

valuable

An important,
common-sense
approach

thoughtful,
practical
advice

so
helpful

A highly
practical
framework

This book should
be in the hands
of every associate!

wow

Essential
reading

An incredibly
useful
resource

Marketing
nirvana

Essential reading
for every
associate

This book
holds all
the secrets

fantastic

A must-read
for all
associates

I strongly
recommend this

A practical
approach

immensely
helpful

The Ultimate Law Firm Associate's Marketing Checklist

The Renowned Step-By-Step, Year-By-Year Process
For Lawyers Who Want To Develop Clients.

ROSS FISHMAN, JD

Testimonials

"An important, common-sense approach to business development for associates at every level. Use this checklist to promote a thoughtful marketing discussion and real action."

Eileen Cohen Billinson, Principal at Billinson•Latorre
Former Director of Business Development, Morgan Lewis

"This is an incredibly useful resource to get associates on track towards productive, career-long, business development habits."

Bettina Rutherford, Business Development Manager, K&L Gates

"I have used Ross's highly practical framework in several firms and strongly recommend it. It helps lawyers demystify marketing and business development and take concrete, manageable actions to achieve success on their own terms and according to their own style."

I have seen it literally give hope to associates who thought that developing a sustaining legal practice was beyond their ability."

Nathan Darling, Chief Marketing Officer, Beveridge and Diamond
LMA President, 2010

"Ross's Checklist is my go-to for both casual 'stop-by' conversations with associates and formal associate-training programs. With clear guidelines for marketing and business development by experience level, this tool is immensely helpful. I've had many partners comment on how smart this checklist is, and that they wish they had something like this when they were coming up the ranks."

Jennifer Shankleton, Director of Marketing, Brouse McDowell

"Ross's insightful checklist is a practical guide to marketing yourself at every stage of your career. His book details realistic and attainable marketing and business development activities. I am a fifth-year associate and have been implementing the recommendations for a few years and can already see how they are positioning me to generate business in the future. I strongly recommend this valuable checklist to associates at all levels — from first-year lawyers fresh out of school to senior associates who are eligible for partner."

Thank you, Ross!"

Randall Borek, Fifth-Year Associate, Murphy & Hourihane

Testimonials

"This book needs to be in the hands of every young associate who wants to have a successful, rewarding legal career. Just follow the suggested steps and check all the boxes of this practical 'how to' guide to become the top-tier rainmaker in your firm, large or small. The practical links to cogent examples add to the effectiveness and bring it alive for the reader. This checklist should be a 'best seller.'"

Ron Henry, Law Firm Consultant, The Garver Group, Inc.
President, Association Of Legal Administrators (ALA), 2002-03

"Ross has turned an intimidating and challenging process into simple, practical, and systematic steps. I have used his checklist for many years with great success. Associates whom I have worked with regularly comment that marketing is much less daunting in small steps. He has removed the 'deer in the headlights' moment and crafted something they can embrace and see success."

Aleisha Gravit, Chief Marketing Officer, Akin Gump
LMA President, 2013

"Practical and engaging, Ross Fishman's step-by-step advice even includes the best of social media tools to network and get noticed.

It's not only a valuable tool for associates, but is useful for their mentors as well! Ross continues to provide thoughtful and practical advice that helps associates succeed in their marketing efforts. This book should be in the hands of every associate! It takes the mystery out of developing a book of business for future success."

Hallie J. Mann, Executive Director, Lawyers Associated Worldwide

"Essential reading for every associate at any point in their career! Every lawyer can use this comprehensive checklist to jumpstart, or build on, their efforts to grow their reputation and successfully achieve their professional goals. In an industry defined by how your clients and peers speak of you, this checklist holds all the secrets to creating a powerful referral network. It is marketing nirvana."

Nathaniel Slavin, Principal, Wicker Park Group
LMA President, 2007

"A must-read for all associates."

