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2020 WORKING-FROM-HOME EDITION

The *Ultimate* Law Firm Partner's Marketing Checklist

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

ROSS FISHMAN, J.D.

The Ultimate Law Firm Partner's *Working-From-Home* Marketing Checklist

The Renowned Step-By-Step Process for Lawyers Who Want to Develop Clients

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The Ultimate Law Firm Partner's Working-From-Home Marketing Checklist

The Renowned Step-By-Step process for Lawyers Who Want to Develop Clients

by

Ross Fishman, JD
CEO, Fishman Marketing, Inc.

Published by Ross Fishman, Highland Park, Illinois
fishmanmarketing.com

ISBN: 979-8-6361068-3-8

Manufactured in the United States

Cover design by Michelle Benjamin

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ASSOCIATE'S MARKETING CHECKLIST

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Dedication

This book is dedicated to the hard-working lawyers who strive to master a complex and challenging craft. They work long hours for demanding clients. They toil in a profession with high billable hours but low client and firm loyalty.

Most lawyers receive limited training in marketing, business development, and client service, although controlling a sizable book of business is their only guaranteed safety net.

This special 2020 “Working-From-Home” edition was developed in response to the global Coronavirus (COVID-19) pandemic that is causing unprecedented changes to our lives. Lawyers were sent home and told to maintain their workloads, often while simultaneously entertaining or homeschooling their children. Barred from their offices, they have limited access to physical files, client records, pre-bills, and in-person interactions. While the firms’ leaders are managing the latest disasters, the lawyers are left to figure it out on their own.

We offer this Special Edition to help keep partners on track in their client-development activities under extraordinary professional circumstances, at a time when many of the traditional rainmaking tools, like speaking at conferences, client visits, and in-person meetings, are unavailable.

This too shall pass. But until then, we all need to do our best.

Good luck and stay safe!

Ross

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Book Overview

Marketing's not difficult. Plan, prepare, and execute steadily over time. A little bit every week. *Drip, drip, drip.* Just make sure the things you are doing are the *right* things.

That's what this book is designed to facilitate. Here's the basic overview:

- ❑ **Ensure that you're a competent lawyer,** emphasizing both technical skills and client service. In most firms, lawyers can't just bring in the work, they've gotta be able to do it too.

- ❑ **Become the sought-after subject-matter expert on a hot new area of law,** piece of legislation, or stimulus-package provision that is complex, vague, or ever-changing.

- ❑ **Develop a narrow specialty or industry niche in an area you enjoy.** Avoid becoming one more generic generalist; seek to ***dominate*** something. Identify a specialized trade group to target your networking and client development. Make yourself unique and indispensable to your clients, partners, and colleagues.

- ❑ **Build your newly acquired expertise into your long-term marketing infrastructure**—the social media platform and other tools you'll leverage through partnership and beyond. This is particularly important now, when it's difficult to meet in person.

- ❑ **Be proactive in looking for ways to promote your newfound subject-matter expertise internally and externally.** Offer to draft client alerts and other legal insights that can be promoted via the firm's internal and external channels. Offer to use your knowledge to help partners prepare content for webinars, podcasts or for other programmatic ventures.

- ❑ **Learn how to use Zoom and nurture your existing network.** Use it as a platform to initiate and maintain contact with partners and associates you interact with regularly and update them on your subject-matter research and analysis. Ask for opportunities to create additional touches with their clients and prospects to share your knowledge.

- ❑ **Find ways to help your clients and prospects address the unprecedented challenges they're confronting.**

- ❑ **Build your personal brand.** When you can't build it in person, get active on social media to spread the word. Use your subject-matter experience as a jumping off point, share firm-generated or third-party content specific to your area of expertise making sure to include a short blurb about its relevance.

- ❑ **Look for additional cross-selling opportunities with existing clients.** If your firm has an industry-team marketing platform, be sure to attend industry team conference calls or Zoom meetings and ask to get on the agenda where you can share updates on your niche area with a broad group of partners and other associates who are members of that industry team.

- ❑ **Spend time with prospects and referral sources.** Until it's safe to be with them in person, do this online.

That's the big picture; the rest of the book will detail the specific activities. If you ever have any questions, contact me at ross@fishmanmarketing.com or any of the experts named in this book; we'd all be happy to help you address your individual concerns.

Acknowledgments

First, I'd like to sincerely thank the dedicated marketers identified below who contributed to this special edition—some of the best minds in legal marketing worldwide. During a time of great confusion, stress, and turmoil, they nonetheless made the effort to share their expertise, seeking to help hard-working young lawyers who suddenly found themselves with an uncertain future. And a particular shout out to **Andrew Fishman, Kathleen Flynn,** and **Lisa Vicine** for their especially significant contributions.

- **Kristyn Brophy,** Marketing Manager, Conn Kavanaugh, Boston, MA
- **Dave Bruns,** Director of Client Services, Farella Braun & Martel, San Francisco, CA
- **Andrew Fishman,** LSW, Clinician, JCFS Chicago, Chicago, IL
- **Kathleen Flynn,** Marketing and BD Consultant, Ackert Advisory, Walnut Creek, CA
- **Stefanie Marrone,** Founder, Stefanie Marrone Consulting, New York, NY
- **Sue-Ella Prodonovich,** Principal, Prodonovich Advisory, Sydney, Australia
- **Roy Sexton,** Director of Marketing, Clark Hill, Saline, MI
- **Sarah Tetlow,** Owner, Firm Focus, San Francisco, CA
- **Lisa Vicine,** Chief Marketing Officer, Arnall Golden Gregory, Atlanta, GA

Preface

The law is always a challenging and competitive profession, but times like these can amplify our worst tendencies. The coronavirus is shattering segments of the economy, as previously successful industries are downsizing or collapsing as their customers and clients are ordered to shelter in place. The small businesses that many law firms rely on are struggling or failing.

This is *terra incognita*; we've seen recessions before, but nothing like this. Law firms are tightening their belts in anticipation; travel is prohibited for safety and financial reasons. Many firms are firing or furloughing personnel and temporarily slashing compensation.

These pay cuts will be temporary; in our Darwinian system, the Big Fish at the top might be willing to make a short-term sacrifice, but they're unlikely to accept this condition for long. Firms will swiftly need to restore high profits per partner.

It won't be long before firms start Cutting the Deadwood, i.e. eliminating the overpaid, non-essential, or non-business-generating partners. *Sorry guys, it's just business. Where should we send your boxes?*

Professional survival today means (1) building a wall around your existing clients and (2) growing them where possible, ideally into new practice areas. It means (3) converting more prospects into clients and (4) standing out as a leader in your field, to attract more referrals as the go-to lawyer for some target audience.

Oh, and you must do this without leaving your house for at least a few months. Maybe four months. Maybe six.

Lawyers need a simple, practical, and detailed guide to follow—a step-by-step list of precisely what marketing and business-development activities to undertake while sheltering in place. Building or strengthening your marketing platform now will help prepare you for *whatever* the future holds. It can grow your practice, make you indispensable to the firm, or increase your chance of success as a solo practitioner if you need, or choose, to move on. It can also be the inspiration to revive your passion for the practice.

Follow these steps and you'll be better able to steer the next stage of your career, regardless of what the future holds for you or the legal profession.

I've invited some of the best minds in legal marketing to provide additional insight and perspective. What follows is that guide.

We're all in this together, and together we'll survive—but your career is in your own hands. I'd encourage everyone to devote the time now to stay ahead of whatever comes next.

Introduction

Your first goal 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.

