

“How Am I Going to Make Partner?”

The Ultimate Associate's Marketing Checklist

by Year of Practice

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Foreword

The law is a challenging, competitive profession; many associates live in a constant state of unease. They want to know how they're doing, how they're comparing to their peers in the firm and across the industry. And the anxiety doesn't go away as they advance through their careers. In fact, it often increases, as they wonder if they're doing everything they can to improve their chance of partnership, including developing their own clients.

I regularly see smart, personable, highly motivated senior associates or junior partners who have been working tirelessly on client development for many years, with nothing to show for it. After we sit down and discuss their marketing efforts thus far, it's often obvious to me that the activities they'd been undertaking had little chance of success. I don't like to discourage them, even when I'd like to say, "Yeah, that stuff was never going to work." It's not their fault; they just got bad advice. Or no advice at all.

I vividly remember my years as a litigation associate, receiving at most a few hours of marketing training per year. Eventually, I left the practice of law to market law firms full time, first as a big-firm Marketing Director, then Marketing Partner. There was always a steady stream of associates dropping by my office, hungry for practical, realistic advice and assistance. The guidance they'd receive from their bosses and mentors tended toward "Here's what I did [i.e., 30 years ago, before the Internet]."

This continues today, with many firms wanting to conduct their marketing training using their successful rainmaking senior partners. The logic is that they *must* know how to do it, because they have a lot of business. It makes sense in theory—but it rarely works in practice.

I've participated in hundreds of law firm marketing training programs and retreats, many of which included presentations by firm rainmakers, only a handful of whom could effectively help the associates.

Candidly, most of these rainmakers have no idea *how* they generated

the business. They might think they know, but it's just their gut feeling. They know *something* worked, but only rarely what it really was. Further, a lot has changed since a 60-year old set out to build his or her practice. Back then, it was a seller's market for legal services. There were no global firms. No legal-outsourcing companies. No Internet or social media. You could hear the clacking of the secretaries' typewriters.

It's hard to credibly offer networking advice to a 30-year-old lawyer when your LinkedIn profile has no text, one connection, and you don't know your password.

Typical associate laments include

- "What she *really* did was inherit a book of business from a dead partner."
- "[Joe Rainmaker] is charming, funny, and the life of the party; he's out drinking with prospects every night and has a 6 handicap. I'm introverted—his methods are never going to work for me."
- "I'm already billing 1,800 hours. I don't have time to market."
- "She keeps saying, 'Good work is the best marketing.' What, our competitors aren't good lawyers too?"
- "He says he gets clients by 'providing excellent client service,' but his dad is a U.S. Senator!"
- "He made one friend in his whole life, and *that* guy became GC of a big bank and gives him all his legal work. That's not strategy, that's dumb luck."

So without sufficient guidance or an effective road map, associates' business development activities tend toward accidental, occasional, and opportunistic, rather than planned, proactive, and strategic. The

need is painfully clear: they need a plan. And betting their future success on happenstance or providence or hoping someone dies won't cut it. "Hope" is not a strategy.

Since opening Fishman Marketing 18 years ago, I've conducted 300 firm retreats and marketing training programs. I've seen the exact same nervousness in associates at nearly every single firm, from Illinois to Istanbul and Iceland. From Ghana to Gary, Indiana.

Lawyers and marketers alike kept asking for a simple, practical, and detailed guide that associates could follow—a step-by-step, year-by-year list of precisely what marketing and business development activities to undertake to help avoid inefficient floundering and increase the chance that they'll have their own business when they need it.

What follows is that guide.

It's become my most popular, most practical (and most plagiarized!) checklist. If you have any comments or suggestions for improvements, please feel free to email them to me at ross@fishmanmarketing.com.

Good luck!



Introduction

Rule One: As a new associate, your goal should not be to bring in work, but to master the skills you need to be an excellent lawyer and to put yourself in the best-possible position to successfully develop a pipeline of high-quality legal work *later* when you will be expected to generate work or create business opportunities.

To do that, your goal from the very beginning of your associate career should be to build a strong and productive network. Gradually and systematically, over time, you will want to build a tight 250–500 person network of people who hire lawyers, influence the hiring decisions, or refer business to them.

Few clients will hire an associate for a larger case or deal; you simply don't offer enough cover if a representation were to go bad. ("Wait, you hired an *associate* for this?!") Therefore, spend these important early years building your resume, reputation, and name recognition within a significant, specific target audience.