Allan Slagel, Partner, Taft Stettinius & Hollister

THE ULTIMATE LAW FIRM ASSOCIATE'S MARKETING CHECKLIST

**The Renowned Step-By-Step, Year-By-Year Process
For Lawyers Who Want To Develop Clients.**

First Edition

by

Ross Fishman, JD

CEO

Fishman Marketing, Inc.

© 2016 by Fishman Marketing, Inc. All rights reserved.

Published by Ross Fishman, Highland Park, Illinois

www.fishmanmarketing.com

www.associatesmarketingchecklist.com

ISBN: 978-0-9979676-2-3

Manufactured in the United States

Cover design by Michelle Benjamin

No part of this document may be reproduced or transmitted in any form by any means, electronic or mechanical, including photocopying, recording or by information storage and retrieval system, without permission from the publisher.

Dedication

This book is dedicated to the hard-working **law firm associates** who strive to master a complex and challenging craft. They work long hours for demanding clients, both inside and outside their firms. They graduated into an uncertain economy, in a profession with high billable hours but low client loyalty. Controlling their own book of business is the only professional safety net that exists.

This book is for you.

It is equally dedicated to all the **in-house legal marketers** who toil in the trenches every single day, helping their lawyers and law firms succeed. They're the smartest and most generous professionals I've ever met; I'm blessed to call them my friends.

Above all, it's dedicated to my amazing wife, Kitty, and my four wonderful children — Andrew, Rob, Jonathan, and Elyssa — who make every day a joy. Because of them, I inadvertently became the world's luckiest guy.

Table of Contents

SECTION	PAGE
Foreword.....	1
Introduction.....	5
First-Year Associates.....	9
Second-Year Associates.....	19
Third-Year Associates.....	21
Fourth- and Fifth-Year Associates.....	25
A Plea to Focus Your Marketing.....	27
More for Fourth- and Fifth-Year Associates.....	37
Sixth Plus-Year Associates.....	43
Conclusion.....	47
Notes.....	48
Biography of Ross Fishman.....	50
Acknowledgments.....	51

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 occasional and opportunistic rather than proactive and strategic. Betting their future success on happenstance or providence won't cut it. "Hope" is not a strategy. They need a plan.

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

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, Mid-west-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 in-

crease 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 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 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 in one targeted educational committee within your practice area.
 - o Meet your peers.
 - o Learn your craft.
 - o Invest in your profession.
 - o 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.
 - o 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:
 - o *Once each week* with a firm lawyer inside your practice area
 - o *Twice each month* with a firm lawyer outside of your