***Note:* the likeliest path to having a sustainable and lucrative 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-per-year book of business just filing "small, Midwest-based securities-industry broker-dealer raiding lawsuits." This niche strategy is detailed below, under "A Plea to Focus Your Marketing."

While COVID-19 is having a broad and devastating effect on the global economy, it can also provide an opportunity to build expertise on a critical issue that many firm clients and companies are facing.

For example, 180-lawyer Arnall Golden & Gregory, held a webinar that broadly covered the CARES Act and also took smaller deep dives into specific areas related to tax, SBA, employment, healthcare, real estate, FDA, and compliance. The lawyers quickly developed webinar content, including reviewing 800 pages of the Act and distilling certain provisions down into meaningful and actionable insights for clients. The webinar received 900 registrants and 700 attendees. They are now fielding follow-up questions from clients and prospects. These efforts positioned the lawyers as subject matter experts in specific CARES Act provisions.

When the economic conditions suggest that layoffs might be inevitable, it is essential to ensure you are seen as having technical or industry skills your firm cannot afford to lose. Do a careful self-assessment to determine whether the work you do is a commodity or vital to the firm's future. Make a business case for moving yourself to a mission-critical area.

This is an essential time to ensure that the firm's leaders see the value you provide. Although no one likes a braggart, now is not the time for false modesty.

"Consider which industries will need help when this is all over. What businesses are either growing fast or in distress? Retool your practice as necessary. Obviously, labor and employment and bankruptcy are currently in high demand. What others will need legal help? Likely areas include litigation, hospitality, airlines, insurance coverage, health care, cannabis, telecommunications, and privacy and data security." – Timothy Corcoran, Principal, Corcoran Consulting Group

Focus on *helping people*, not looking for legal work. You want to be viewed as a knowledgeable, trusted advisor, 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 Jeffrey Horn, Managing Director of The Business Development Group says, *"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. Being outgoing can make it easier for them to stand out and grow their network. But they tend to get hired because they are good at *listening* and finding ways to help people solve their problems. *That's* the secret. Or, as my father used to say, "When you're talking, you're not selling."

This book is detailed, 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.

And if you've always been reluctant to give presentations, consider whether you might be able to add more speeches to your marketing mix now that you'll be talking to a webcam rather than a ballroom. You may find that smaller Zoom meetings might be just your thing. You don't need to present to hundreds to be successful. Large audiences help build your brand and reputation, but small, interactive groups bring in work.

And if you're in a hurry, i.e. you got a late start or sense some urgency in your current situation, that's OK, you just may need to compress the timeline. You'll need to meet people, leverage existing relationships, and find that critical business or industry niche that will give you something credible to sell (again, read "A Plea to Focus Your Marketing" below).

The landmark article "Herding Cats: The Lawyer Personality Revealed" by Dr. Larry Richard showed that lawyers have "an average Sociability score of only 12.8%, compared to an average of 50% for the general public." 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*.

Today's coronavirus-weakened economy has made all the traditional client-development challenges even more challenging. There's less legal work out there than there was just months ago. And many of the tools in a rainmaker's typical toolkit don't currently apply. So, it's time to develop new ones, or learn to use the modern tools more effectively. That might mean getting a bit more comfortable with technology.

When you can't be face-to-face with your targets, technology must fill in the gaps. This is a devastating time for the world and the US economy. But the sliver of silver lining in this confusing mess is that chaos creates opportunity, and you can use it to significantly advance your career. You have a lifetime of valuable experience and relationships*; it's time to leverage them.*

Lindsay Hamilton, the CMO of Walkers in the Cayman Islands, suggests that "Client care, service, and relevance are the lens for business development during tumultuous times. Maintain a client-first mindset. This includes being hyper-relevant—help your clients cut through the noise on what impacts they may face, and potential solutions that may be applicable to their business."

I'm going to presume that you're a competent lawyer, but not necessarily in the top 10%. That's not to say that you're not *at* the top, but statistically speaking, 90% of practicing lawyers are not in the top 10% percent. The point is that most clients can't really tell the difference between "brilliant" and "smart enough to do the work." And while the super-specialists in the world's largest firms might be required to do the mega-deals, that's a small fraction of the total legal work, perhaps 5%.

And if we also presume that you're not fighting for the bottom 20%, the low-end, low-dollar work, that leaves roughly 75% of the total legal work in your sweet spot, the straightforward bread-and-butter work that most experienced lawyers are eminently capable of handling.

You know you can do the work. This book is intended to help you persuade more purchasers of legal services to choose *you* when they need to hire a lawyer during this truly extraordinary time.

Getting Started

However this all shakes out, every lawyer needs a solid marketing platform to build from, the foundational infrastructure you'll gradually work to expand.

- ❑ Business or economic change generates demand for new legal services. Be innovative, think creatively. What will the changing conditions mean for your clients? How can you help them get through this in a stronger position? Be creative and you'll find legal work amidst the chaos.

- ❑ "Consider your competition. Many law firms will withdraw, slash spending, and wait for the disruption to blow over. Others will strain their relationships with inappropriately aggressive pitches. Clients will remember those who took a compassionate, client-centric approach during this time." — David Ackert

- ❑ "Show care and empathy. Reach out to ask how your clients are doing. This isn't new advice; it's always been important—but it's even more important in times of extreme uncertainty. You don't have to be especially eloquent; just offer a listening ear. Email overload is real. Connect by phone or videoconference if possible. Nothing replaces face-to-face interaction but where that is not possible, true connection can still take place on a call or in a Zoom meeting." — Susan Seilnacht, Senior BD Manager, Lathrop GPM

Intra-Firm Marketing

Marketing isn't exclusively outward-facing. Much of the new work you can generate may come from inside the firm. Strive to build your internal referral base.

- ❑ Read your firm's website, internal website portal, newsletters, LinkedIn or Facebook pages, and other marketing materials to brush up on the firm's range of services and clients. You may have more downtime now, so make good use of it, or take advantage of the time you would otherwise have spent commuting.
  - Read your partners' biographies and profiles in other practice areas, to learn about their specialties and outside interests, to help you sell their services to others.

- ❑ "Make sure you are fully versed on the firm's business resources and tools. What, and who can help you achieve your goal? Meet with members of your Marketing and Business Development teams to see what they can offer.
  - "Educate yourself on the technology that can help, such as the Client-Relationship Management (CRM) system and Competitive Intelligence (CI) tools." Roberta Montafia, Principal, Roberta Montafia Consulting

- ❑ **Build your personal brand within your firm.** Focus on internal marketing by developing relationships with your firm's lawyers outside of your particular practice area. Become the helpful, positive, go-to lawyer in your practice area—the obvious choice for partners in other areas who have the opportunity to cross-sell additional services to their clients.

- ❑ Avoid eating alone. Use regular breaks as opportunities to bond with colleagues. Consider inviting a colleague to join you for a virtual lunch or happy hour, to stay top of mind.

- ❑ Collaborate with your firm's marketing and business-development professionals.
    - They can be a great resource for you.
    - 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.
    - Invite the firm's marketer(s) to a virtual lunch or coffee to brainstorm activities you can do now.
    - When back at work, identify one of them with whom you have a particular connection and invite them out to lunch once per quarter to get advice.

