 Sherwood Road NE - Atlanta, GA - 30324
404.885.9100 - FAX: 404.885.9111 - TheRemsenGroup.com

INDUSTRY PRACTICE GROUPS: AN OVERVIEW

Why Industry Practice Groups?

- Clients shop for industry experience and expertise
- Clearly defined target audiences
- Promotes teamwork and sharing among attorneys
- Encourages cross-selling among departments and offices
- Coordinates marketing activities among attorneys
- Creates forum for reporting and accountability
- Assists with client succession planning

Keys to Success

- ***Keep a simple and focused approach, with clear goals and objectives***
- Conduct efficient, regularly scheduled meetings
- Have meeting agendas and meeting notes
- Appoint strong and committed group leaders
- Appoint engaged and supportive group members
- Take action between meetings

Recommended Activities

- Complete the **Practice Group Worksheet**
- Establish and agree upon Group's **goals and objectives**
- Develop **Group description** for marketing purposes
- Identify **client-specific opportunities and action plans**
- Conduct **Client Site Visits** for selected clients and referral sources
- Identify and become active in key **organizations** and **trade associations**
- Conduct a **firm-sponsored seminar series** (small, informal, interactive)
- Generate frequent, one-page **law alerts/bulletins**
- Maintain a **blog** on issues relevant to industry leaders
- **Advertise** in selected trade publications and directories
- **Sponsor events** and activities attended by target audience
- Invite key players in the industry to speak at IPG meetings
- Maintain industry contacts in Firm's marketing database
- Pursue worthwhile **speaking and writing opportunities**
- Generate ongoing **press releases** to targeted media

TWELVE STEPS TO SET UP INDUSTRY PRACTICE GROUPS AT YOUR LAW FIRM

1) Identify Which Industry Practice Groups

The first step in adopting the Industry Practice Group model for marketing and business development purposes is to identify the industry groups that the Firm will establish. Criteria for determining which Industry Practice Groups to create might include:

- Clients, referral sources and other relationships the Firm already has in the industry
- Profitability and sophistication of the legal work required by the industry
- Projected growth of the industry in the Firm's geographic region
- Positions that competing firms have carved out in the marketplace
- Firm's current and future areas of legal expertise
- Leadership and internal support within the Firm

To be successful, we believe that it is imperative that the Firm focus its attention on only a few Industry Practice Groups at the beginning. More groups can be added later on.

2) Appoint Strong and Committed Group Leaders

Once the Groups have been determined, the next step is to appoint strong and committed Group leaders. This is a very important decision that should not be based solely on seniority or current book of business. The Chairs of the Firm's Industry Practice Groups must be:

- Passionately committed to the Industry Practice Group model
- Capable and effective marketers
- Respected within the Firm
- Good with "people skills" (mentor, coach, cheerleader)
- Capable of running efficient, business-like meetings
- Willing to lead by example

3) Determine Group Members

Once the Industry Practice Groups are determined and Group leaders selected, we recommend that the Firm allow its attorneys to self-select the Group or Groups in which they will participate.

Some attorneys might want to participate in more than one Group and that's OK. But they should declare a primary affiliation with one Group, not three or four.

Unfortunately, not every attorney in the Firm will find a home among the few Industry Practice Groups the Firm selects at the beginning. And that's OK, too. These attorneys should continue to implement their individual marketing strategies as they did before. New Groups can always be added later.

4) Develop a Practice Group Worksheet

After Group members are determined, the best way to get the ball rolling is for the Chair of each Industry Practice Group to complete a Practice Group Worksheet (included in Section III of this report) to present at his/her Group's first meeting. The Worksheet sets forth basic information about the Group, including current clients and referral sources, key trade organizations and the like. It serves as great starting point.

At its first meeting, the Group should review and modify the Worksheet to bring all Group members to the same page. The Worksheet should be reviewed from time to time and modifications should be made as appropriate.

5) Hold the First Industry Practice Group Meeting

Now comes the time for the Group's first meeting. We suggest lunch meetings that last 60-90 minutes. It's important to have an agenda and relevant handout material.

The Group leader should start the meeting on time and keep the discussion focused on marketing. To facilitate internal communication, establish accountability, and monitor activities, it's important to track attendance and distribute meeting notes within a few days after the meeting.

6) Conduct Monthly Practice Group Meetings

After the initial meeting, we strongly recommend that Industry Practice Groups continue to hold monthly meetings that focus exclusively on marketing and business development. As mentioned above, lunchtime seems to work best for many firms.

Start meetings on time and always have an agenda and the notes from the Group's last meeting. As previously mentioned, we think it's important to track attendance, assign tasks and responsibilities and distribute meeting notes.

7) Develop Industry Practice Group Descriptions

Next, develop brief Industry Practice Group Descriptions. Keep 'em short and easy-to-read, no more than 500 words. Avoid long, legalistic language. Include case studies that demonstrate the Firm's industry expertise.

These descriptions can then be incorporated into existing collateral materials like the Firm brochure and website. We also recommend that the Firm develop sharp, stand-alone mini-brochures for each Industry Practice Group.

8) Develop a Group Marketing Plan

During the first two or three meetings, members of the Group should work together to develop an industry-focused Group Marketing Plan. Keep it simple and focused.

Once the Group has identified its existing clients in the industry and the industry trade organizations it should join, these are the strategies we recommend:

For Existing Clients...

- Client Site Visits
- Post Engagement Questionnaires
- Annual Client Appreciation Event
- Meals and Entertainment
- Client Teams for the largest, institutional clients

For New Clients...

- Industry Trade Organizations
 - Active participation
 - Seminars and speaking engagements
 - By-lined articles
 - Sponsorships and advertising
- Industry Seminar Series
- Industry Law Alerts
- Industry Group Description
 - Stand alone collateral piece
 - Main Firm brochure
 - Main Firm website

9) Develop Individual Attorney Marketing Plans

After the Group Marketing Plan is developed and agreed to, the next step is to assign responsibilities and ask each Group member to develop an Individual Attorney Marketing Plan that sets forth his/her contributions to the Group Marketing Plan, as well as his/her other marketing and business development activities.

Importantly, Individual Attorney Marketing Plans should focus first on enhancing relationships with existing clients and referral sources. This is best accomplished through ongoing, systematic contact, including Client Site Visits, lunch meetings and entertainment. Try to avoid random acts of lunch and golf.

