

Of Counsel: The Lawyer Who Taught Lawyers to Love Marketing Talks about His 35 Years of Branding



Ross Fishman has been called the “**dean of law firm branding.**” A former litigator who left practice in the 1980s to join one of the nation’s first in-house law firm marketing departments, he has since helped more than 200 firms develop strategic brands that have transformed their reputations and accelerated their growth.

Also one of the legal world’s most sought-after keynote speakers and marketing trainers, Fishman’s known for presentations that mix humor, education, and practical insight. His recent programs on artificial intelligence have drawn standing-room-only audiences worldwide.

Known for his **practical, entertaining, and deeply human approach**, Fishman brings rare passion to a profession that doesn’t always reward creativity. Recently, Of Counsel spoke with him to talk about how a restless young litigator found his calling, the stories behind some of his best-known branding campaigns, and how brands drive what makes a great brand, among other topics.

What follows is Part One of that interview, edited for clarity and length, which serves as a fitting sign-off for 2025. In January, look for Part Two, in which Fishman talks about his recent new direction in his work that’s centered on AI’s impact on the legal profession.

Change Sparked by Epiphany

Of Counsel: Ross, you've built an impressive career—first as a pioneer in legal marketing and now as **one of the most popular speakers in the profession**. But let's start at the beginning. You were a litigator once, right?

Ross Fishman: Completely by accident. I was practicing business litigation in Chicago and doing fine—good clients, decent trajectory—but after about five years, I could see the rest of my career laid out in front of me. I was competent, but not passionate. And the lawyers who thrived on it were so passionate. They lived for it.

Then my firm brought in a consultant to teach us how to market. This was the late 1980s, when the idea of lawyers marketing themselves was practically taboo. Most of my colleagues grumbled their way through it, but for me, it was like a switch flipped. I was fascinated. I did all the homework. I realized that everything I enjoyed—strategy, persuasion, communication—was really marketing.

OC: And you actually left practice to do marketing, when almost no one had done that.

RF: That's right. I saw in *The Wall Street Journal* that Winston & Strawn had just hired Loren Wittner, a lawyer and their outside publicist, as the nation's first full-time marketing partner. That was my lightbulb moment: "A lawyer can do this?" I called him that same day, he graciously took my call, and two weeks later, he offered me a job. I'll always be grateful that he took that chance on me; he changed my life.

It was a huge risk. My wife, Kitty, was eight months pregnant, we had just bought our first house, and the job paid half what I was making as a lawyer, not nearly enough to pay our bills. But I knew it was the right move. Kitty said, "I trust you," and that's been our story for almost four decades.



OC: You were entering a field that didn't really exist yet. What was it like at Winston?

RF: It was primitive. Advertising was text on white paper—no visuals, no color, just words about "excellence" and "dedication." Most lawyers thought marketing was beneath them or dangerous. Firms were terrified of looking "too commercial." If you proposed anything visual—God forbid you used photography—people thought it was unprofessional.

I remember when we asked the marketing committee to buy an inexpensive color printer, and they said, "Lawyers don't need color." That really was the mindset.

At Winston, we were figuring it out as we went. We tried things that seem tame now but were radical then. We created firm brochures that actually looked professional, improved our PR outreach, and worked on thought leadership before that term existed. We were pushing the edges of what was acceptable, trying to show that sophisticated firms could promote themselves tastefully.

The key lesson was that lawyers respond to evidence. Show them the data, show them examples that work, and they'll follow you. That's still the foundation of what I do today—teach, prove, and persuade.

OC: You had another major success at Coffield Ungaretti & Harris. From what I've heard, that campaign is still discussed in marketing circles.

RF: That was one of those magic moments where everything aligned—courageous leadership, a strong story, and perfect timing. I joined Coffield Ungaretti & Harris in 1994 as their marketing partner. The firm had gone through a painful and highly visible downsizing in the 1989 recession and had a lingering reputation issue. The firm suffered 25% annual lawyer turnover—that is, half the firm flipped every two years; it was inefficient, unprofitable, and unsustainable.

I felt we needed to create a bright shiny object—something extremely bold to distract the marketplace and quickly reposition the firm. The firm was stable, but its lingering reputation among the Chicago legal and business communities was that it was on the brink of collapse. You didn't attract the best lawyers or clients to that environment.