- ❑ "If you are uncomfortable with the recommended marketing tools, e.g. presenting, writing a memorable LinkedIn profile, or in using a particular technology, *ask your marketers for help.*
    - "If your firm does not offer the assistance you need then open your own wallet and ***invest in yourself*.** There are many talented professional coaches out there who can help you gain the confidence you need to present virtually and use PR and social media tools effectively.
    - "Still need help? Look to business associations that are geared to the legal industry such as the Legal Marketing Association (LMA), the Association of Legal Administrators (ALA), International Legal Technology Association (ILTA), American Association of Law Libraries (AALL), as well as, the business sections of your local, state and national bar association. They all have resources available for our business development." — Roberta Montafia

- ❑ Generally, seek to go out:
  - Once each week with a firm lawyer outside your practice area
  - Twice each month with a firm lawyer inside of your practice area
  - Twice a week with clients, prospects, and referral sources
  - Regularly with friends and contacts

- ❑ It is easy for lawyers working at home to become reclusive and invisible. While “sheltering in place,” it is essential to maintain regular contact with your firm and outside network.
  - Get people on your calendar regularly for calls or teleconferences. Quiet invisibility is dangerous for lawyers seeking intra-firm referrals.
  - Emails and texts do not form meaningful relationships, so you’ll want to increase the number of direct contacts to at least:
    - 2-3 times per week with a firm lawyer inside your practice area
    - 2-3 times per week with a firm lawyer outside of your practice area
    - Daily with friends and contacts

- ❑ Reach out to new lateral attorneys who join your firm.
  - “It’s unlikely that you’re hiring many new laterals at the moment but take this opportunity to get to know those who might have joined pre-pandemic.” — Kathleen Flynn
  - Develop relationships and become a helpful resource.
  - They will surely appreciate the outreach at a time when they may be feeling even more disconnected; these “touches” are not forgotten.

  - You might even learn about how you can co-market, co-serve a client, or share introductions to your respective networks.

- ❑ Update significant matters you have worked on in your experience- or knowledge-management system.
  - Work with your marketing and business-development professionals to learn about the key details that help matters stand out in rankings, awards, and RFPs and include that information in your write ups.
  - These activities will help raise your profile with others in the firm who might not have had the chance to work with you yet.
  - See "How to Write Persuasive Case Studies" in the Addendum.

- ❑ Notify your firm's marketers of significant cases and/or transactions you are involved in, or aware of, or anything novel you experience related to COVID-19, working at home etc. for media and public relations purposes.
  - Basically, if you ever find yourself thinking, "Really??? *That's* interesting!" your next thought should be "I'm going to tell Marketing about this to see if we can generate some publicity about it."

- ❑ "Conduct an honest self-assessment of your business skill sets. Not sure? Ask your family and close colleagues." — Roberta Montafia

Building Your Marketing Platform

- [ ] Regularly update your firm's **website biography**, following the firm's format.
    - 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.
    - Make it a habit that when you update your biography you also update the matters you have worked on in your firm's experience- or knowledge-management system, such as Foundation.
        - Remember to include the activities you'll be undertaking online as well.
    - Update it thoroughly at least every six months.
    - Delete any *Who's Who* directory "honors" or other questionable accolades. Read the blog post at *goo.gl/jWrQIY.*

- [ ] Learn how to produce and leverage client information and competitive intelligence.
    - There's an abundance of valuable information available.
    - Use your firm library or information-systems professionals as a resource to help access competitive-intelligence information.
    - Smart attorneys and firms understand how to leverage the power of critical information.

- [ ] Write an article for a legal or industry publication or blog on new issues, trends, or precedents relevant to your area(s) of interest.
    - Invite a client or hot prospect to co-author it with you, as a nice value-add.
        - Most likely, you'll do 90% of the work.

        - Later, frame a reprint and give it to the client over a follow-up lunch. It'll hang on their office wall, with your face on it.
    - Another option is to use the article as an opportunity to get a call or meeting with a valuable prospect.
        - "I'm writing an article on [XYZ] and I need to quote an expert on this topic. Could I interview you for the article?"
        - This is a great way to meet and do a nice favor for important executives.
    - This is just the first contact. Remember, it could take a dozen more before they would potentially be willing to send you some business. It's a marathon, not a sprint.
    - Ask the publication to include your headshot(s), which will enhance your networking and personal brand.

- [ ] I've always felt that it's more efficient to get some outside writing assistance to help the lawyers push content out the door more efficiently. Lawyers have an enormous amount of useful information in their heads that would make interesting articles and blog posts. But few have the time or inclination to sit down to do the actual writing. Many find a blank screen daunting, so in spite of their good intentions, they never get around to writing that article they planned.
    - Heather Morse, Chief Business Development Officer of McGlinchey, says "For years I have been very anti-ghost writing. No more. Content is king, and we have to move it quickly from the attorney's mind to digital. We have contracted with a writer who is interviewing our attorneys and preparing a first draft of a blog post or article. It saves hours of time and is authentic because it starts and ends with our lawyers' voices."

  - Be careful with ghostwriters who generate articles under your lawyers' names *without* getting that initial input from them. Some might consider that to be "misleading" and an ethical violation under Rule 7.1.

- [ ] Lawyers who understand how to use the media to their advantage can expedite their marketing success.
  - Learning basic **Public Relations** skills isn't especially difficult
    - Search Amazon for a basic book that teaches the basics of professional-services public relations.
  - Here are two brief "PR for Lawyers" videos:
    - A 3-minute clip discussing what PR is and how it differs from other types of marketing, at *youtu.be/JE9wkgK7AHY*
    - A 10-minute clip discussing what makes something newsworthy, at *youtu.be/yylgCJpZ4i8*

- [ ] Before you engage in any marketing or social media, review
  - Your firm's social media policy, including any 2020 update
  - 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*)

Expanding Your Work from Existing Clients

- ❑ **Look for opportunities to develop new business from existing clients.**
  - ○ "This is not business as usual. Many of your clients are experiencing the most difficult challenges in their personal and professional lives.
  - ○ Now is a critical time to be in touch with your clients. Identify areas where you can provide assistance—not necessarily billable work.
    - Call and ask about how they are handling certain issues, have a discussion, brainstorm ideas, be a trusted advisor.
    - Your targets don't need another canned newsletter offering generic information. *They need real help with real problems.*
    - Find a way to work through their problems with them. Start with free advice. If it grows into a larger or more complex issue, at some point you may let them know that you'll need to start charging them to help them work through this issue in greater detail.
  - ○ David Ackert, Ackert Inc. suggests that "Your tone should be concerned but reassuring.
    - "Make it easy for your clients to be in communication with you, not necessarily contingent on a particular transaction. Offer a specific value before you ask for anything or promote your services.
    - "Seek to be useful, not just available."
  - ○ When chatting with your peers inside client companies, listen for new areas where they might need a lawyer.
    - Did they mention that they will need to downsize their salesforce? They might need an employment lawyer.
    - Did they mention that they were considering purchasing new technology or systems, buying back their stock,

or suing a defaulting vendor or customer? Any of these might lead to legal work.

- [ ] Ask your clients if they would like your help in reviewing their strategic plans, outgoing Requests for Proposals (RFPs), and new-business proposals.

- [ ] Sign-offs like "Let me know if I can ever be of service" are not helpful. Even though you truly mean it, *they won't call;* it sounds insincere and meaningless. It's our job to ask the insightful questions that *help* them identify their actual needs, so we can support them.
  - Every communication should include an invitation to have a conversation. Seek to change it to a one-on-one interaction.
    - David Ackert suggests something like "I was just thinking about you and your team. How are you holding up during this uncertain time? Let's schedule a quick call to touch base."
    - Or possibly "I've been keeping an eye on developments concerning [XYZ]. Let's get on a quick call today to discuss the potential implications to your business."
    - Or "We're starting to hear some rumblings about [XYZ]. Let's connect tomorrow about this for five minutes."
    - Or "The coronavirus situation is changing rapidly. I'd like to schedule a weekly 10-min call, no charge, to keep you abreast of our recommendations."
  - Jeffrey Cunix, COO and President, CACF, Inc., suggests "Call all of your clients and hot prospects simply to check in and ensure they and their families are healthy.
    - "Be a friend! Have a casual conversation and don't pitch any legal work.