practice area

- o *Regularly* with friends and contacts

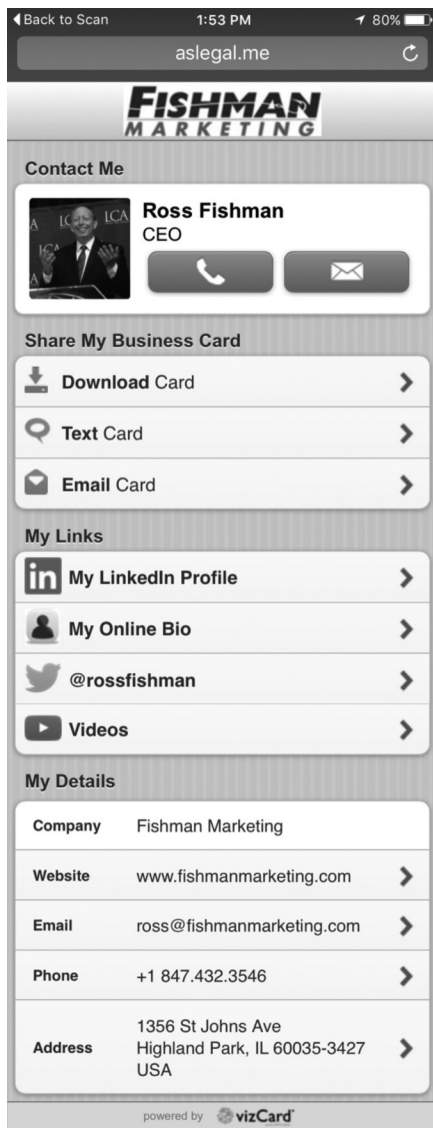


- Always, always, *always* have **business cards** with you; you never know when you're going to meet someone who could later turn into a client or referral source.
- o The box of 250 cards gathering dust in your desk drawer can't help you unless they're with you when you need them.
 - o Leave 75–100 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.
 - o In particular, put a thick stack in your suitcase, so you don't forget them when attending an out-of-state conference.
 - o Watch my brief video about business cards at <https://youtu.be/rAA3291QWnQ>.
 - o Consider supplementing printed cards with a personal mobile or digital business card that downloads your contact information directly into a recipient's database with a QR code (see mine below).

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



*My Vizibility.com
QR Code*



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

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

- ☐ 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, lunches, drinks, phone calls
- o Social media, e.g., LinkedIn, Facebook, Twitter, etc., below.

facebook.


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

LinkedIn

- If you don't have a **LinkedIn** page already, create one.
 - o If you do have a LinkedIn page from college or law school, do a thorough audit to ensure it is now professional.
 - o Sanitize it so there's nothing a 65-year-old client or the most conservative senior partner would find offensive.
 - o Fill it out completely, including the Summary, Contact Information, Experience, and Education sections. Infuse it with your personality.
 - o Add a professional photo.
 - o Write in the first person and use a friendly, professional tone.

- o Create a custom public profile URL.
- o No one expects it to be very long; you've only been a lawyer for a few minutes.
- o Review the privacy settings.
- o Check it weekly.
- o Post occasional relevant Updates, including thought leadership pieces you have written.
- o It's easy to start by sharing or liking things that others in your firm have posted.
- o Remember, listening and engaging with what others post is as important in social networking as what you say and post.
- o Join your law school LinkedIn alumni group and your firm's LinkedIn group.
- o Consider starting a group for your graduation class.
- o Build your LinkedIn network; connect with friends, peers, co-workers, acquaintances, and classmates.
- o Regularly "Endorse" clients, friends, peers, co-workers, and prospects; it only takes a click. They'll typically endorse you back.
- o 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.
- o Check it occasionally, from home.
 - o Build your Twitter network; connect with contacts and thought leaders.
 - o Post at least weekly on something relating to your job or interests.

- o Re-tweet tweets that resonate with you.
- o Consider utilizing Twitter as a listening platform to better understand clients, prospects, competitors, scholars, and more.
- o Pay attention to what they are promoting, discussing, commenting on. It can all be valuable.
- o 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).



Create a comprehensive personal **Google+** profile.

- o Go to <https://profiles.google.com/me>
 - Mine’s at <https://plus.google.com/+RossFishman>
- o Google highly ranks Google+ profiles in name searches.
- o Add links to your Facebook, LinkedIn, and Twitter accounts.



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>)



Develop a reputation for providing the highest-quality **client service**.

- o Remember, the profession is full of smart, technically skilled lawyers.
 - The lawyers clients value are those who excel at communication, timeliness, and accessibility.
- o Keep clients regularly informed regarding the current status of their matters.
 - Send them copies of all relevant correspondence.
- o *A/ways* call clients back promptly, ideally within two hours.
 - Consider: if you have a sick child, how would you feel about a pediatrician who has an “All calls returned within 24 hours” policy?
 - If you are unavailable (e.g. on a plane, in court, etc.), train your secretary to check your phone messages regularly.
 - o Have him/her return the client’s call.
 - o Explain that you will be unavailable until a particular time. Ask if they would like their call returned then, or if they would prefer having someone else address the issue sooner.
- o Give clients and prospects your cell phone number.
 - They will appreciate the offer and won’t abuse the privilege with late night or weekend calls.
- o Check your email at least once every night and on weekends.