Individual lawyers should also be encouraged to get involved in a key industry trade organizations where they will mix and mingle with decision-makers in the industry. They should join committees, look for speaking and writing opportunities and work their way toward the Board of Directors. Lawyers will get out of an organization what they are willing to put into it.

Associate attorneys should start by getting involved in an industry trade group and by staying in touch with selected classmates and business associates.

In addition, Individual Attorney Marketing Plans give the Firm a way to measure each attorney's contributions to the Firm's marketing program. The Firm can also monitor activity and establish accountability through its monthly Industry Practice Group meetings.

10) Provide Adequate Resources

Most law firms invest 2.5-3.5 % of gross revenue in marketing and business development. Some firms include charitable contributions, directory listings and/or staff salaries in their marketing budgets. Others don't. But 2.5-3.5% is the rule of thumb.

We encourage law firms to consider an investment of 3-4% of gross revenue in marketing, including directory listings. Furthermore, we recommend that most of these dollars should be invested in programs that enhance relationships with clients and referral sources.

How much time should an individual attorney be expected to invest in marketing and business development? We suggest about 200 hours a year for partners. That time might be spent as follows: four Client Site Visits, lunch once a week with a client or referral source and active participation in a key industry trade group.

11) Find Ways to Measure and Reward Desired Behavior

Lawyers are quick to recognize what a particular firm measures and rewards at compensation time. Too often, it's billable hours and working attorney fees received to the exclusion of all else. Some firms measure origination credit, which can be incredibly divisive.

But the most enlightened firms are finding ways to measure and reward non-billable contributions like firm governance, associate mentoring and training, and marketing.

We believe that law firms must find ways to recognize and reward desired behavior. If a firm wants its lawyers to invest time and effort in non-billable marketing activities, they must find ways to recognize and reward these contributions.

Start by measuring non-billable time. By that, I mean non-billable time invested in *meaningful* activities.

Many firms establish bonus pools to recognize non-billable contributions. Others factor a subjective element into their compensation systems that rewards non-billable contributions.

12) Look for Meaningful Results in 12-18 Months

Results will not come overnight. It takes time to build relationships and see the results of an effective marketing program. For example, it might not be until that third or fourth industry seminar that a prospective client decides to hire the Firm.

Look for a payback in 12-18 months. If your Firm develops and implements an effective marketing program, the results will be quite satisfying for many years.

INDUSTRY PRACTICE GROUP WORKSHEET

Name of Practice Group: _____

Target Audiences: _____

Current Clients and Relationships: _____

Key Organizations: _____

Areas of Law the Firm Can Provide this Industry: _____

Attorneys in this Group: _____

Group Chairperson: _____

Meeting Schedule: _____

Marketing Priorities for Next 12 Months: _____

Budget for Next 12 Months: _____

INDUSTRY PRACTICE GROUPS

Proposed Agenda Items for Practice Group Meetings

Reports on Practice Group Initiatives

- Client Site Visits
- Seminar series
- Law alerts
- Organizational involvement
- Advertising and sponsorships
- Speaking engagements
- By-lined articles

Individual Attorney Marketing Activities

- Presentation of individual marketing plan by selected attorney
- Marketing accomplishments since last meeting
- Planned marketing activities before next meeting

New Clients/Matters Obtained Since Last Meeting

Successful Representations/Victories

Informal Presentation by Clients/Leaders in Industry

KEYS TO SUCCESS

- Strong leadership
- Track meeting attendance
- Distribute and agenda and meeting notes
- Take action between meetings
- Establish accountability (i.e. deadlines, persons responsible)
- Rewards and incentives

Your Guide to Develop Your Individual Marketing and Business Development Plan ...and Why Every Lawyer in Private Practice Should Have One

by John Remsen, Jr.

In my humble opinion, every lawyer in private practice – regardless of how many years practicing law – should consider having an Individual Marketing and Business Development Plan. Here's why:

You Will Seize Control of Your Career

Creating and implementing your Individual Marketing and Business Development Plan enables you to seize control of your career. In time, it puts you in a position to attract and retain clients you enjoy, and matters you find challenging and interesting. You will also be less dependent on others to feed you. There are two kinds of lawyers in private practice: lawyers with clients, and lawyers who work for lawyers with clients. Which would you rather be?

You Will Make More Money

Rainmakers make more money – *often a whole lot more money* – than non-rainmakers in just about every law firm in the US. Chances are you've heard the terms "finders, minders and grinders." Trust me; the action is with the finders.

You Will Have More Clout in the Firm

Lawyers who bring in business also have more power within their firms. Over time, they emerge as firm leaders, influencing important decisions about the firm, its policies and procedures, and its future direction.

How Much Time Should You Invest?

Of course, *implementing* your plan is the key to success...and it takes time. Non-billable time. I recommend that Partners invest 200 hours a year, and 100 hours a year for Associates. It's critical you do a little bit every day. Fifteen minutes here. A half-hour there. Effective marketing and business development is not a "start-stop" process. It's about habits and it's like an exercise regimen...results come with consistency over time.

What Types of Things Should You Do?

Partners should visit top clients at the clients' places of business each year. Associates should focus first on honing their legal skills and "credentialing" activities. For all attorneys, lunch once a week with a client, prospective client or referral source is a good habit. Joining and being actively involved in a well-chosen organization is another good thing to do. Article writing and speech giving are good activities, as well.

Make the Commitment to Yourself

Of course, developing and implementing your Individual Marketing Plan requires non-billable time. And, herein lies the dilemma for many lawyers. Non-billable "marketing time" is not rewarded -- and sometimes not even measured -- in many law firms. No matter, you should invest the time anyway. In his book *True Professionalism*, David Maister states that billable hours are for today's income, but what you do with your non-billable time determines your future. I couldn't agree more.

Just Do It!

The following pages set forth our outline for an effective, well-focused Individual Attorney Marketing Plan. Before the New Year begins, I suggest that you take the time to review this outline, develop your Personal Marketing Plan, and commit to its implementation. Only you can do it. Do it for you!

Happy marketing!

April 2018

INDIVIDUAL ATTORNEY MARKETING AND BUSINESS DEVELOPMENT PLANS

Guidelines for an Effective Plan

Here are a few guidelines to help you develop your Individual Marketing and Business Development Plan. Of course, one of the main purposes of a written plan is to focus your time and attention on meaningful activities that will enhance your professional reputation and allow you build relationships with persons in a position to hire or refer you.