        - "If they bring up a subject pertaining to business, then feel free to run with it. Otherwise, this is a caring, friendly check-in."
    - Follow your target clients' competitors to develop industry intelligence and ask your peers thought-provoking questions about what their competitors are doing to gain insight into undiscovered needs.

- ❑ "Call clients and referral sources just to check in on them. Do they need anything (and not related to your services at all)? Take your time and really *listen* to them. Don't feel that you have to 'fix' their problems. Being a sympathetic ear is often enough." — Lydia Bednerik Neal, VP of Marketing Services, Blattel Communications

- ❑ Continue adding to your social network with friends and close professional contacts.
    - Update your plan to regularly connect with your list of top clients, prospects, and referral sources.
    - You should have a relatively robust list and it's important to stay in front of them regularly, particularly during times of self-isolation.
    - Calling weekly is too aggressive under normal circumstances but, in times of intense change, it can be appreciated, as long as you're regularly adding value.
    - Be a trusted advisor; bring them fresh ideas that help solve their latest problems. Work through their current and evolving issues with them.
        - "We're starting to see [this] in many companies like yours. Are you experiencing this too? Here are some of the ways we're addressing this with them. Does this make sense with your company too?"

Growing Your Network

- [ ] Build your network. **Create a mailing list** of friends and contacts, don't forget to leverage your firm's Client Relationship Management (CRM) system, you never know where your classmates have ended up. By participating in your firm's CRM program, you can leverage your relationship to help create introductions with various technology tools your firm may use, such as RelSci.

- [ ] Opt for more, rather than fewer people, when deciding whom to add. Now is the time to reach out authentically to contacts, schoolmates, etc. via telephone (best and most personal) or email, or social media. Don't use FaceTime or other video chat without first obtaining permission. Include:
    - Law school classmates
    - Childhood, high school, and college friends
    - Former colleagues
    - Community association and professional club contacts
    - Parents of your children's friends and contacts through your children's activities

- [ ] Volunteer to help organize your law school's next X5 or X0 class reunion.
    - It's a great way to stay visible with hundreds of referral sources nationwide.
    - Repeat for subsequent reunions.
    - Arrange a regular series of Zoom calls to connect with your classmates. Becoming the center of the social connections will permanently maintain your friendly visibility with hundreds of potential referral sources.

- [ ] Create a Facebook and LinkedIn group for your law school class if one does not already exist.
    - Visibly moderate it, seeking fun photos, discussing memories, etc.
    - Build your name recognition.
    - It's important that they become aware of your city and practice area for future referrals. But if you provide this information in a "salesy" way, it will backfire.

- [ ] Meet with contacts at other professional-services firms (e.g. accounting, bankers, financial planning, real estate, management consulting, public relations) to identify strategic-partnership opportunities such as co-hosted events, client teams, and referrals.
    - Follow-up to events and meetings is critical; one-off meetings are a waste of time.
    - Having these calls via Zoom or Skype is entirely appropriate today.

Staying in Touch

You have a lifetime of established relationships. Friends from college and law school and any community groups you belong to. Neighbors, relatives, acquaintances from clubs or religious organizations. Create reminders to ensure that you have regular contact with your chums regularly. “Out of sight, out of mind” is the enemy of business development.

Under normal circumstances setting up a quick Skype call or FaceTiming someone might seem odd. Today, under the self-isolation protocols, it’s become socially acceptable. You can see many more people per week via a friendly 5- or 10-minute catch-up phone or Skype call than when you’re meeting face-to-face, which tends to be a one-hour minimum.

- ❑ Leverage Zoom, GoToMeeting, FaceTime, and Skype to connect with at least a few people every day, just to say a quick hello and stay on their radar screen.

- ❑ Don’t assume that all of your contacts want to use new videoconferencing technology.
  - Our job is to make them comfortable, so ask each person what works best for *them*.
  - They may have a weak home WiFi signal, or don’t want to do their hair, put on make-up, or change out of their pajamas or sweats.
  - Some, particularly older people, might simply prefer the low-tech telephone.

- ❑ Amber Naslund, Senior Content Consultant at LinkedIn, offers sage advice regarding maintaining moderation in your use of teleconferencing: “Keep yourself and your colleagues sane.

- "Not every call needs to be a video call now. Truly. Give people a break from having to constantly be in front of a camera to try to replace in-person engagement. It's different, and it can be draining.
- "Please don't schedule your team (or yourself) back to back to back. It's tempting to try to fill all of this 'extra' time with work and grab that last 30-minute slot on someone's calendar, but that's not going to end well. Give everyone some breathing room.
- "We're going to have to be in this for the long haul, so preserving some stamina for all of this intensity is going to be critical."

- [ ] **Keep in touch with your existing network,** leveraging the full range of online tools, like:
  - Virtual events, webinars, and teleconferences.
    - Ensure you have a good-quality webcam or camera. With decent lighting, the one on your laptop or smartphone is sufficient for these purposes. No one expects cinema quality, but you should know how to use the software.
    - Get a stick-on lens cover for your computer's webcam, so you can slide it over the lens when you're not intentionally using the camera. Just in case.
  - Add frequent virtual breakfasts, lunches, coffee, and/or drinks to your schedule. When working from home it can be too easy for lawyers to become recluses. Most lawyers are introverts, so we must make an extra effort to put ourselves out there.
  - Written material can be helpful, but it must be useful. Marketers are pushing out a lot more content than usual and recipients can quickly reach the point of saturation.

        - Provide a unique angle or perspective, not just circulating new changes to the law or economy, but its *specific relevance* to your clients and prospects.
        - *That* is the value that you can provide over the generic newsletters or alerts they might receive from a lawyer at a firm who doesn't know them like you do.
        - *Be their knowledgeable insider,* a member of their team*.* Show the passion you have for helping them.
    - Consider ways to foster engagement with your contacts on social media platforms like LinkedIn, Facebook, and Twitter. Be creative and appropriate. There's more detail in the "Social Media" section below.
    - Read a good networking book, like the popular *Never Eat Alone* by Keith Ferrazzi.

- ❑ When possible, engage in at least one face-to-face marketing effort per week, such as breakfast, lunch, dinner, drinks, sports, social event, seminar, conference, or association meeting. For now, try to reach out to 3-5 people online every day.
    - Send something as simple as:

> *Your name popped up on LinkedIn.*
>
> *How's it going? Every day I try to look for a few people I haven't spoken with in a while, just to say "Hello" and see if there's any way I can help enhance their success.*
>
> *I know business is challenging right now; is there something I can do to help you? If so, please do*

not hesitate to ask; it would be my pleasure to help you work through these tough times.

Warmest regards,
Ross

This isn't a Sales call; this is a general "touching base" communication you can use to stay top of mind with a large group of people investing just a few minutes per day. Few will actually call, although some will return your message, enabling you to turn this into a one-on-one conversation.

- ❑ **Devote time each week to proactive networking activities**, e.g., meals, professional events, etc. When under a "social distancing" protocol, simply make them virtual, including e.g. hosting a virtual coffee hour, happy hour, lunch or, as one lawyer recently did, a scotch tasting! — Kathleen Flynn, Ackert Advisory
  - Create a plan to regularly connect with your list of top prospects and referral sources.
  - Be prepared to ask well-informed questions about their business and their current struggles. Don't forget to leverage your firm's competitive-intelligence and knowledge-management tools.
  - Listen for opportunities to help them achieve their goals.
  - Find ways to help them become successful in their careers
  - Nancy Myrland, President of Myrland Marketing, suggests asking questions like:
    - How are things going at your company?
    - What kind of issues are you dealing with right now?
    - What are the most pressing issues that you have to solve?