Second-Year Associates

MINDSET:

Build your internal brand and develop your network.

Your first priority as a second-year associate remains learning to be a *great* lawyer; marketing is still a distant second. Continue to focus on building your internal brand for excellence, efficiency, and teamwork.

- ☐ Stay in touch with your friends and contacts.
- ☐ Continue the “First-Year Associates” activities, above.
- ☐ Continue adding new names to your mailing list and to your LinkedIn and Facebook networks as you encounter these contacts.
 - o Bar association committee members
 - o Your peers within client companies
 - o People you meet at networking functions
 - o Alumni association contacts
 - o Co-counsel and opposing counsel
- ☐ Join LinkedIn groups of the associations and industries you are involved in.
 - o Pay attention to the conversations.
 - o Learn who are the industry leaders.
- ☐ Read bar association and legal profession trade magazines and law-specific blogs and online news sources to improve your technical skills.
 - o Continue through partnership.






Third-Year Associates

Mindset:

Continue developing your external network, including relationships with your in-house contemporaries.

Start developing a toolkit of the soft skills that will become increasingly important to your success, e.g., an elevator speech, public speaking, writing or co-authoring articles or blog posts, and interpersonal communication skills to inspire confidence.

By now you're getting a better handle on your legal practice. Continue improving your technical skills, but you can begin to be more proactive in growing your network.

-  Continue the First- and Second-Year Associates activities, above.
-  Build your resume by participating more *actively* in your bar association within your practice area.
 - o Volunteer for a committee and work toward a leadership position.
 - o Write a brief article on an area of interest for a committee newsletter.
 - o Give a speech on an area of particular interest.
-  Increase your marketing efforts; devote time each week to a proactive networking activity, e.g., meals, sports, professional events, etc.
-  Master a basic **“elevator speech”** (plenty of good how-to information available online).
 - o Tell people what you do in a memorable, personal way.
 - Avoid using jargon.
 - Talk about the benefits of what you do.
 - Keep it so simple that a child could understand it.
 - See my video on this topic at <https://youtu.be/SH4mjyvXZEI>.
-  Learn to turn social contacts into potential business contacts.
 - o This is a *long-term* process; it takes typically at least 7 to 20 touch points with a new contact before you begin to have a chance of getting hired.
 - o “Active listening” is important.
 - o Ask well-informed questions regarding their business.
 - o Listen for opportunities and ways to help them achieve their goals.
 - Find ways to help them become successful in

their careers

- o Ask your Marketing Partner to bring in training on networking and working a room. See my brief video at <https://goo.gl/Bwq9ii>.
 - Networking is a learned skill. It's not difficult, but many behaviors are counterintuitive to most lawyers.
 - Most importantly, remember that work is brought in by listening, not talking.

☐ Look for opportunities to develop new business from existing clients.





- o When chatting with your peers inside client companies, listen for new areas where they might need a lawyer.
 - Did they mention that they were having trouble with an employee? They might need an employment lawyer.
 - Did they mention that they were considering buying a new building, expanding into a new state, developing a new product or service?
- o Mention these issues to the partner in charge of the client relationship.