Note: In the longer term, the likeliest path to having a sustainable, portable practice is to become one of the go-to experts in a small niche industry or sub-subset of a larger industry; clients declare "industry expertise" to be among the traits they value most in their lawyers. Your goal shouldn't be "more marketing" but rather to become a member of the "automatic short list" for some type of representation.

For example, as a junior partner, a friend of mine developed a \$2 million/year book of sustainable business just filing "small, Midwest-based securities-industry broker-dealer raiding lawsuits." (I discuss this niche strategy in greater detail below, under "Fourth- and Fifth-Year Associates.")

As an associate, focus on helping people, not looking for legal work. You want to be viewed as a knowledgeable, trusted industry insider, not a needy salesperson. Build a large number of close relationships following the steps below and you'll significantly increase the chance that you'll have your own clients.

In all your networking, remember, as a friend of mine once said, "It's better to be interested than to be interesting." Be interested in them and in facilitating their success, more than being the center of attention. Just because the stereotypic rainmakers are gregarious doesn't mean that's why they get hired. That just helps grow their network; they tend to get hired because they are good at listening, and finding ways to help people solve their problems.

As my father used to say, "When you're talking, you're not selling." Or, at other times, "Shut up, you might learn something."

This list is extensive, but it's not intended to be all-encompassing or mandatory. You needn't follow every single step. If you don't want to give speeches, for example, if that's not your thing, that's entirely OK. Maybe do a little more of some of the other things. Just be intentional, deliberate, and consistent over time.

A landmark study by my friend Dr. Larry Richard ("The Lawyer Types," *ABA Journal*, July 1993) showed that lawyers are in the 56th percentile for being introverted. The good news is, although you might be quiet, shy, and hate marketing, most of your competitors are the same way. Here's Ross's First Rule of Legal Marketing: "You don't have to be great. Just don't suck as bad as your competitors."

Marketing's not hard. It's just hard *work*.

As Woody Allen said, "80% of success is showing up."

Anyone can do this. *Show up*.

First-Year Associates

MINDSET:

Become an excellent lawyer.

Your first priority is to learn to be a great lawyer; external marketing isn't important yet. Your only real proactive, external activity should be ensuring that you don't lose touch with the people you already know. Maintain relationships with friends from college and law school, your hobbies, and any organizations you belong to. Create a reminder to make sure that you've had some contact with your chums once per quarter. Your future self will thank you.

This is the year you should create the basic platform you'll be working from over the next few years, the infrastructure you'll gradually expand over time:

- ☐ Join one local, state, or national bar association and get involved on one targeted educational committee within your practice area.
 - Meet your peers.
 - Learn your craft.
 - Invest in your profession.
 - Your long-term goal should be to chair a small committee during your fifth year of practice.

- ☐ Read your firm's website, internal website portal, newsletters, LinkedIn or Facebook pages, and other marketing materials to learn about its range of services and clients.
 - Read your senior associates' and partners' biographies and profiles as well, to learn about their practices and outside interests. This will come in handy later.

- ☐ Build your personal brand within your law firm. Focus on internal marketing by developing relationships with your firm's lawyers, both inside and outside of your practice area.

- ☐ Do not spend your career eating lunch at your desk. Go out at least:
 - *Once each week* with a Firm lawyer inside your practice area
 - *Twice each month* with a Firm lawyer outside of your practice area
 - *Regularly* with friends and contacts

- ☐ Always, always, always have business cards with you; you never know when you're going to meet someone who could later turn into a client or referral source.
 - The box of 250 cards gathering dust in your desk drawer can't help you unless they're with you when you need them.
 - Leave 75–100 in the box at work, then divide up the rest among all of your pants pockets, suit coats, blazers, jackets, overcoats, gym bags, purses, briefcase, backpack, suitcase, roller bag, and glove box.
 - In particular, put a thick stack in your suitcase, so you don't forget them when attending an out-of-state conference.
 - Watch my brief *video* about business cards.
<https://youtu.be/rAA3291QWnQ>
 - Consider supplementing printed cards with a personal mobile or digital business card that downloads your contact information directly into a recipient's with a QR code (see mine below.)

I use Vizibility (<https://vizibility.com/>), but there are many other options.



*My Vizibility.com
QR Code*

- To avoid embarrassing mix-ups, always keep your own cards in your left-side pants or jacket pockets, and the cards you collect on your right side.



Scanning my QR code with a simple, free smartphone app, provides this comprehensive contact information, with live links.