- What has surprised you the most?
- How are you doing personally with all of this?
- Are you working from home?
- How is that going?
- If your company hasn't sent everyone home to work yet, how does that make you feel? I would imagine it would be a little frightening right about now.
- Is there anything at all I can do to help?

❑ Be helpful; offer advice and assistance.

  ○ Jordan Goodman, a Senior State and Local Tax Partner at Chicago's Horwood Marcus & Berk, recommends mixing work and personal emails in his communications with his audience: "I have been sending out technical updates on State tax ramifications of the coronavirus. But in between, spaced a couple days apart, are 'funner' emails. The first was 'Top 10 tips for Working Remotely' and then today '10 humorous memes and stories about working remotely.' I got some thanks for the 'working remotely' list and the technical updates (now everyone is doing those). But the funny emails have elicited by far the most responses... which allows me to follow up with 'how's it going?' 'Whatcha working on?' or 'Let me know how I can help' or 'let me send you something on that.' Those are the golden opportunities for business development."

❑ Use technology to help grow and stay in touch with your network, e.g., blogs, Twitter, LinkedIn, etc.

  ○ Keep your platform narrow and *focused*. The world doesn't need another general "Litigation" or "Coronavirus Update" blog or Twitter feed.

Turning Prospects Into Clients

- ❑ Learn to turn social contacts into potential business contacts.
  - Now is an excellent time to reach out to people authentically to see how they are coping with the situation. Also, have something of value you might offer to your contact—a CLE online, an insight about how this might affect their business, or even an ear or helping hand to network if they find themselves seeking new employment opportunities.
  - There may even be personal ways you can provide assistance. Did you find a great online resource for something they may need, perhaps a learning site your kids at home are using while stranded without school? Would they like to join a virtual happy hour, yoga class, etc.?
  - This is a long-term process; it typically takes at least 7 to 20 touch points with a new contact before you begin to have a chance of getting hired. This statistic may change under this strange new environment.

Client Service

- ❑ Develop a reputation for providing the highest-quality client service.
    - ○ Remember, the profession is full of smart, technically skilled lawyers.
        - Clients truly value lawyers who excel at *service*, i.e. communication, timeliness, accessibility, and likeability.
    - ○ Keep clients regularly informed regarding the current status of their matters.
        - Send them copies of all relevant correspondence.
    - ○ *Always* call clients back promptly, ideally within two hours. Better, ask each client how soon they like their calls returned and meet their preferred schedule. There's no one-size-fits-all solution to client service.
        - Consider: if you have a sick child, how would you feel about a pediatrician who has an "All calls returned within 24 hours" policy?
        - Have a system in place that ensures that *someone* responds promptly when you are unavailable. For example, some lawyers have their assistants check their phone messages regularly.
    - ○ Have him/her return the client's call.
    - ○ 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.
    - ○ 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.
        - Consumer clients (e.g. PI, divorce, and criminal defense) are the exception. They *will* call, so be cautious.
    - ○ Check your email at least once every night and daily on weekends. As important as it is to be extremely responsive, it's also important to maintain down time.
        - When sheltering at home, you may quickly start to feel like you are *always* at work.

Marketing Training

- ❑ Attend **marketing and business-development training** offered by the firm. Your marketing team may have some "canned" training that you can take advantage of. Watch online videos, read legal marketing blogs, etc. Brush up on the skills you'll need now and when things return to normal.
    - Most of this training will soon be available online via video and webinars, presented by consultants, vendors, and associations.
    - If the firm doesn't offer it, request it.
    - Leading law firms are spending time and effort on both visibility-enhancing Marketing efforts as well as Business-Development (BD) activities.
        - BD is "sales," i.e. the targeted client-specific activities traditionally undertaken by rainmakers who bring in the business.
        - Find a list of some of today's most popular training topics here and here.
    - See the video at *goo.gl/4RxHNp*

- ❑ Ask your Marketing Committee or professionals to bring in **networking training**. Also check your local bar association for marketing lunches. Consultants and associations have already adapted to offer these training and CLE programs online.
    - Networking is a learned skill. It's not difficult, but many of the required behaviors are counterintuitive to most lawyers.
    - Most importantly, remember that work is brought in by listening, not talking.
    - Networking is now being done online, but the same rules apply.
    - Read "Networking and Attending Seminars" below.
    - See my brief video at *goo.gl/Bwq9ii.*

- ❑ Consider hiring a **client-development coach,** an outside professional who can help you one-on-one. Plans are easy but follow-up is hard. The right coach can answer questions, provide ongoing guidance and support, and keep you on track.

A Plea to Focus Your Marketing

To the degree there's a silver bullet in legal marketing, it's becoming the go-to expert in a narrow specialty. Practice as broadly as you want, but when you market, seek to market narrowly, particularly toward an industry group or subspecialty practice niche. A rifle shot is much more effective than a broad shotgun approach. Clients do not seek out the "Jack/Jane of all trades, master of none," they want to hire the lawyer best-suited to their particular need.

See the videos at *goo.gl/fKR7AA* and *goo.gl/ QtmJTT*

When I got started in legal marketing 30 years ago, 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 LMA. I discovered that I had something to contribute, that my knowledge of the law was helpful, so I wrote some articles for the local chapter and gave some speeches. They were well received, and I began to be invited to write and speak regularly, locally and 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 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 president, but opted for 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, LMA had grown to 3,500 members, and I realized 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.

For busy professionals trying to "have it all," targeting a small group or association is the *single most efficient strategy*. When focused on a particular industry association, all of your marketing activities work synergistically together; no effort is wasted. When you write an article, they all read it. When you give a speech, they all watch it. When you do your networking, it's with the same audience that read your article and saw your speech. Everything you do builds upon everything you've done.

Economists are predicting that the fallout from COVID-19 will be a potentially severe recession. If that happens, I wouldn't want to be just another smart and skilled but generic and easily replaced generalist. I'd rather be the lawyer who offers more, a unique area of expertise that your firm can't find in every other proficient professional in your department.

You also become much easier for others to cross-sell if you have a unique capability that others can remember when in conversations with prospects. *"You manufacture bicycles? [Or build prisons, or license offshore oil-rig technology, or…?] One of our corporate lawyers has 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 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 (multi-billion-dollar) industry. But practicing as a litigation associate, it never occurred to me that some group of companies would have found that unique knowledge to be valuable. Instead of unsuccessfully marketing "general commercial litigation to Chicago-area businesses," I should have been selling my extraordinary tire-industry expertise to 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 especially useful information. Now I know better.

It's not enough to specialize in the obvious industry sectors 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: *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 the Chicago police 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
- Surfing lawyer in Southern California
- 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 included below.

Some creative recent examples we've seen have included firms that have developed "Coronavirus Task Forces," and practices targeting the cannabis and ride-share industries, and hair-transplant malpractice.

Considerations in identifying the 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?
- What type of law do you practice?

- What are you seeing as growth trends within your practice?
- Think through your list of friends and family members. Are several of them in one particular industry or niche?
- Fill out one of the handy "Niche and Industry Marketing Checklists" in the Addendum.

- [ ] 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.* It's also available with a Lexis/Nexis subscription.