I wanted to create the legal profession's first written service guarantee and figured out how to make it

real and meaningful without asterisks or fine print, while compartmentalizing the firm's financial risk to a manageable amount. We promised to deliver outstanding client service or make it right—just like world-class businesses did. It was unheard of in law, but the partners said yes.

The results were dramatic. In a flat economy, we grew 50 percent in 18 months. Our historic 25 percent annual turnover stopped completely. Morale skyrocketed. *The American Lawyer* listed us among the 10 fastest-growing firms in the country. And when we were about to sweep all of the Legal Marketing Association's national awards, they created a new "Best of Show" category just so other firms could win something too.

That experience taught me that great branding isn't about being loud; it's about being clear and brave. If you're honest about who you are, and you communicate that authentically, it resonates.

It was an early proof of concept: bold, authentic marketing works. The profession's first fully integrated marketing initiative.

Brand = Your Story

OC: That's a nice segue into your branding philosophy. How do you define "brand" for law firms?

RF: A brand isn't a logo or a tagline—it's the story people tell about you when you're not in the room. It's what clients, recruits, and even opposing counsel think your firm *stands for*.

When we build a brand, we're not just designing visuals. We're helping a firm articulate what makes it distinctive. We look at strategy, recruiting, culture, client perception, market position—all of it. Then we tell that story visually and verbally, consistently across every touchpoint.

A strong brand attracts the right clients *and* the right people. I tell firms: "You want lawyers who look at your website and think, 'That's me.' If they don't see themselves there, that's good too—it saves everyone time. Great branding acts as both a magnet and a filter.

OC: That seems to be a theme in your work—courage and authenticity.

RF: Exactly. The best marketing tells the truth, but in a way that's memorable and emotional. A great brand doesn't just describe the firm; it gives people a reason to care. It's also strategic. A well-built brand aligns recruiting, retention, and client

development. It helps the right lawyers find you—and stay.

For example, I often tell clients that a good brand is cheaper and more effective than hiring headhunters. If your firm's culture and personality are clear, and you tell your story visibly, you'll attract lawyers who fit and repel those who don't. That's how you build a culture and loyalty.

Recruiters "sell from inventory," they need to move resumes to make money, so they're not as concerned with ensuring it's the right fit. A great brand makes headhunters almost unnecessary, because the *right* lawyers *call* you to see if you're hiring—they want to be part of what you're building.

OC: Speaking of that, please talk about Polsinelli's brand—"What a law firm *should* be"—how did that come about?

RF: Polsinelli is a great story. They were just days away from launching an attractive new website with one of the "usual suspects" big-firm website developers when the marketing partner called me out of the blue after reading one of my blog posts, and said, "We're just not excited about the tagline." As I learned more, I realized it wasn't the tagline—it was the total absence of a coherent brand. I explained this to him and ultimately, to their credit, they agreed.

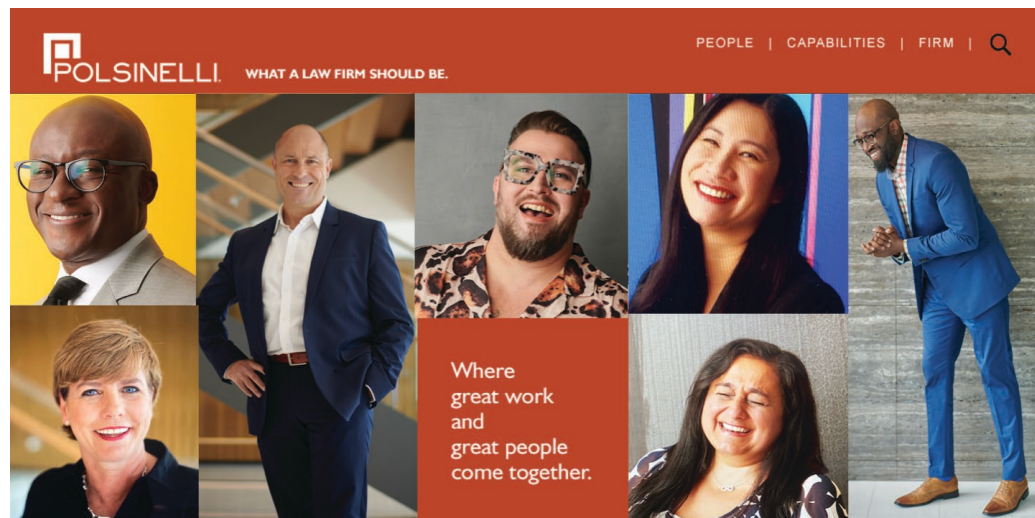
In my experience, big-firm website developers build attractive websites, but deep down, they don't understand how to build a brand. That's why 75% of them show animated skylines or colorful abstract imagery on the home page banner. If the principal photo illustrating your entire firm is either thoroughly generic or abstract, that's saying that