Your Individual Attorney Marketing and Business Development Plan should:

- **Play to Your Strengths and Personality**
Not everyone is cut out to be the glad-handing social butterfly. Instead, you can help organize a firm event or write an article series for a trade publication.
- **Be Consistent with Firm Goals and Objectives**
Ideally, the firm first determines its strategic marketing goals and objectives. After that, individual attorney plans are developed to support and achieve them.
- **Focus Your Attention**
Your time is valuable and should not be frittered away on random acts of lunch and golf. Rather, you should focus your attention strategically in activities that will enhance your credentials and allow you to build relationships with key individuals. A plan helps you be more proactive and eliminates distractions.
- **Be Simple and Realistic**
Your plan should be realistic and achievable. Avoid the natural tendency to spread too thin. Keep it simple. Pick your top priorities and get them done.
- **Be as Specific as Possible**
We're talking who, what, where and when...not general statements about getting closer to bankers or CPAs.
- **Motivate You**
...to do the things you need to do to achieve long-term success for both you and the firm. But mostly for you.
- **Evolve Over Time**
Take a look at your plan every month. Are you doing what you said you would do? Take pride in your progress. Make adjustments as needed.

April 2018

INDIVIDUAL ATTORNEY MARKETING AND BUSINESS DEVELOPMENT PLAN

NAME OF ATTORNEY: _____

AREA(S) OF PRACTICE: _____
(the fewer, the better)

TARGET AUDIENCE(S): _____
(the fewer, the better)

YOUR TOP FIVE CLIENTS

List below your top five clients over the next 12 months. They need not be the biggest in terms of current revenue, but they have the potential to generate desirable future work. What do you plan to do over the next year to grow the relationship?

Client Name	Contacts(s)	Estimated Fees Over Next 12 Months
1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____

YOUR "A" LIST

Next, list below **at least** 15 key contacts with whom you will proactively build and enhance your relationships over the next 12 months. These contacts may include existing clients, prospective clients and/or referral sources and be sure to include contacts(s) from the clients you listed above.

Recommended relationship building activities include Client Site Visits (for clients and referral sources), ongoing personal contact, hand-written notes, regular meeting dates, invitations to Firm-sponsored seminars, entertainment, holiday card/gift, birthday card, add contact to Firm's mailing list, etc.

YOUR "A" LIST (Cont'd)

Name	Company	Relationship Building Activities
1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____
6) _____	_____	_____
7) _____	_____	_____
8) _____	_____	_____
9) _____	_____	_____
10) _____	_____	_____
11) _____	_____	_____
12) _____	_____	_____
13) _____	_____	_____
14) _____	_____	_____
15) _____	_____	_____

Activity Codes: G= Golf, FG= Football Game, BG= Baseball Game, L= Lunch, D= Dinner, CSV= Client Site Visit, HP= Holiday Party, etc

ORGANIZATIONAL INVOLVEMENT

List below the organizations to which you belong, your current level of involvement and your goals during the next 12 months.

Bar Associations (List organizations by name)	Current Involvement	Goals for Next 12 Months
_____	_____	_____
_____	_____	_____
_____	_____	_____

Industry Associations / Other Organizations

_____	_____	_____
_____	_____	_____
_____	_____	_____

SPEECHES AND SEMINARS

List below any speeches you intend to present, or seminars at which you will speak during the next 12 months.

Organization	Topic	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

BY-LINED ARTICLES

List below any by-lined articles you intend to write during the next 12 months.

Publication	Topic	Date
_____	_____	_____
_____	_____	_____

ONLINE PRESENCE AND SOCIAL MEDIA

Indicate below the online networks and directories where you maintain a current and active profile.

LinkedIn	_____	Martindale-Hubbell	_____
FindLaw	_____	Chambers	_____
Best Lawyers	_____	JD Supra	_____
Other	_____		

OTHER CONTRIBUTIONS TO FIRM'S MARKETING GOALS AND OBJECTIVES

Please list below any additional contributions you intend to make to the Firm's marketing program over the next 12 months.

YOUR STRENGTHS AS A MARKETER

Finally, please rate what you think your strengths are as a marketer on a 1-10 scale with 10 as the highest score.

	Poor					Excellent				
One-on-One Interaction	1	2	3	4	5	6	7	8	9	10
Organizational Involvement	1	2	3	4	5	6	7	8	9	10
Personal Networking	1	2	3	4	5	6	7	8	9	10
Public Speaking	1	2	3	4	5	6	7	8	9	10
Writing Articles	1	2	3	4	5	6	7	8	9	10
Event Organization	1	2	3	4	5	6	7	8	9	10
Other (please specify _____)	1	2	3	4	5	6	7	8	9	10

TIME COMMITMENT

Please indicate the total number of hours you intend to devote to marketing and business development activities over the next 12 months.

_____ hours

BUDGET REQUESTED

Please indicate the dollars you are requesting for marketing and business development activities over the next 12 months.

\$ _____

SIGNATURE:

DATE:

Law Office Management Series

MARKETING THE LAW FIRM: Business Development Techniques

Sally J. Schmidt

President

Sally Schmidt Consulting, Inc.
Burnsville, Minnesota

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§ 12.03 Individual Lawyer Marketing Plans

As firms spend more time on marketing, it becomes increasingly apparent that for their marketing efforts to be successful, individual attorneys must play an active role in implementation. One activity which gets each lawyer involved in marketing is individual marketing plans. A survey of law firm marketing efforts reported that 41% of the firms engaged in marketing are presently using individual marketing plans for their lawyers.¹

[1]—Justification for Individual Marketing Plans

There are many reasons for having each lawyer develop his or her own personal marketing plan. First, personal marketing efforts are something each individual can do to further him or herself while at the same time contributing to the greater good (of the firm). Everyone should be doing something. Having a personal marketing plan enables lawyers to take control of their own destinies, and there is no place where this is easier than in a law firm. Individualism and entrepreneurialism generally are encouraged; development and control of business generally is rewarded.

Second, it is important for each individual to have long-term goals. Real marketing results may not be seen for years (i.e., in the form of new business); the development of some business—new clients or new areas of practice—can take five years or more. If lawyers do not continually “plant seeds,” they will not reap the rewards as they proceed through their careers.