- [ ] Browse through the Encyclopedia's easy-to-use directory of 135,000 non-profit associations to identify the best trade or professional groups serving your target industry. You can search the guide online with a paid subscription (ask your firm's librarian, information systems, or administrative professional if you subscribe). When possible, it's preferable to browse through the physical books, which make it easier to stumble over obscure areas you might not have thought to conduct a word-search for.
  - Seek a 500- to 1,000-member national association with an active local chapter.
  - An easy place to start is to simply ask members of your network who work in that industry if they have a suggestion for an organization you can join to learn more about their business and industry. They should know the relevant groups and be flattered by your genuine interest in them.

- [ ] Contact them to learn more about their members and request a membership kit. It's probably available online.

  - If the membership includes legal-hiring decision makers or influencers, consider joining that group.

- [ ] Once you have selected the organization, your ultimate goal is to become one of the "usual suspects" in that group—a highly visible, friendly, helpful, active contributor. If you have the time, spend a couple years just learning about the industry and the association members.
  - If you suddenly get very active, be extra careful to not look like you're only participating because you want legal work from them.
  - Do not seek work or sell your firm, or you will be shunned as an <ugh> "vendor." Show your sincerity.
  - There's no pressure; plan to spend a couple years just learning about the industry and the group's members. You're not selling anything yet, you're building your network, reputation, visibility, and credibility. This will pay off handsomely later.
  - Network regularly and actively; get to know everyone.
  - Keep the conversations focused on *them*.
  - 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.
  - Remarkably, studies show that the more *they* talk, (1) the smarter they think you are, and (2) the more they like you!
    - Show your undivided, active interest in them.

- [ ] Unless your practice area is driven primarily through lawyer referrals (e.g., litigation boutique, appellate, personal injury, divorce, patent, admiralty), partners should generally avoid spending too much time in the bar associations. Instead, surround yourself with business owners or executives in an industry trade group, rather than with competing lawyers at a bar association.

- Work toward a leadership position in your selected group.
- Consider running half-page ads in the industry publication and/or website homepage banners or direct emails, IF:
  - You would be the only law firm advertising there, and
- You can make the ads visually interesting enough to truly stand out. *See the video at* t.ly/pZJGk

- [ ] Once we're back to normal, attend at least 8 out of 12 monthly local chapter meetings per year. Until then, participate in whatever they have available—webinars, etc.

- [ ] Offer to give a speech or participate as a panelist or moderator in a program discussing the legal and business issues surrounding today's hottest topics, e.g. how the coronavirus or changing economy is affecting their industry, and the possible solutions.

- [ ] Join a committee and follow through carefully on any assignments or responsibilities.
  - People will judge your legal skills based upon how you perform as a volunteer. Do you meet your deadlines and commitments?

- [ ] Try to understand "why they buy," not "how to sell to them."

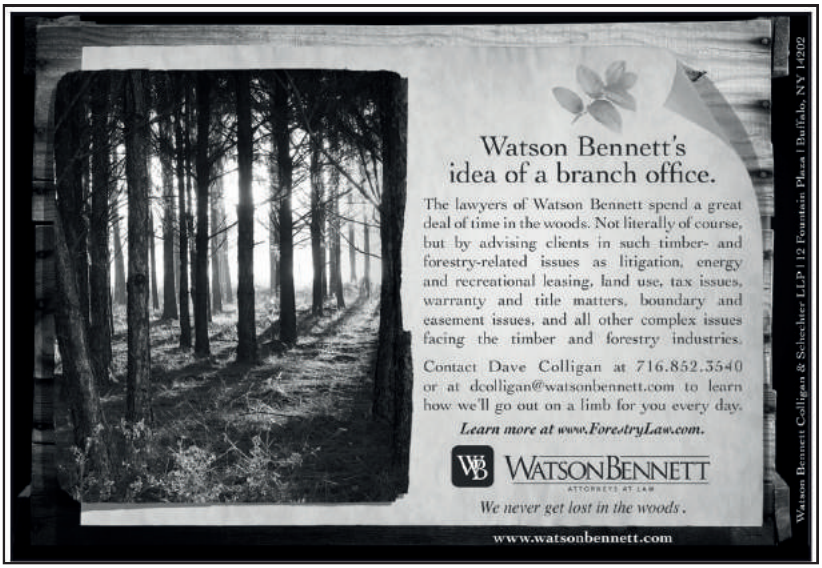
- [ ] Learn about your clients' and prospects' companies and industries.
  - Regularly read industry websites, publications, and blogs.

    - Conduct online research periodically to stay current on their issues and needs.
    - Browse company websites regularly, especially sections like “About Us,” and “News”
    - Follow them on social media.
    - If your firm has a Competitive Intelligence team, work with them to leverage firm tools like Manzama Insights to learn more about your target companies and decision makers.

- [ ] “Develop content that can be shared with the membership online regarding strategies, tips, or news related to the pandemic.” — Kathleen Flynn
    - Reach out to your committee members to check in on them.
    - Find out if they are planning any webinars that fit your expertise and, if so, volunteer to participate as a speaker, moderator, or panelist.
    - Add more examples of expertise to your firm website bio and LinkedIn profile.

- [ ] “If you are a committee leader, rather than postponing your monthly meetings, host your next meeting as scheduled via video conference.
    - “If your committee’s business is on hold pending future events, you can still get the group together to stay connected.
    - “Most of us take on these volunteer roles in order to meet people (not because we love stuffing nametags). So, don’t let current events shut down your ability to build relationships.

- “Ask attendees to talk about how the coronavirus is affecting their businesses. Encourage people to share what they are doing to stay productive.
- “Think of creative ways your group can support the larger organization or a community cause during this trying time.” — Lydia Bednerik Neal.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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.
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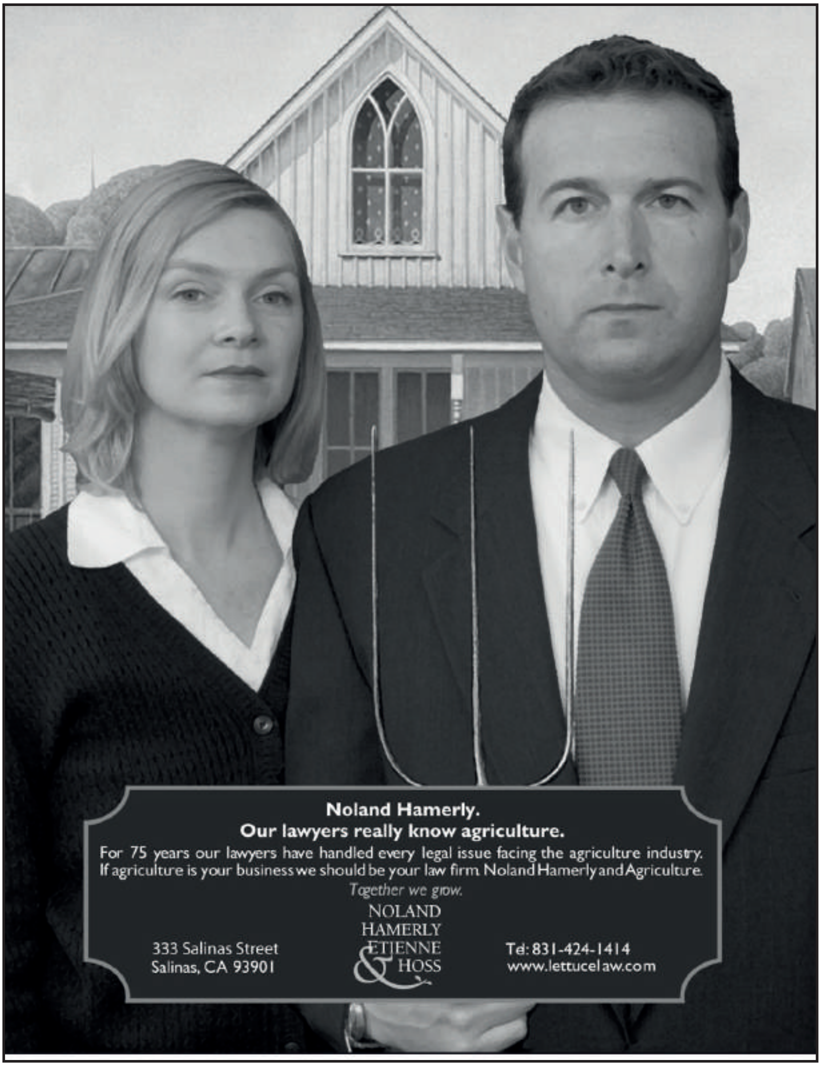
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Social Media Tools