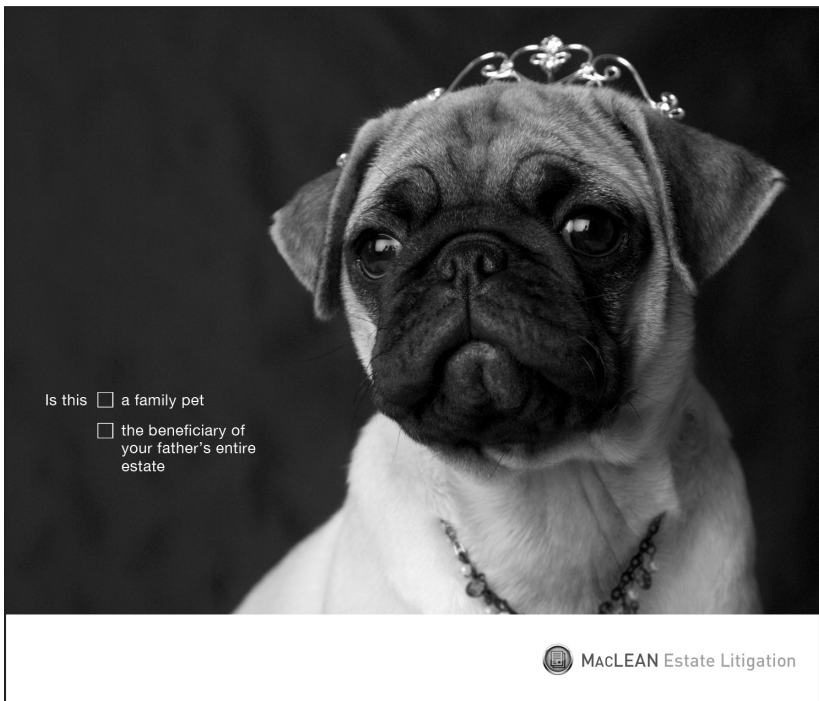
☐ Read legal and targeted industry publications, print and on-line (continue annually through partnership).

- o Subscribe to blogs and follow Twitter accounts of leaders in these industries.
- o Subscribe to *Attorney at Work* (attorneyatwork.com) to receive a helpful daily practice tip via email.

☐ Add select client and prospect names to your Google Alerts (e.g., "Fishman Marketing")

- o Use information you receive as a reason to contact, congratulate, or reconnect.
-  Reach out to new lateral attorneys who join your firm.
 - o Introduce yourself.
 - o Develop relationships and become a helpful resource.
-  Get to know your firm's marketing and business development professionals.
 - o They can be a great resource for you.
 - o They often have valuable marketing opportunities to share. If they see that you respect them as professionals and value their advice and contributions, they're more likely to offer you the strategic perks that come across their desks.
-  Attend marketing and business development training offered by the firm.
 - o If the firm doesn't offer it, request it.
 - o The leading firms are spending more time and effort on business development/sales activities. See the video at <https://goo.gl/4RxHNp>.
-  Update your LinkedIn profile.
 - o Add organizations, volunteering experience, and honors and awards.
 - o Add your top thought-leadership pieces to the Publications section and include a summary and the article URL. Publish these on "Pulse."

A Plea to Focus Your Marketing



This is the time to starting focusing your efforts more narrowly, particularly toward an industry group or sub-specialty practice niche. See the videos at <https://goo.gl/fKR7AA> and <https://goo.gl/QtmJTT>.

Here's the larger point: When the next recession hits, I wouldn't want to be just another smart and skilled but generic and easily replaced generalist. I'd rather be the one who offers *more*, a skill or expertise that your firm can't find in every other associate in your graduating class.

You also become much easier for others to cross-sell if you have a unique expertise that the partners can remember when in conversations with prospects. "You manufacture bicycles? [Or build prisons, or license offshore oil-rig technology, or... ?] One of our corporate associates has particular expertise in that area!"

For example, I probably know more about Industrial Tire Manufacturing than just about any lawyer in the world—it's my family business. My father and grandfather designed and built tires for heavy equipment, like underground mining drills, crawlers, loaders, etc.

Growing up, the specs of new tire sizes and the composition of tire fill was typical dinner conversation. As a child, I played with toy Caterpillar forklifts. I vulcanized rubber for my fifth-grade science-fair project. I worked in the factory in high school. I've flown in the Goodyear blimp.



That is to say, I take for granted an insider's nuanced understanding of this narrow little industry. But practicing as a litigation associate, it never occurred to me that some group of clients would have found that unique knowledge to be valuable. Instead of marketing general commercial litigation to Chicago-area businesses, I should have been marketing my tire-industry expertise to billion-dollar companies like Goodyear, John Deere, Caterpillar, the rubber importers, and chemical manufacturers.