Third, there are many roles to play in marketing. Not everyone is good at (or enjoys) entertaining clients. Some attorneys are good writers; others enjoy making presentations. Individual plans will allow lawyers to tailor their business development efforts to their interests, strengths, practices and contacts.

[2]—Benefits of Individual Marketing Plans

If lawyers are encouraged or expected to undertake marketing/business development activities, having them write down their plans of action will provide several benefits:

¹ The results of the survey are reported in “The State of Law Firm Marketing: 1992” (Sally Schmidt Consulting, Inc. 1992).

[a]—Focusing Efforts. There are many opportunities facing attorneys—interesting practice areas; potentially profitable clients; possible activities to perform. Yet with the demands of the practice, most lawyers have limited time, energy and resources to devote to marketing.

In addition, this is the age of specialization. The increasing level of competition and the sophistication of clients require that attorneys concentrate their practices. These facts point to the need for each lawyer to focus his or her efforts and resources on those areas which are most likely to produce results.

[b]—Forcing an Analysis. Going through the planning process will require the lawyers to take an inventory of themselves and their current situation: their strengths, weaknesses and interests; their competitors; the firm; their contacts; etc. Since planning is an annual effort, it will give the attorneys an opportunity to regularly and systematically survey the future: What trends, opportunities or threats exist? What events or situations can the firm capitalize on?

Individual planning will help attorneys spot potential threats to their practice or clientele, as well as anticipate needs for new services or other opportunities. This will allow the firm to act, versus react, and to maximize the effectiveness of the lawyers' activities.

[c]—Committing to a Course of Action. Once the lawyers have plans, they are able to set a course and avoid the distractions of perceived opportunities or new ideas which may arise. Every lawyer will have times when client demands are all consuming, but when the urgency subsides, the lawyer will have something in writing which guides him or her back on course.

This is not to say that a plan is inflexible. If a truly outstanding or attractive opportunity arises—a hot prospect, an idea for a seminar, or a new practice opportunity, for example—it may be something the firm should consider and act upon. Having a written plan simply requires that the decision to divert and pursue another opportunity is done consciously, and is weighed thoughtfully against a recorded document.

[d]—Providing a Yardstick for Measurement. Finally, and perhaps most importantly, a written plan will provide a way for lawyers to evaluate the results of their efforts. Many attorneys undertake marketing activities and later wonder if they have been effective. A written plan—if done correctly—will provide a

measurement tool because it requires developing and stating specific, measurable objectives against which progress can be evaluated. Upon completion of an activity, project or year, the lawyer can determine whether the program was effective and/or produced the intended results.

[3]—The Individual Planning Process

[a]—Situation Analysis. The first phase in planning is to do a situation analysis; the same holds true for individual planning. This would involve an analysis of external factors (threats, opportunities, commitments and contacts) as well as a personal analysis of the lawyer's strengths, weaknesses and skills.

As a first step, most lawyers would benefit from outlining their strengths and weaknesses in each of the following internal (i.e., personal) areas:

(1) *Practice Areas/Expertise:* For example, a litigator may recognize his experience in construction litigation as a strength, and lack of trial experience as a weakness.

(2) *Marketing-Related Skills:* A lawyer may see his writing skills as a strength, and public speaking as a weakness.

(3) *Firm Activities/Reputation:* The lawyer may perceive as a strength her participation on the firm's recruiting committee, and the firm's lack of visibility in the tax area as a weakness.

(4) *Clientele/Markets Served:* An attorney may see a strength in the number of health care clients with whom he has worked, but a weakness in having failed to develop personal relationships with key managers at these client entities.

(5) *Other: Personal:* A lawyer may consider her writing skills and enjoyment of history as strengths, while her time management skills as a weakness.

As a second step, the lawyers should conduct an "external" analysis, identifying opportunities and threats in the following areas:

(1) *Practice Areas:* The litigator may feel that an opportunity exists in environmental related practice areas, but that alternative dispute resolution techniques are definite threats.

(2) *Clientele/Markets:* A lawyer may feel that the construction

industry in his geographic area is facing an economic upturn, but that client efforts to bring more litigation work in-house is a threat.

(3) *Competition*: The lawyer may feel that XYZ law firm is a definite threat, because of its broad base of clients in the construction area, but that its lack of a strong reputation presents an opportunity.

(4) *Other: Political, Economic, Social*: A litigator feels that renewed government interest or emphasis in antitrust issues may present an opportunity among his targeted clientele, but that legislation to contain the cost of litigation would hurt the practice overall.

The third and final step in the situation analysis is to identify key resources for the attorney's plan:

(1) Publications read by targeted clients or referral sources (for article placement, advertising, information or listings).

(2) Associations or organizations consisting of or attended by targeted clients/referral sources (for speeches, leadership, education or other activity).

(3) Key contacts such as clients, prospective clients, referral sources, and others, such as trade association leaders (for potential business, referrals, services, information or other assistance).

[b]—Mission. After the lawyer has identified/analyzed his or her situation, the second phase of personal planning involves writing a mission. A mission for the firm explains why it is in business; similarly, a mission for a lawyer should explain why he or she is in the practice of law. It is a long-term statement which explains where the lawyer wants the practice to go. In one law firm which encouraged its lawyers to plan, one attorney's mission was to become a bankruptcy judge; another an in-house counsel; still another to concentrate his practice in the area of franchising and small businesses; and finally another to develop a practice working with women and minority-owned businesses.

[c]—Long-Term Goals. With a mission outlined, the third phase of planning is to identify some long-term goals, which are basically steps toward the mission. They are things unlikely to be achieved within a year's time.

Long-term goals may include:

- (1) Improving profitability or productivity;
- (2) Developing a new practice area;
- (3) Developing new clients in a specific area of practice;
- (4) Increasing knowledge of or "specialization" in an area;
- (5) Improving communications with clients;
- (6) Improving personal skills (e.g., becoming a better public speaker);
- (7) Becoming an acknowledged "expert" in an area; and
- (8) Gaining visibility in a certain area.

[d]—Objectives. Since goals are of a long-term nature, the fourth phase in planning is to list some objectives—things the lawyers will do in the next year to work toward their long-term goals. Objectives are short-term, quantifiable, and measurable. They also should be realistically attainable.