you have nothing to say. That's a desperately missed opportunity to be great. Every firm has a story. But you have to know where, and how to find it.

I learned that Polsinelli was building something I found interesting. They were expanding nationally without mergers, adding only lawyers in ones and twos who fit their culture. That's almost impossible to maintain at scale. Their story was one of intentional growth, integrity, and inclusivity, but the website didn't capture that.

Polsinelli's leadership was brave enough to pause everything and let me rebrand them—and gave me one month to deliver. I flew around the country, interviewed dozens of lawyers, and developed six different visual designs to convey their message of support and collaboration.

The one that resonated most was "What a law firm *should* be." It reflected their aspiration and their values—how they wanted to be seen and who they wanted to attract. And it was expressed visually by a talented photographer I found who could capture the subjects' personalities.



We photographed people from across the firm—partners, associates, staff, even messengers and the cafeteria team—because they wanted to show that they understood that every role mattered. If your message is about respect and inclusivity, you can't just show the corner-office folks. It helped them recruit top laterals across the country.

Their CEO, Chase Simmons, asked me to write the key brand pages myself to nail the tone. It launched fast and clean, and it worked. They grew from an 850-lawyer AmLaw 200 firm to a 1200-lawyer AmLaw 100 firm in just a few years without any mergers, by attracting precisely the laterals they wanted. A great brand can do that—it sells the culture.

OC: Another favorite among marketing professionals is your campaign for Drinker Biddle's [now Faegre Drinker] health care group.

RF: That one still makes me proud. Drinker's health care practice was among the nation's largest and most sophisticated, with a complex array of specialty niches. But after multiple mergers, they'd grown from 200 to 400, then 800 lawyers and integration among new firms and offices is really hard; the lawyers weren't sure who they were any longer. The new, larger practice group felt disconnected.

When I interviewed them, I was struck by how mission-driven they were. They didn't talk about billable hours or wins or their firm, or even their clients—they were talking about patients, the end users. They talked about helping their mission-driven, not-for-profit hospitals deliver better care. About enabling innovation that improved lives. Every practice area had its own story—IP, labor, M&A—but the unifying theme was compassion.

A number of them teared up when describing their work. They were remarkable people. I realized we could unify the practice around that shared purpose. They didn't realize they were surrounded by an entire practice full of healthcare lawyers who had a similar perspective. It was magic.

We told their true, authentic stories—like the one about cancer-stricken kids in rural Montana who could now get their lifesaving cancer treatments at home instead of driving four hours across the state because of a new medical device the lawyers had helped bring to market.

They didn't invent the device, but they made its success possible. It was incredibly powerful, and we found gorgeous, warm photos to illustrate them. That story—and dozens more like it in healthcare specialties across the firm—became the heart of the campaign.

Rural cancer care, enabled by Drinker Biddle lawyers.

When a large nonprofit health system wanted to provide oncology care to a small rural community, they came to us to put the deal together. No surprise, really, since Drinker Biddle has one of the nation's largest dedicated health care practices. And the key word there is dedicated. We see ourselves as part of the mission of providing quality health care to the public. Because we're not just a law firm, we're part of the solution. [Learn more at drinkerbiddlehealthcare.com.](http://www.drinkerbiddlehealthcare.com)

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Helping health care clients do good.

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Peace of mind for parents with the most vulnerable children. Prescribed by Drinker Biddle lawyers.