They would have valued having a lawyer who knew their industry as well as they did. But it simply never occurred to me that I possessed any uniquely useful information. Now I know better.

For the obvious industry sectors, it's not enough to just specialize in areas like real estate, health care, construction, financial services, or insurance—they are simply too broad. You must be more precise and find a niche within them (e.g., FCA litigator in health care, D&O liability in insurance). You will also find opportunities in smaller, more-defined and obscure areas where you have existing experience, interest, or contacts. Think in terms of focusing on Pest Control rather than on Banking. Not Transportation Law but Transportation of Infectious Biological Material. See the video at: <https://goo.gl/3GWNQa>.

Consider segmenting it further by geography and/or the particular type of company or size of matter. The answer might not be obvious now; just look for it and recognize it when it comes along. It takes at least a few years to build this, so start being proactive in this regard beginning around your fourth year.

For example, at Fishman Marketing we have developed marketing initiatives supporting lawyers and firms who targeted niche industries or practices including these:

- Ad valorem property tax cases in Chicago
- Alabama pest-control companies

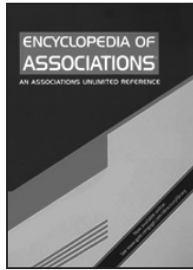
- Backyard barbecue propane tank explosions in Colorado
- Boy Scout abuse personal injury cases in Chicago
- Bridge-and-tunnel construction companies in Florida
- College-athletics coaches in the SEC
- Cuban personal injury cases in South Florida
- Defending Chicago-area police officers in Taser-related cases
- Divorce cases for Iranian immigrants living in Canada
- Estate litigation in Vancouver
- Ghanaian law firm seeking inbound referrals
- Global aircraft and railcar finance under U.S. law
- Health care lobbying and intellectual property
- Health care software licensing contracts
- Multi-generational family businesses
- New York companies doing business in Israel
- Northern California agriculture industry
- Oil and gas companies in Louisiana
- Personal injury appeals
- Personal injury cases for St. Louis Catholics
- Trucker DUI defense in northern British Columbia
- Upstate New York forestry and timber regulatory

Examples of the marketing materials we designed for some of them are below, on pages 34–36.

Considerations in identifying the specialty niche or industry to target include:

- Did you grow up in a family business?
- What was your college major?
- What hobby, passion, or special skill or interest of yours would clients value?
- What job did you have before law school?
- What's hanging on your walls or sitting on your credenza?
- Where do you or your spouse have an established network?

- What do you know that other lawyers don't that would benefit some category of clients?
- Think through your list of friends and family members. Are several of them in one particular industry or niche?



To help you identify your narrow niche, visit a public or law library to review a printed copy of Gale Publishing's multi-volume *Encyclopedia of Associations*.

- ☐ Browse through the easy-to-use 40,000-association directory to identify the best trade groups or professional associations serving your target industry.
 - Seek a 500- to 1,000-member national association with an active local chapter.
- ☐ Call them to learn more about their members and request a membership kit.
- ☐ If the membership includes legal-hiring decision makers, consider joining the group.
- ☐ Don't worry if the members are junior or mid-level professionals; build relationships with them when you're both starting your careers. They'll be in a position to hire lawyers when you're in a position to get hired.
- ☐ Validate the choice of that group with your contacts who might know it.

Once you have selected the organization or association, your ultimate goal is to become one of the “usual suspects” in that group—a highly visible, friendly, helpful, active contributor. Spend a couple years just learning about the industry and the association members.