Since they need to be quantified, objectives may include:

- (1) Hours worked or spent on an activity (e.g., billable activities, professional activities, administrative activities, marketing, research, education, etc.);
- (2) Increased revenues in an area;
- (3) New clients/number of matters obtained in an area;
- (4) Number of communications with clients;
- (5) Number of articles written; and
- (6) Number of presentations made.

[e]—Strategies. The fifth phase of planning is the development of strategies. Strategies are the link between objectives—the things which a lawyer would like to do in one year—and the detailed action plan of how it will be done. Strategies are methods for achieving the objectives. To illustrate, each of the following objectives could be met with a number of different strategies:

If the objective is:

Increasing visibility by getting media mention two times regarding the lawyer's skills in the banking area.

Strategies could include:

- (1) Writing articles
- (2) Making speeches and getting quoted
- (3) Taking a leadership role in an association
- (4) Cultivating a relationship with an editor

Communicating with clients
three times regarding changes
or updates in the law.

- (1) Newsletters
- (2) Client communiques
- (3) Seminars
- (4) Proposals
- (5) Letters/Memoranda
- (6) Telephone calls
- (7) Presentations
- (8) Entertainment

Building a practice in patent
law, increasing the number of
clients using this service by
10%.

- (1) Taking the patent bar
- (2) Hiring a lateral attorney in
patent law
- (3) Merging
- (4) Using paraprofessionals
- (5) Taking Continuing Legal
Education courses
- (6) Improving technology
- (7) Providing in-house training

Specializing or building
expertise in the area of
franchising by spending 100
hours on development.

- (1) Working with a mentor in
this area
- (2) Taking Continuing Legal
Education courses
- (3) Watching videotapes
- (4) Conducting research
- (5) Participating in bar
association activities
- (6) Writing articles
- (7) Making speeches

[f]—Individual Marketing Action Plan. The last, and perhaps most important, phase in planning is translating the attorneys' research and ideas into detailed, written action plans. This involves establishing priorities which capitalize upon strengths, build upon weaknesses, and cultivate contacts.

The individual attorney marketing action plan should identify very specific activities to be undertaken, who has responsibility, the deadline for completion, and what the budget (time and/or money) will be. Examples of good action plan items include:

- (1) Take a CLE course in arbitration and mediation techniques by September 1.
- (2) Entertain Mr. Smith of XYZ company once each quarter.
- (3) Write an article on condemnation for a real estate publication by March 31.

At a minimum, each lawyer should identify:

- (1) One activity to demonstrate substantive expertise (e.g., article, speech, seminar, brochure);
- (2) An organization in which to become visible or a leader (e.g., civic, community, charitable, bar, trade, or industry);
- (3) A method of skill or expertise development, substantive or marketing-related (e.g., continuing legal education, a book, a seminar, etc.); and
- (4) A list of contacts with whom to network or from whom to develop business (including existing clients, potential clients, and referral sources).

A sample of an Individual Marketing Plan form is included as Table 12.1.

Table 12.1

INDIVIDUAL MARKETING COMMITMENTS

A. FACE TO FACE CONTACT: clients, prospects & referral sources

(List a minimum of three)

- | | |
|--|--|
| <input type="checkbox"/> Client surveys/Audit | <input type="checkbox"/> Seminar |
| <input type="checkbox"/> Entertainment (e.g., lunch, dinner, etc.) | <input type="checkbox"/> Get togethers |
| <input type="checkbox"/> Introductions | <input type="checkbox"/> Open houses |
| <input type="checkbox"/> Jointly sponsored programs | <input type="checkbox"/> Meetings |
| <input type="checkbox"/> Audits of procedures | <input type="checkbox"/> Hosting industry meetings |
| <input type="checkbox"/> In-house training/Workshops | <input type="checkbox"/> Visits/Internships |

12-15

ACCOUNTABILITY & INVOLVEMENT**§ 12.03[3]**

<u>PERSON</u>	<u>PROPOSED ACTIVITY</u>	<u>TARGET DATE</u>	<u>PROPOSED FOLLOW UP</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

B. REPUTATION/CREDIBILITY/VISIBILITY

(List a minimum of one)

- | | |
|---|--|
| <input type="checkbox"/> Writing articles | <input type="checkbox"/> Communiques/
Legal updates |
| <input type="checkbox"/> Firm newsletter | <input type="checkbox"/> Seminars |
| <input type="checkbox"/> Teaching | <input type="checkbox"/> Announcements |
| <input type="checkbox"/> Jointly sponsored programs | <input type="checkbox"/> Press releases/Publicity |
| <input type="checkbox"/> Hosting industry meetings | <input type="checkbox"/> Internal memoranda |
| <input type="checkbox"/> Speaking | <input type="checkbox"/> Advertisements |
| <input type="checkbox"/> Industry research/Promotion | <input type="checkbox"/> Listings in directories |
| <input type="checkbox"/> Communicating results | <input type="checkbox"/> Direct mail |
| <input type="checkbox"/> Sending articles of interest | |

<u>TARGET AUDIENCE OR PUBLICATION</u>	<u>PROPOSED ACTIVITY</u>	<u>TARGET DATE</u>	<u>PROPOSED FOLLOW UP</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

C. MARKETING SKILLS/RESOURCES/EXPERTISE

(List a minimum of one)

- | | |
|---|---|
| <input type="checkbox"/> Develop mailing list | <input type="checkbox"/> Legal research |
| <input type="checkbox"/> Research market or prospects | <input type="checkbox"/> Teaching |
| <input type="checkbox"/> Monitor referrals | <input type="checkbox"/> Develop practice group resume |
| <input type="checkbox"/> Prepare updated resume | <input type="checkbox"/> Develop informational brochure, audit or checklist |
| <input type="checkbox"/> Develop proposal language/ Letter of qualification | <input type="checkbox"/> Communiques/Updates |
| <input type="checkbox"/> Develop presentation materials | <input type="checkbox"/> Industry research |
| <input type="checkbox"/> Marketing skill development | |

<u>PROPOSED ACTIVITY</u>	<u>AREA OF INTEREST</u>	<u>TARGET DATE</u>	<u>PROPOSED FOLLOW UP</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

D. OUTSIDE ACTIVITY/NETWORKING

(List a minimum of one)

- ☐ Membership activity in a professional, industry or trade association
- ☐ Leadership position in a professional, industry or trade association
- ☐ Sponsorship of activities/groups
- ☐ Establishment of activities/groups
- ☐ Attendance at key professional, industry or trade conferences/meetings
- ☐ Civic/charitable activities

<u>ORGANIZATION</u>	<u>ACTIVITY COMMITTEE OR LEADERSHIP POST</u>	<u>TARGET DATE</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

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[4]—Conclusion

Individual marketing plans are an excellent way to communicate to the attorneys that everyone plays a role in marketing, yet there are many roles to play. At the same time, they will help the attorneys organize their personal efforts, presumably leading to greater success.