Lawyers have been using social media platforms like LinkedIn, Twitter, and Facebook to build their reputations and enhance their relationships for many years, supporting their face-to-face marketing efforts. For obvious reasons, these online tools have suddenly become even more important.

LinkedIn

LinkedIn currently has over 610 million members, with 303 million active monthly users, 40% of whom visit the site daily. 90 million senior-level influencers and 63 million decision makers use LinkedIn (cite). It is the most important social media tool for professionals, the one preferred by lawyers. According to the 2016 ABA Legal Technology Survey report, more than 93% of lawyers surveyed use LinkedIn. It hasn't quite taken off as a communication platform, but it's the foundation of most professionals' personal marketing. It's where you'll post articles and updates to your growing network.

Today, nearly everyone you would want to hire you, from Hiring Partner to client, will first skim your LinkedIn profile to learn more about you. So, make it persuasive, personal, and professional. Show them that you're more than a dispassionate one-page resume or standardized firm website biography. This is your opportunity to help your targets see how wonderful you are and how lucky they'd be to have you on their team.

- ❑ If you don't have a **LinkedIn** page already, create one that is robust and can appeal on a variety of levels to a broad base of readers. This will be your most-important social media platform.
    - Draft a detailed LinkedIn personal profile.

        - Write in the first person with a friendly, professional tone.
    - If you already have one, now is a good time to update your page.
    - Don't identify yourself as "Partner at XYZ Firm" in the heading space. Consider this your attention-grabbing headline—intrigue your visitors with something differentiating, using keywords that prospects searching for a lawyer on LinkedIn might use.
        - Infuse it with your vibrant personality.
    - "Craft a summary that speaks not just to the work you do but who you are as a person, including charitable and volunteer work whenever possible." — Lisa Vicine, CMO, Arnall Golden & Gregory
    - Ensure there are no typos. Zero. None.
        - A single typo could be disqualifying.
        - Have a friend proofread it for you.

- [ ] Fill it out completely, including the Summary, Contact Information, Experience, and Education sections.
    - The two most important areas are About and Experience.
    - The About section is your personal summary; it's the very first thing most people will read after your name and headline.
    - The Experience section is where you get the opportunity to highlight all the exciting ways you have built up your personal brand, professional experience, and target niche (that I will be teaching you to do in the following chapters)
    - Check it at least weekly, but *daily* while we're all working from home.

- ❑ Add a quality photograph.
    - ○ An inexpensive passport photo from Walgreens will suffice. Don't use the same photo as your firm's website bio if you can avoid it.
        - Dress like you would for a professional networking event.
        - Smile. Look like someone they might want to work with.
    - ○ No cropped vacation, party, wedding, or group photos.
        - Nothing cute, grainy, badly lit, far away, or blurry.
        - No children, pets, or props. Be smart.
    - ○ Add an interesting background banner photo behind your round headshot, something that reinforces your industry niche or practice area.

- ❑ If you haven't looked at your LinkedIn page in a while, do a thorough audit to ensure it is highly professional.
    - ○ Delete anything the most conservative old prospect could possibly find offensive.
    - ○ Be judicious in what you include.
    - ○ Write in the first person and use a friendly, casual tone.
    - ○ Create a custom "Public Profile URL," so it's not random letters and numbers.
        - Learn how by going to t.ly/5PIGE
    - ○ Review the privacy settings for your profile. You want your profile to be public so that people can see and connect with you. However, it is important to keep in mind that anything you "like" or "comment" on will be visible to anyone in your network, so use discretion.

- ❑ Build a sizable LinkedIn network, work toward 500+ of connections.

- Start by connecting with people you know personally such as family, friends, co-workers, peers, acquaintances, and classmates from all your schools.
- Your goal is to get to 500 connections as soon as possible. Once you hit 500 connections, LinkedIn just shows "500+" on your profile. This works as social proof to others that you have an established professional network.
- Join your law school LinkedIn alumni group and your firm's LinkedIn group.
  - Consider starting a group for your law school graduating class.

- [ ] Update your LinkedIn profile.
  - Add organizations, volunteering experience, and honors and awards.
  - Add your top thought-leadership pieces to the Publications section and include a summary and the article URL.
  - Consider adding most of the people you encounter in your professional life. Lydia Bednerik Neal offers:
    - "Always include a personal note reminding new contacts how you know each other and wishing them well in an individual way. If they accept the invitation, follow up with a short note to suggest a phone call. Check out if they belong to any online groups that would be beneficial to join. Watch their posts and 'like' or comment as appropriate to signal you are engaged and care what they have to say.
    - "You can share your own stories and respond to other people's posts, but the real magic is in the one-to-one conversations, even when in the public or semi-public sphere. As always, you should be authentic and thoughtful.

        - “Remember, just because you are still in your yoga pants, your posts should continue to be appropriate to your network, company and profession.”

- ❑ Join LinkedIn groups of the associations and industries you are interested or involved in.
    - Pay attention to the conversations.
    - Identify the industry leaders.
    - Participate actively and helpfully. Showcase your interest and expertise by providing valuable and insightful information

- ❑ It’s easy to start by sharing or liking things that others in your firm, specialty area, or professional network have posted.
    - This will also visibly reinforce your commitment to this area.
    - Remember, listening and engaging with what others post is as important in social networking as what you say and post.

- ❑ Update it regularly, *at least* every couple months—even more often while working from home.
    - Update it every time you publish an article, give a presentation, join a new committee, etc.
    - Check it at least weekly.

- ❑ Regularly “Endorse” classmates, friends, and peers; it only takes a *click.* They’ll typically endorse you back.
    - Create evidence that you are well-liked, a leader among your peers.
    - 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 ethic rules have restrictions on this.
        - When in doubt, leave it off.

- ❑ Consider asking your Marketing professionals to purchase ClearView Social, a tool which can magnify the impact of the firm's thought leadership by simplifying the scheduling and repetition of sharing across the various platforms, e.g. LinkedIn, Twitter, etc., and providing helpful analytics. See clearviewsocial.com/

- ❑ Request professional LinkedIn Recommendations, as appropriate.
    - Write sincere recommendations for clients and prospects. It's a very nice thing to do for someone; they'll appreciate it.

- ❑ Note that anyone whose LinkedIn profile you visit will receive a notification that you'd been there.
    - You can turn this off and browse in Private Mode.

- ❑ Read "How to Draft a Persuasive LinkedIn Profile" in the Addendum.

Twitter

Twitter is a simple, quick, efficient platform to connect yourself to your specialty area online. Just 280 characters including spaces—a couple casual sentences and hashtags. It is an ideal communications platform to help build your brand and contact with others in a specialty area or industry niche.