- ☐ Attend at least 8 out of 12 monthly local chapter meetings per year.
- ☐ Network regularly and actively; get to know everyone.
- ☐ Keep the conversations focused on *them*.
 - o Remember the 80/20 Rule of Communication:
You should spend 20% of the time talking, mostly asking interested, insightful questions about them and their businesses, and 80% of the time listening.
 - o Remarkably, studies show that the more they talk, the smarter they think you are, and the more they like you!
 - o Be actively interested in them.
- ☐ Be helpful; offer advice and assistance.
- ☐ Join a committee and follow through on any assignments or responsibilities.
 - o People will judge your legal skills based upon how you perform as a volunteer. Do you meet your deadlines and commitments?
- ☐ Do not seek work or sell your firm, or you will be shunned as an “vendor.”
- ☐ Try to understand “why they buy,” not “how to sell to them.”

When I got started in marketing, our profession’s organization was the national Legal Marketing Association, with 300 members. Working in-house as a large firm’s Marketing Manager, I was one of the few lawyers in the group. I discovered that I had something




to contribute, that my knowledge of the law was helpful, so I began writing some articles for the local chapter and giving some speeches. They were well received, and I began to be invited to write and speak nationally. I was surprised to discover that I enjoyed it.

Within a few years, I realized that without even trying, I knew almost everyone in the entire national association. More importantly, *they knew me* as a helpful, trusted member of the legal marketing community. I'd unintentionally dedicated my external communications activities toward a relatively small and finite group, just 300 people—half the size of my high school graduating class.

Over time, I just kept writing and speaking and networking. Writing and speaking and networking. Writing and speaking and networking. I later was invited to become the LMA's vice president, which further increased my visibility. None of this was especially complicated or challenging; it was just the basic blocking and tackling that anyone can do.

Eight years later, when I left the law firm to go into consulting and needed to get hired by law firms, the LMA had grown to 3,500 members, and I found that I knew most of them, or at least they'd frequently read my articles and seen me speak. I had a national network of thousands of prospects who knew what I did and had a generally positive impression of me and my expertise.

I'd built this network entirely inadvertently. And with some basic planning and regular execution, absolutely anyone can do this on purpose.




**Watson Bennett's
idea of a branch office.**

The lawyers of Watson Bennett spend a great deal of time in the woods. Not literally of course, but by advising clients in such timber- and forestry-related issues as litigation, energy and recreational leasing, land use, tax issues, warranty and title matters, boundary and easement issues, and all other complex issues facing the timber and forestry industries.

Contact Dave Colligan at 716.852.3540 or at dcolligan@watsonbennett.com to learn how we'll go out on a limb for you every day.

Learn more at www.ForestryLaw.com.

 **WATSON BENNETT**
ATTORNEYS AT LAW


We never get lost in the woods.