Ideally, each lawyer's marketing plan will contribute toward the goals of the department/practice area and firm. At the same time, someone in the firm must take responsibility for overseeing and coordinating the lawyers' efforts to ensure that activities do not overlap (such as targeting the same prospective client) or conflict (such as developing labor and employer side work).

THE RAINMAKING MACHINE

MARKETING, PLANNING, STRATEGIES,
AND MANAGEMENT FOR LAW FIRMS



Phyllis Weiss Haserot

President, Practice Development Counsel
New York, New York

SHEPARD'S/McGRAW-HILL, INC.

P.O. Box 1235

Colorado Springs, Colorado 80901

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complete. The firm has implemented its marketing program over the last several months. All systems are in place, research has been done, articles have been written for this year, brochures and other materials have been prepared, continuing activities are underway, and the bulk of the year's recruiting efforts are over.

It is too early for a comprehensive tally of new business attributable to the new marketing program. But certain concrete results are visible already in recruiting, inquiries about the firm from businesses in the targeted areas, and name recognition among the legal profession and business communities. Although the firm has obtained some business from small growing companies in the energy and high technology fields, there is no deluge of new business, at least not yet. But expansion is at a manageable rate, which will not leave the firm with severe growing pains. The important thing is that growth is coming in desirable areas and building a strong foundation for the future.

Business development is an ongoing process, requiring continuing attention. But once the organizing takes place and systems are set in the first year, the biggest investment is made and the hardest work is done. While there is no doubt that a big adjustment in organization and attitudes is required for most firms, the investment pays off many times over in a smooth professional operation, time saving, avoidance of crisis deadlines, happier and more congenial staff, less costly turnover, and satisfied clients who know what and who they are hiring.

§ 18.04. PERSONAL MARKETING PLANS.

[1]—Purpose.

To bring the commitment to marketing to the individual level, personal marketing plans are a useful device. The plans allow individuals in a firm to choose and commit themselves to the marketing activities and prospects they are most comfortable with and interested in pursuing.

When the plans are outlined in written form, they should be reviewed by the Business Development Committee (or, if there is none, by the managing partner) for conformance to the firm's overall marketing plan. Then they should be circulated to all lawyers and other personnel involved in marketing for two reasons:

- Participants should know what other firm members are pursuing, how others' plans dovetail with theirs, how they can help each other and avoid conflicts.
- This wide exposure of commitments is a form of peer pressure to act on the personal plans.

The written form (Exhibit 18--D) provides guidelines and structures for an individual's plan. It can be very explicit or more general, giving individuals latitude to write their own ideas.

[2]—Activities Covered.

Depending on the scope of a firm's plans and strategies and the preferences of individual lawyers, the activities pursued in personal marketing plans might be very narrowly focused or wide ranging. They might include:

- trade or industry organization activity
- community or political organization activity
- professional organization activity
- social or alumni club activity
- article writing for lay audiences
- article writing for other professional audiences
- speaking engagements to industry groups
- speaking to general audiences
- client seminars
- teaching
- client meals and entertainment
- prospective client lunches, dinners, other meetings
- lunches, dinners, or breakfasts with current or potential referral sources
- development of presentations by the firm
- work on the firm's newsletter
- work on the firm's brochure
- participation in the management of marketing the firm

[3]—Participation and Accountability.

Plans are worthless without implementation. Some firms are loose about accountability and enforcement. Others require a specific number of business development hours per year from each partner or all attorneys. Compensation systems can be designed to encourage the lawyers to carry out their personal marketing plans. Some firms will not want to enforce strict time and activity commitments, but unless there is some accountability system, 30% or less of the lawyers will work hard at business development and the rest will do little.

To show that the firm is serious about each person's contributions, progress on the plans should be reviewed and evaluated quarterly. New activities can be added at any time or substitutions can be made. Attorneys should be encouraged to branch out to new activities after they have accomplished what comes easily.

§ 18.05. STRATEGIES FOR MEDIUM-SIZE FIRMS.

There is no doubt that the problems medium-size firms face are tough. However, reports of the impending demise of the 25–99 lawyer firm may be greatly exaggerated. If a firm acts to capitalize on the distinct advantages of its size and confront its liabilities, it is possible to maintain its position and, if necessary, effect a turnaround.

[1]—Key Problems.

In summary, the key problems are

- rising costs of salaries, office space, malpractice insurance, automation;
- raiding by other firms of key partners and well-trained specialized associates with the lure of higher compensation;
- staying competitive with large firms on associates' salaries;
- declining profitability as general counsel take work in-house and send the most lucrative work to larger firms;

Young Professionals: Cultivate the Habits of Friendship

By David Maister

Most young professionals realize early in their careers that, at some point, skill in generating business will be an important determinant of their success. However, many believe that, in the early stages of their career, they do not have much opportunity to develop these skills.

This could not be further from the truth. True, few clients will trust someone still “wet behind the ears” with their business, but it is never too early (or, for that matter, too late) to begin the process of learning how to earn and deserve trust.

The way most clients choose among professionals is essentially identical to the way people choose their friends. At the point of selecting a professional to work with, clients go with providers who can (a) make them feel at ease; (b) make them feel comfortable sharing their fears and concerns; (c) can be trusted to look after them as well as their transaction and (d) are dependably on their side.

Creating these feelings in others begins with the correct attitudes (few people can make others think they care when they don't) but also require the development of conversational and interpersonal skills, which only come with practice.

If you have an active social circle and people like being with you in your personal life, the odds are that you will have a significant advantage in learning the skills and habits of business development. If, on the other hand, you're a social recluse personally, you will find it more difficult to get clients to see you as the trusted advisor they wish to work with.

Two key points must be stressed. First, none of this means that you can be anything less than excellent technically. The issue is not whether you are competent or trustworthy, but whether or not you are *both*.

Second, it is not necessary (or even always advisable) to actually make your clients your best friends. Friendship skills, while useful in both personal and professional life, can be put to different purposes. But first you have to develop them.