When a major metropolitan health system wanted to improve coverage of their pediatric and neonatal services, they turned to us. Drinker Biddle helped them develop a consolidated arrangement with a single pediatric group to cover all of the system's hospitals, resulting in reduced financial costs, establishing accountability, and improving the care of pediatric patients. Another way Drinker Biddle is not just a law firm, but part of the health care solution. [Learn more at drinkerbiddlehealthcare.com.](http://www.drinkerbiddlehealthcare.com)

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When I presented the new brand at their retreat, it was electric. It gave them a renewed sense of pride and unity. People who'd never met were suddenly trading stories. It wasn't marketing for them—it was identity.

That's when you know you've hit the mark: when the marketing feels like truth.

A Juxtaposition of Size & Strength


OC: Over the years, *Of Counsel* has reported on some of your campaigns. My favorite might be the “Small but Mighty.” It kicks ... well ... you know.

RF: (*laughs*) Yes, the little frog and the hot pepper that wouldn't die. That was for Novack and Macey, a powerhouse 25-lawyer litigation boutique [now part of Armstrong Teasdale]. These were world-class trial lawyers regularly facing firms ten times their size. They didn't want to be the “small firm.” They wanted to be the *right-sized firm*—nimble, efficient, and devastating in the courtroom.

So, we used metaphors from nature for things that were disproportionately powerful for their size—a pea-sized Tepin pepper that's one of the hottest in the world, a tiny poison dart frog that can kill you if you touch it, a rhino beetle that carries 850 times its own weight. Small, but formidable. We mailed 2500 packets of these hot peppers with salsa recipes and hazmat warning labels, and sent tiny dollhouse-sized briefcases with miniature brochures and magnifying glasses. It was smart, funny, and utterly unique.

Small but Mighty™

The golf ball-sized
Blue-Ring Octopus
has enough poison to
quickly kill 25 people.



Some of the world's most potent forces are also the most concentrated. While some say there is safety in numbers, we say a small but mighty force can move mountains. And we prove it every day, on some of the most sophisticated legal issues around. Get to know Novack and Macey and see the practice of law at its highest concentration.

novack • macey

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The campaign exploded—national press, referrals, industry buzz, tons of referrals for new business. Clients loved it, but more importantly, it gave the lawyers confidence in their own story. That's what branding should do—make people proud of who they are.

Years later, firms still tell me, “We want something like Small but Mighty.” And I tell them, “You can't have *that* one—but you can have something that's *you*.”

Of Counsel: Ross's Reflections: A Long-time Leader in Legal Marketing Discusses His Craft



Ross Fishman has long been known as a **highly regarded pioneering professional** for his decades-long career in shaping how law firms understand marketing, differentiation, and strategic communication. But in recent years, as generative AI has swept through the legal industry, Fishman has engineered one of the savviest pivots of his career—**building a global speaking and training practice that helps lawyers, leaders, and entire firms navigate the fast-moving world of ChatGPT, AI governance, and technology-driven change.**

Part Two of our interview picks up where the first left off, exploring how a career spent decoding the psychology of lawyers and law firms uniquely prepared Fishman for this moment. His AI programs—which combine humor, urgency, and hands-on demonstrations—have become some of the most in-demand sessions in the profession. Whether he's guiding a small partnership retreat or addressing thousands at a conference, Fishman has developed a rare ability to demystify emerging tools while grounding his message in the practical realities of law firm life.

Fishman's transition into AI education isn't a departure from his branding work, but a natural evolution of it. Effective marketing has always required understanding the forces reshaping the marketplace, and today no force looms larger than artificial intelligence. In Fishman's view, the firms that thrive will be those that pair smart adoption with thoughtful messaging—ensuring clients see them not just as competent practitioners, but as

future-ready business partners. His AI workshops, therefore, are as much about culture change and client development as they are about technology.

In this installment, *Of Counsel* delves into how Fishman approaches AI training, what he's learned from speaking to thousands of lawyers on the topic, and why he believes this technological transition offers a once-in-a-generation opportunity for law firms to reinvent themselves. We also explore the craft behind his presentations—how he tailors

complex material to skeptical audiences, why humor matters more than ever, and how he keeps his programs fresh in a landscape that shifts by the month.

Whether readers are AI enthusiasts or cautious adopters, Fishman offers a perspective rooted in experience, curiosity, and optimism. Part Two shows a professional who hasn't just kept pace with an evolving industry—he's helping to lead it.