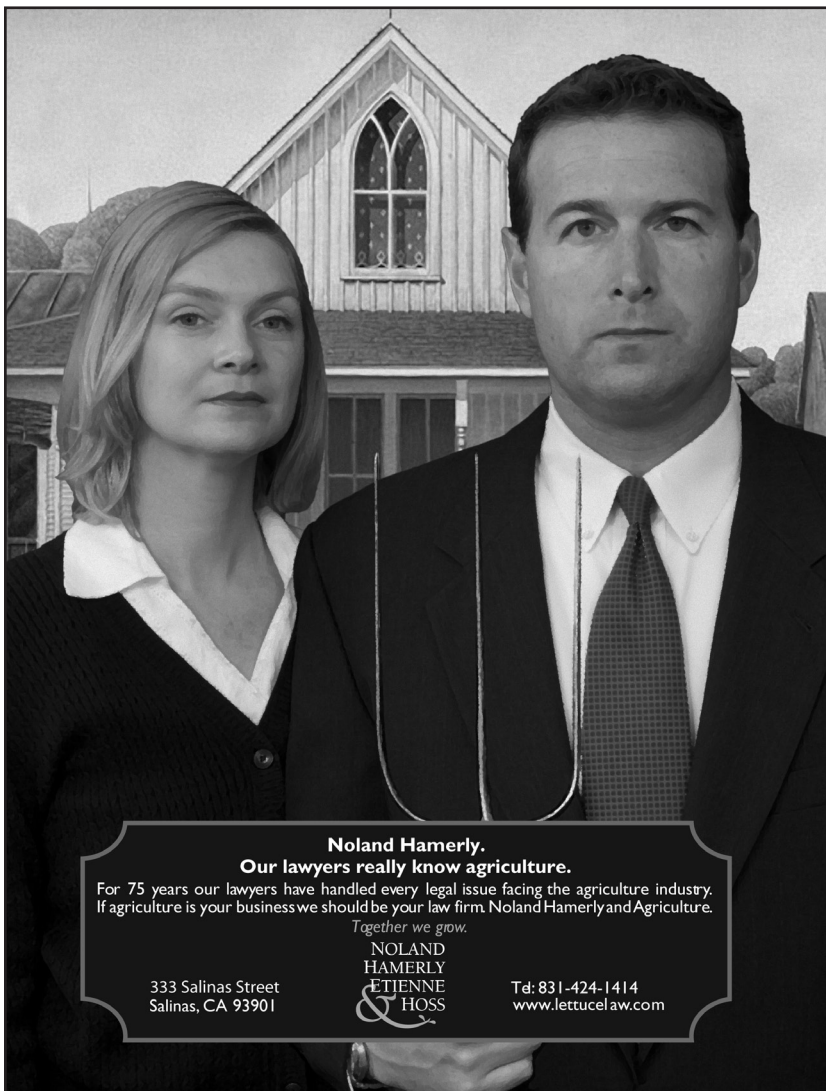
www.watsonbennett.com

Watson Bennett Colligan & Schechter LLP | 12 Fountain Plaza | Buffalo, NY 14202

OUR LAWYERS' STRENGTH COMES FROM
DOING WHAT'S RIGHT.

If you have had a catastrophic injury, you can be sure our lawyers will move heaven and earth to make sure justice rules the day.
Simple and true.

 **SCHLAPPRIZZI**
REPRESENTING INJURED CATHOLICS



Noland Hamerly.
Our lawyers really know agriculture.

For 75 years our lawyers have handled every legal issue facing the agriculture industry.
If agriculture is your business we should be your law firm. Noland Hamerly and Agriculture.

Together we grow.

NOLAND
HAMERLY
& ETIENNE
HOSS

333 Salinas Street
Salinas, CA 93901

Tel: 831-424-1414
www.lettucelaw.com



Leasing aircraft doesn't have to be done on a wing and a prayer.

VEDDER PRICE.



We don't need to show you another picture of a plane.

But Vedder Price knows the big picture in aircraft finance. We do sophisticated deals for every type of major asset across the U.S. and around the world in transportation industries including aircraft, maritime and rail. Multi-billion-dollar deals for every type of entity from airline lenders to lessors have cemented our reputation as one of the world's foremost transportation-finance practices. Learn more at vedderprice.com. **Vedder Price. Vedder Equipped.**

Chicago | New York | Washington, D.C. vedderprice.com

Do you want to be a rainmaker and
control your own destiny?

Are you an associate who wants to maximize
your chances of developing clients or
making partner in a prestigious firm?

Or perhaps you're a marketer
who wants to help your lawyers succeed.

In this unique guidebook, Ross Fishman, a lawyer
and award-winning legal marketer, details the tactics
to accomplish your goals, step by step, year by year.

The Ultimate Law Firm Associate's Marketing Checklist

The Renowned Step-By-Step, Year-By-Year Process
For Lawyers Who Want To Develop Clients.

by Ross Fishman

*"Essential reading for every associate at any point in their career!
This checklist holds all the secrets; it is marketing nirvana."*

Nat Slavin
Principal, Wicker Park Group;
Past President, Legal Marketing Association (LMA)

*"This book needs to be in the hands of every associate
who wants a successful, rewarding career.
Just follow the suggested steps to become
the top-tier rainmaker in your firm. This should be a 'best seller.'"*

Ron Henry
Consultant, The Garver Group;
Past President, Association of Legal Administrators (ALA)