Making Friends

I had to learn these lessons the hard way. For years, I have worked for clients who have been gracious enough to invite me to dinner the evening before or after my work with them. They weren't trying to get more work out of me; they just wanted to be sociable.

However, after a long day's work, the prospect of still being "on duty" has not been attractive to me. It's not that I don't like my clients, but that I prefer to unwind by being alone. I'm not *that* sociable by nature. (I don't drink, I don't like sports. I like the Bee Gees. You get the idea.).

This is something I now regret. I have missed a lot of opportunities to form relationships with interesting people, and I know it would have helped me a lot professionally to make the gesture occasionally. I have tried to make up for it by being attentive and dedicated to my clients on the work issues during work hours, and to some extent that has been effective.

But I know I missed something important due to my social habits. At a minimum, I have undercapitalized on the many opportunities given to me to build profitable and fulfilling long-term client relationships.

A Talent For Friendship

There are people in this world who have a talent for friendship. My (late and very lamented) friend Roger Bennett, with whom I went to Harvard Business School, was so good at friendship that, in his 40s he was still in regular touch with people he went to school with at age 12, with people from all walks of life, tastes, social standing, income levels and preferences.

Roger could talk sports with some people, switch to an intellectual discussion of philosophy with others, share cooking tips with a third group. Lots of people considered Roger their

best friend, and few people did not enjoy his company.

Yet he was never anything but himself. He was not a chameleon, acting differently just to blend in. He fit in everywhere because he was interested in a broad range of things.

The actress Angelina Jolie was interviewed on television and asked if she had to like the characters she was portraying in order to act them well. Her answer was brilliant. She said something like: "You can't love everything about everyone. But there must be something there. The key is to find that one small slice of overlap between you and them, and focus intensely on that overlap, ignoring everything else." I don't know about acting, but that sounds like a perfect recipe for human relationships to me.

Someone can be your friend if you have *anything* in common. You don't need a majority of things in common. There are none so lonely as those who dismiss others as "not my kind of person." If someone else has to match you to be your kind of person, you will have few friends.

Notice, it's not about pretending. It's about actually working hard to find the area of mutual interest or common ground, whatever that might be. People can get very lazy at this, or unpracticed in doing it with politeness and sincerity.

For example, if I am in the wrong mood, I can find table talk at a dinner party to be an effort. I say to the person my left "And what are your hobbies?"

“Oh,” he or she might reply, “I love mountain climbing.”

At this point I have to fight an overwhelming desire to turn immediately the person on my right side to save me from having to ask a follow up question with the first person. Mountain climbing! Ye gods, this is going to be a long night!

Other people can and do immediately think of three or four follow-up questions (“Where do you go? Do you climb alone? What got you started in this?”) and can keep posing additional questions all evening long.

By the end of dinner, their table companion, who has done nothing but talk about himself or herself the whole time has come to think of the questioner as an enjoyable person to be around. He or she will look forward to meeting again.

So it is with business development and client relations. The most trusted advisors in every profession are not those who have a ready answer for every client problem, but those who can, through questions and conversational style, put the other person at ease, make them want to tell you about themselves and engage in a dialogue.

And just as in personal life, it is done not by trying to be impressive, but by learning how to show a genuine interest in other people and keep them talking, not primarily doing the talking yourself.

Can this habit be abused? Yes. Will it work if you are only faking it? No. Can you leave it out? No.

Surprisingly, it also turns out that you are also more likely to build a bond with someone by letting them help you than being too keen to try and help them. My wife, Kathy, is involved in a variety of handcraft groups. She reports that some of her most dedicated friendships began when she confessed her (relative) weaknesses and accepted help from others, whereas those she helped often resented (a little or a lot) having to seek out or accept her input.

Again, this matches client relationships and business development. You will accomplish more by saying to potential clients “I’m not sure I understand why you are doing things the way you do, could you explain it to me?” than you will by saying “If you’ll just shut up and listen, I’ll tell you the right answer to your problem.”

As professionals, we sometimes think that, to be impressive, we must demonstrate our competence by never revealing our weaknesses or areas of ignorance. This belief is incorrect. One of the ways you build friendships is to let people help you. Developing the self-control to do it that way is a lifelong learning process!

Start As You Mean To Begin

When I was young I thought that the way you made friends was by turning yourself into an interesting person. Eventually, I learned the truth: You don’t make people want to spend time with you because they feel good about *you*. You do it by making them feel good about *themselves* when they are with you.

For example, do people feel comfortable around you? (No, she's always trying to be the center of attention.) Do they enjoy themselves when they are with you? (No, he's always trying to win arguments and prevail.) Do they feel they can let their guard down and tell you how they really feel and what they are really worried about (No, because when I do people are always trying to take advantage of me. I don't trust them to be really interested in me.)

None of this means you need to make people feel good by engaging in false flattery, which is soon detected and rejected. It means that you learn to talk and act in ways that make people feel comfortable and safe around you. They feel that you are *on their side*. That you can disagree and have lively debates without taking things personally, because the friendship matters more than anything else.

It turns out to be the same in business development. The key to getting hired is not convincing the client things about you ("I'm terrific, trust me!") but being convincing that you will look after them.

It's also worth pointing out that, with people, you get points for trying. It's like a romantic relationship. You don't have to be perfect. Your partner just wants to see that you're sincerely trying to do the right thing. Your motives are more important than your abilities.

Friendship Attitudes and Behaviors

Abilities, however, do count and that's where getting started early matters.

Suppose you wanted to be good at building romance, excelling at getting

another person to work with you to build a mutually beneficial, mutually supportive relationship. What characteristics would make you good at this? Most of us have discovered that whether it be love, friendship or work, people respond best when they believe you are *considerate, supportive, understanding and thoughtful*.

These are easy words to say, but being viewed this way is not trivial. You actually have to earn the reward through your social habits. Many of us want to be considered as supportive, but that doesn't mean we know what to do in order to be seen that way.

For example, to be seen as considerate you have to be able to remember to follow up with things that people told you about their lives last time you met, thus proving that you listened and paid attention. The classic example of this in business is to send along a newspaper clipping or article that you find that responds to something the other person made reference to.

To achieve the desired effect, this must not come across as, and must not be, a formulaic gesture. You don't "cheapen the currency" by doing it all the time, and you must ensure that the clipping or article actually *is* useful so that you are not immediately seen to be making phony gestures.