Seeing A Need ... and Filling it

Of Counsel: Let's talk about your speaking career. You've delivered more than 500 programs worldwide. How did that become such a central part of your work?

Ross Fishman: I love teaching, and you know how much I genuinely like lawyers. They're smart, curious, skeptical—exactly the kind of audience that keeps you sharp. Early on, I realized that if you could get an entire firm in one room and teach them how to think differently about marketing, you could change the trajectory of the firm overnight. That's so powerful.

I've presented to lawyers in perhaps 75 countries, and I still get excited every time. I've been invited back by many organizations twenty or thirty times, which is the best compliment you can get. My goal is always to make the conference organizer look brilliant for hiring me.

I spend more time than I should preparing—learning about the firm or organization, customizing every slide, and adding their firm's materials. One of my former college teaching assistants once told me, *"When they pay you to speak, they expect a show."* That stuck. Lawyers can find accurate information anywhere, they can read an article—they come to conferences to be engaged. So I work hard to combine solid content with humor, stories, and real examples.

Sometimes I'll project screenshots of the attendees' own websites—30 or 40 of them—to show that 80% of them are dull and interchangeable. I have learned to do it without hurting anyone's feelings—it's really funny actually, so they laugh, and they learn. Using a joke, I've taught them that their bland brand and lookalike website isn't helping them stand out. That mix of education and entertainment is what keeps me coming back. And it's what keeps them inviting me back too. A little shtick can be used to make a powerful point.



OC: So much of your work is educational: branding, training, speaking. What drives that approach?

RF: I think it's respect. Lawyers are smart; they just haven't been taught marketing. If you show them the evidence—if you literally line up 30 screenshots of their competitors' skyline websites and ask, "Which one stands out?"—they get it instantly.

That's why my programs work. I don't sell them anything—I teach them. Once they understand the principles, they'll make the right decisions themselves. When I present extremely bold brand concepts, I get approval over 95 percent of the time, even from conservative firms, because by then they've learned the framework. They see that it's the right answer.

My job isn't to tell them what to do; it's to teach them enough to choose well.

OC: Your AI presentations have been especially popular lately. What's your approach?

RF: My approach is practical and positive. I try to make AI human. Most AI programs for lawyers focus on fear—hallucinations, plagiarism, ethics nightmares. That's not helpful. My message is,

"This is the most powerful tool developed in a century. Here's how to use it safely."

I take the opposite tack. AI is already here, it's here to stay, and it's an extraordinary tool. If we learn to use it safely and creatively, it can make us more efficient, more competitive, and even more profitable.

I've given 50 or 60 AI webinars and presentations in the past couple of years. I show lawyers how to use ChatGPT for drafting legal materials, analysis, correspondence, and marketing, step by step. And I keep the mood light and fun. Once people laugh, they relax. Then they're open to learning the real skills: how to draft an effective prompt, how to use it without breaching confidentiality, how to make it work for their practice.

I'll take a volunteer's bio and have ChatGPT rewrite it as a kindergartner, a limerick, a haiku, a pirate song, an Eminem rap, and a Taylor Swift ballad. The room *roars* with laughter—but they're also learning that the technology is powerful, accessible, and fun.

The older lawyers *always* come up afterward to say, "I signed up for ChatGPT during your session." That makes my day. That means I helped them get past the fear and feel empowered.

Ethics Education: Nothing to Groan About

OC: You've become known not just for marketing and AI presentations, but also for your ethics CLE programs.

How did that start, and what makes your approach different?

RF: I love speaking about ethics. In fact, most of my presentations qualify for ethics CLE credit. It's funny—when people hear "ethics CLE," they groan. I've heard it from thousands of lawyers over the years: *"Those are the programs we save for the end of the reporting cycle because they're so painful."* And

I get it. Too often, ethics presentations are either delivered by dry presenters who lecture lawyers as if they're misbehaving children, or by lawyers who just want another line on their resumé and haven't put in the work to make it engaging. It's all steak and no sizzle.