- Monitor your office visitor list.
 - o Stop by and introduce yourself to the firm lawyers visiting from other offices.
 - o If there is time and it’s appropriate, ask to grab a coffee.

- Draft a detailed website biography, following the firm’s format.
 - o Update it regularly, especially when your practice is developing.
 - o Ideally you should update it every time a matter you are involved with concludes, you publish an article or give a presentation, are appointed to a committee, etc.
 - o Update it thoroughly *at least* every six months.
 - o Be judicious in what you include. Delete all items from high school.
 - o Be sensible regarding college activities.
 - o Delete any *Who’s Who* directory “honors” or other questionable accolades. (See my blog post at <http://goo.gl/jWrQIY>)

- Build your network.

Create a mailing list of friends and contacts. Opt for more, rather than fewer people, when deciding whom to add.

 - o Law school classmates
 - o Childhood, high school, and college friends
 - o Former colleagues
 - o Community association and professional club contacts
 - o Parents of your children’s friends and contacts through your children’s activities

- Keep in touch with your existing network, leveraging both traditional and online tools.
 - o Events, newsletters, holiday cards, breakfasts, lunch, drinks, phone calls
 - o Social media, e.g., LinkedIn, Facebook, Twitter, etc. (*see following*)



- If you don't have a **Facebook** page already, create one.
 - If you *do* have a Facebook page from college, law school, etc., do a thorough audit to ensure it is now professional.
 - Update your security settings.
 - Hide the party photos, etc.
 - Sanitize it so there's nothing a 65-year-old client or the most conservative senior partner would find offensive.
 - Keep it casual and sensible.
 - Check it at least weekly, from home.
 - Join your law school alumni Facebook group.
 - Connect with your friends, especially those from law school.



- If you don't have a **LinkedIn** page already, create one.
 - If you do have a LinkedIn page from college or law school, do a thorough audit to ensure it is now professional.
 - Sanitize it so there's nothing a 65-year-old client or the most conservative senior partner would find offensive.
 - Fill it out completely, including the Summary, Contact Information, Experience, and Education sections. Infuse it with your personality.
 - Add a professional photo.
 - Write in the first person and use a friendly, professional tone.
 - Create a custom public profile URL.
 - No one expects it to be very long; you've only been a lawyer for a few minutes.
 - Review the privacy settings.
 - Check it weekly.

- Post occasional relevant Updates, including thought leadership pieces you have written.
- It's easy to start by sharing or liking things that others in your firm have posted.
- Remember, listening and engaging with what others post is as important in social networking as what you say and post.
- Join your law school LinkedIn alumni group and your firm's LinkedIn group.
- Consider starting a group for your graduation class.
- Build your LinkedIn network; connect with friends, peers, co-workers, acquaintances, and classmates.
- Regularly "Endorse" clients, friends, peers, co-workers, and prospects, it only takes a click. They'll typically endorse you back.
- A word of caution with Skills and Endorsements: When you receive an endorsement from someone for a specific skill, only post it on your bio if you have actual expertise in that area. Some state bar rules have restrictions on this.
- When in doubt, leave it off.



- If you don't have a **Twitter** account, create one under your name.
 - Check it occasionally, from home.
 - Build your Twitter network; connect with contacts and thought leaders.
 - Post at least weekly on something relating to your job or interests.
 - Re-tweet tweets that resonate with you.
 - Consider utilizing Twitter as a listening platform to better understand clients, prospects, competitors, scholars, and more.
 - Pay attention to what they are promoting, discussing, commenting on. It can all be valuable.
 - Follow people, companies, associations, and organizations within your legal, business, and general areas of interest.

- ❑ Sign up for **Google Alerts** at google.com/alerts. (See video at <https://goo.gl/bAeQhj>)
 - o For the Search Terms, use “[your name]” and “[your firm’s name]” (in quotes).
 - o Consider also creating alerts on friends, relatives, and prospects.
 - o Drop them a quick email when you see them mentioned.
 - o Even more powerful is a short handwritten note (more on this to follow).
 - o Create a comprehensive personal Google+ profile.
 - o Go to <https://profiles.google.com/me>
 - o Google highly ranks Google+ profiles in name searches.

- ❑ Add links to your Facebook, LinkedIn, and Twitter accounts.
 - o Before you engage in any marketing or social media, review
 - o Your firm’s social media policy
 - o Your state’s ethics rules governing the use of marketing, communication, and social media (generally Rules 7.1–7.4; see <http://goo.gl/JOhhF>)

Second-Year Associates

MINDSET:

Build your internal brand and develop network.