It also helps to follow up with questions about what you were told last time you met, as long as you are skilled in phrasing your query ("How did it all work out with that guy you met?") so that it comes across as concern and not as overly intrusive.

This is a delicate issue of language, which needs to be done differently with different people. They are not inherent talents, but habits of social intercourse. Habits that can only be developed with practice.

Social courtesy works in personal and business life. It is remarkably effective to remember to telephone your host or hostess the day or week after a party to say something like “I just wanted to say thank you for the party the other night. I had a great time. What time did you eventually get to bed after clearing up the mess we all made?”

Exactly how formally or informally this will be expressed is different in different parts of the world, and among different types of people, but the habit of expressing appreciation (and judging just how much is enough without being false) can – and must be – developed over a lifetime.

Similarly, it is remarkably powerful to call clients after a business meeting to say something like: “I just wanted to let you know how much I appreciate the opportunity to work with you. Thanks! See you next time, as planned.”

Done with a sensitivity to local culture and phraseology, such a call can go a long way to making the other person realize that you do not just see him or her as a “business contact,” but as a person with whom you want a friendly relationship. Not everyone will reciprocate, but the majority of people will.

If you do not develop the habit early in life, the act of making such a telephone call after a meeting could feel awkward

and you will either leave it out or do it poorly, not quite creating the casual, comfortable “just a quick call between us friends” atmosphere that you wish to create.

For example, my old friend Roger was very good at working at staying in touch with everyone. He didn’t need an excuse to telephone. He would just pick up the phone to ask how everything was going. He did that to all his business clients as well as his friends. To him, there was no difference, and one context was no more difficult or embarrassing than the other. It was just the way he dealt with people.

To be viewed by other people as *supportive* also takes thought and careful attention to language. It is important to remember that friends don’t judge each other. They don’t evaluate. They don’t point out each others’ weaknesses. Even when asked directly (“Do I look fat in this?”), friends work hard to find the language that deflects criticism (“I like the other dress better.”)

Suppose that your friend has a child that is badly behaved. You don’t say “Your kid is a little horror!” nor “You’re raising that kid incorrectly”, even though both statements may be true. Instead, a friend might say something like “Have you ever thought about doing or saying ‘such-and-such’ to little Ashley?”

Having the ability to respond with the right phrase in real time takes practice, as do all social skills. Can you recall how difficult it was to find the right words and tone when you first wanted to signal to someone that you might be interested in a date? Can you imagine what it would be like if you still had to

do it the same way today as you did that first time?

So it is with business development. If the first time you try to convince someone that you are interested in them and their business and want to help is when it is urgent for you to win business, you will be under too much pressure to learn it fast. Better to start practicing now, when there is less pressure for immediate results and more room to develop your own style, discovering what works for you.

Cheers! Skol! Salud!

In almost every society, ancient and modern, the cultural norm is to build friendships over food and drink. There is no more culturally accepted way to develop a friendship than to share a meal.

You want to be good at business development later in your career? Start inviting the people that you meet in the course of your work (whether they are powerful client executives, administrative assistants or anyone else) for coffee, lunch, a drink.

Ask them about their work lives and their personal lives. Do it as an exercise in developing your “curiosity muscles.” Do it as an exercise in asking good follow up questions about what people tell you. Do it to develop your ability to understand other people who are not like you. Do it now.

If your reaction is that doing so will not pay off for you immediately and therefore is not worth doing now, then you are missing the whole point about human relationships and you are going

to be very bad at getting people to entrust you with their business.

If you only do things when it pays off for you in the short term, your attitude will be readily transparent. People will see that you view them “instrumentally,” interested in them only to the extent that you can get what you want. And if they detect this in you, they will give you what you want less often.

The key to business development success is making people believe that you are truly interested in a two-way relationship, and that you are willing to earn and deserve your relationship. You must first make deposits in the “trusting relationship bank” if you wish to make withdrawals later.

You will actually need to be willing to get interested in people and initiate relationships, and that means being willing to ask someone out for a drink without being self conscious about it. And the only way to get to that stage is to have a history of doing it!

One of the most important habits of friendship is taking the initiative and doing the inviting, not just waiting to be invited. Do you remember that from adolescence? The way you get people to ask you out for a drink is to ask them out for a drink first. If it feels uncomfortable the first time, and an act of tremendous courage, well, it is.

We all need to get to the stage that we can talk to someone we’re interested in (a client or a romantic prospect) without being frozen into inaction by our hopes and fears. The guidelines are well known. Keep it casual, keep it small,

take it a step at a time, but get out there and start meeting people.

Yes, we hated it when our parents told us to do that as children and it doesn't make it any less terrifying today, but the habits are identical and you don't get better at them by going to a training program.

More Friendship Habits

People good at friendship work hard at developing joint habits and routines, whether it's as simple as discussing "last night's game" or going to the same place each time for a cup of coffee. For my friend Roger and me, regular sessions of playing cribbage (the card game) became our way of cementing and celebrating our bond. I rarely played the game with anyone else.

Good friends go out of their way to celebrate each others' small triumphs and make it their business to be there in times of need for their friends. They stay alert for any opportunity to help, in ways big or small, without keeping track of who has done how much for whom. That's *exactly* what happens in effective business development.

Clearly, there is more to say about friendship skills, but my purpose here is not to report everything you have to learn. Goodness knows, I have only learned a little of what I should have. The key lesson is that it is learnable. You don't have to be a natural to get better at this.

And, for goodness sake, start earlier than I did!



David Maister is the author of *Managing the Professional Service Firm* (1993), *True Professionalism* (1997), *The Trusted Advisor* (2000) (coauthor), *Practice What You Preach* (2001) and *First Among Equals* (2002) (coauthor.)

Prior to launching his (solo but global) consulting practice in 1985, he served as a professor at the Harvard Business School.

TEL: 1-617-262-5968

E-MAIL: david@davidmaister.com

WEBSITE: www.davidmaister.com

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**ABA's "MODEL DIET"
FOR ASSOCIATE ATTORNEYS**

Activity	Number of Hours per Year
Billable Client Work	1,900
Pro Bono Work	100
Service to the Firm	100
Client Development	75
Training and Professional Development	75
Service to the Profession	50
	<hr/>
TOTAL	2,300

Source: American Bar Association
Compilation includes all types and sizes of law firms

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