That's a shame, because ethics topics can be fascinating. They're full of drama—real stories, real mistakes, real consequences. They should be riveting. I try to make them that way. I tell stories, use humor, show examples. There's an endless

supply of wild and cautionary tales about what lawyers have done over the years, and you can learn a lot more from those than from someone who's reading their text-heavy slides out loud.

I also like to teach marketing within the context of the ethics rules. That way, lawyers know exactly where the boundaries are—what they can do safely and what crosses the line. Most of my audiences are lawyers at business firms that are extremely risk averse. They're the least likely people in the world to violate an ethics rule. But they're often so cautious that it holds them back from doing effective marketing. If I can show them how to be bold and ethical, that's a win.

And the truth is, ethical scrutiny varies across practice types. Consumer-facing practices like personal injury, criminal defense, or family law draw greater regulatory attention, as they should—those clients are more vulnerable. Corporate clients don't need that same level of protection from advertising abuses. But regardless of the practice, every lawyer benefits from understanding where the bright lines really are.

All of my artificial intelligence presentations also qualify for ethics credit, because the ethical issues surrounding AI are so important—and evolving so quickly. I walk lawyers through how to use ChatGPT and similar tools safely, how to avoid plagiarism, confidentiality breaches, or misrepresentation. I want them to walk out confident, not fearful.

For me, ethics presentations shouldn't be scolding; they should be empowering. When lawyers leave saying, "That was actually fun," I know I've done my job.

OC: You're unusually passionate about teaching. What keeps that spark alive after all these years?

RF: Gratitude. I have spent 35 years with the incredible gift of getting to do work I love, with people I deeply respect, in an industry that's

endlessly fascinating. I've helped countless firms turn around their reputations, attract better clients, make tons of money, and recruit the lawyers they most want to keep. I've spoken to tens of thousands of lawyers from more than 150 countries and watched the lightbulb go on when they "get it." That's incredibly rewarding.

When I'm on stage, I feel responsible for the organizer's reputation. If I do my job well, they look great, the audience learns something that helps them make more money and enjoy their practice more, and everyone leaves energized. That's a privilege. I never take it for granted.

And honestly, I just like lawyers. They challenge me. They're my people. I enjoy their company. They're bright, analytical, funny. When they relax and start laughing, you know they're learning.

OC: You've recently expanded into something you call "Fractional CMO" work. Can you explain what that is and why it's become such an important part of what you do?

RF: Sure. Over the years, I kept meeting smaller and midsized firms that wanted serious, strategic marketing—but couldn't justify hiring a full-time chief marketing officer or a large in-house team. The partners might handle marketing themselves between client matters, or delegate it to an assistant who also does HR and billing. They were competing against AmLaw 100 firms with 100-marketer departments—web teams, PR professionals, data analysts, social media staff, entire departments who were focused exclusively on entering awards and directories—and no matter how talented those smaller-firm

lawyers were, they couldn't match that machine.

Fractional CMO work solves that problem. We essentially give them a world-class marketing department, but only for the slice they actually need. My team and I act as their outsourced CMO, marketing director, and creative agency rolled into one. We handle strategy, branding, websites, social media, PR, recruiting materials—everything a big-firm marketing team would do—on a part-time or project basis, at a price they can afford.

FISHMAN **MARKETING**

It's powerful because it levels the playing field. A 25-lawyer boutique can now compete head-to-head with firms one hundred times their size. They get the same depth of strategy, design, and analytics that the big firms have, without the overhead. And because we've worked with hundreds of firms—from solos to 1,000-lawyer giants—we can bring proven ideas, templates, and systems that work.

The results have been amazing. Firms that used to rely solely on word-of-mouth are suddenly building real visibility—winning 10 times more new-business competitions, dominating their markets, attracting better laterals, raising rates. They're finally able to tell their stories the way they deserve to be told. I find it especially satisfying because these are firms filled with great lawyers who just needed the right platform. Watching them grow and thrive after decades under the radar—that's incredibly rewarding.

OC: Looking back, what would you say to the young litigator you once were?

RF: I'd say, "Follow what excites you." I was lucky enough to stumble into a career that feels like a perfect fit for who I am. I get to combine strategy, creativity, and teaching. I get to help enhance the success of people I really like.

After 35 years, 75 countries, 200 brands, and 500 speeches, I still feel like the luckiest guy in the world.

—Steven T. Taylor