- ❑ If you don't have a Twitter account, create one under your name.
    - For example, I'm @rossfishman (follow me!).

- ❑ "Make sure to keep your private Twitter account separate from your professional Twitter account. You will not want your professional Twitter account to reflect any of your personal opinions, perspectives, or preferences that could alienate or offend existing and potential clients. Keep your professional Twitter posts just that … professional." – Lisa Vicine

- Other marketers recommend using one single Twitter account for both personal and professional purposes. This would mean tempering your personal posts to ensure they are always appropriate for your professional audience as well.

- [ ] Check it at least once a week during normal times, and *daily* while self-isolating.

- [ ] Build your Twitter network; connect with your peers, professors, industry contacts, and thought leaders.
  - Follow people, companies, associations, and organizations within your legal, business, and specialty niche areas of interest.
  - I would encourage you to follow the marketers and other professionals who contributed to this book as well.

- [ ] Tweet at least weekly on issues relevant to your narrow area(s) of interest in normal times. These days, try to do so more frequently, to stay even more visible.
  - Remember to include the narrow search engine optimized (SEO) keywords that the media and experts in this industry or area would use to search.
  - Ensure you learn the nuances of the jargon.
  - Posts with photos or graphics get significantly greater attention.

- ❑ Re-tweet the tweets that resonate with you, to help grow your network.

- ❑ If you enjoy Twitter, follow the journalists who cover your practice area or industry.
  - ○ Engage with them occasionally.
    - Build relationships with journalists who may ask you to act as a resource for articles.
    - Offer to provide expert commentary on cases or current legal developments.

- ❑ If you enjoy using Twitter as a social media platform:
  - ○ Check it occasionally.
  - ○ Build your Twitter network; connect with contacts, clients, and thought leaders.
  - ○ Follow people, companies, associations, and organizations within your legal, business, and general areas of interest.
    - Others who follow them may follow you too.
  - ○ Post at least weekly on something relating to your job or interests.
  - ○ Retweet tweets that resonate with you.

- ❑ Consider utilizing Twitter as a *listening* platform to better understand your specialty area, clients, prospects, competitors, scholars, and more.
  - ○ Pay attention to what they are promoting, discussing, and commenting on. It can all be valuable.

Facebook

Consider Facebook to be a defensive strategy. You're unlikely to positively influence decision-makers using your personal Facebook profile, but an unfortunate post or photo could eliminate you from consideration. Don't risk it.

- ❑ If you don't have a Facebook page already, create one.
    - ○ Update your security settings.
    - ○ Delete anything a conservative client could possibly find offensive.
        - If you wouldn't proudly show it to your mother, *delete* it.
    - ○ Keep it casual and sensible. This is a less-formal medium than LinkedIn.

- ❑ Consider creating a new public Facebook page as a platform to support the professional brand you're creating.
    - ○ Add occasional updates and photos of your specialty events, speeches, meetings, etc.
    - ○ You can post similar content here that you would post on LinkedIn.
    - ○ Connect with your friends, especially those from law school.
    - ○ Consider connecting with clients, prospects, and referral sources with whom you have a personal relationship.
    - ○ Join your law school class's Facebook group.
    - ○ Check it at least weekly in normal circumstances, more frequently when working from home.

YouTube

Video is increasing in popularity with lawyers seeking to spread their message; it can be a powerful marketing tool. YouTube is the second-most frequently used search engine, after Google.

- ❑ If you have a YouTube account, analyze it carefully for any videos that do not support your professional strategy.
    - Hide, delete, or mark "Private" any videos that do not exemplify the persona you are trying to create.

- ❑ Be careful with any videos you Like or comment on and what channels you follow because this could be visible to others as well.

- ❑ Create a new YouTube account for the short specialty videos you may soon be creating.

- ❑ You can shoot high-definition videos with your smartphone.
    - Buy an inexpensive tabletop tripod and spring-clip smartphone holder. You can find them online for $10.
    - No one expects cinema quality movies, but poor-quality audio and lighting can destroy the impact of an otherwise valuable video. Invest in a high-quality external microphone and some soft lighting to fill in the shadows so you're not a dark silhouette, e.g. t.ly/qmB39
    - Consider creating a series of 1-3-minute videos that offer updates on hot topics in your areas of specialization or personal interest.
        - It's easier than you think; if you fumble your language, simply delete that video and start over.

- ○ Help prospects find your videos. Carefully tag, caption, and describe them with the SEO-friendly keywords that prospects who are searching for useful content would use.

Instagram

As with Facebook, most business lawyers will want to use a defensive strategy with Instagram, although it seems to be growing in importance for firms marketing to a younger audience. It can be particularly effective for personal injury, criminal, and other firms that target lay consumers. Be aware that your personal profile may show up in a basic search of your name.

- ❑ Analyze your Instagram profile. Do a detailed audit to sanitize it.
    - ○ Consider making your profile private or change your Instagram name.
    - ○ Delete any party photos, *etc*.
    - ○ Delete anything a conservative client could possibly find offensive.
        - If you wouldn't proudly show it to your mother, *delete* it.

Snapchat

Snapchat won't help you professionally, but it can hurt you. As with the other forms of social media, use good judgment about the content you create and share. You never know who is watching.

Presentations to Build Your Brand

- ❑ Use presentations to build your personal brand and professional reputation.

- ❑ Give an online presentation to a legal, industry, or community association or at an in-house client seminar.
  - Carefully select the topic, using it to support your chosen niche or specialty practice. Now that physical conferences have been canceled, much of this programming will be pushed online via Zoom, GoToWebinar and other technology platforms. There will be a *lot* of webinars on hot topics presented by law firms, associations, vendors, and related companies.
  - Your targets are already becoming saturated with webinar invitations and increasingly selective about which programs they sign up for, quickly exiting out of boring or unhelpful programs or infomercials.
  - Your goal shouldn't be to simply give a nice, educational speech—it's to give the speech that the audience will remember next month.
  - Always aim high and strive to give the best darn speech or webinar presentation possible. Be the presentation that every attendee will be talking about.
    - Even if yours isn't the best speech, the attempt will improve the quality significantly.
  - If you enjoy speaking, seek to build a reputation as a strong presenter; there aren't many lawyers who can be both substantive *and* entertaining.
  - Strong presenters build their reputation quickly.
    - You're likely to get invited back again, and word will spread around the industry.

- [ ] **Audiotape and transcribe the speech** or use voice-to-text software like Dragon, Siri, or Google Docs. Most webinar platforms offer the option to record the program.
    - This single transcribed speech can be repurposed into *dozens* of different-length articles and blog posts for various audiences.
    - Edit the transcription into dozens of tweets and social media updates.
    - Professional editors can do much of this work for you, if you have a marketing budget.
    - *"Here's the 10,000-word transcription of my speech. Please edit this into 100 tweets, 10 blog posts, one 5,000-word article, three 1,250-word articles, and five 500-word articles."*
        - Get professional presentation training. Public speaking is a learned skill.
        - Rehearse, rehearse, rehearse.
        - In conference presentations, ensure that you get videotaped, and review it afterward. It can be mortifying to watch, but it's the best way to improve.
        - Invite a client to co-present with you (as a nice value-add).
    - Most likely, you'll do 90% of the prep work.

- [ ] Use this speech as the foundation of a wide range of material you will reuse, repurpose, and republish, spreading it across the Internet. See the video at *goo.gl/gf9eHF*
    - With a smartphone and portable tripod, videotape your presentation.
        - Upload the entire speech to Vimeo.com.
        - Trim the speech into as many quality 2- to 3-minute snippets as possible, and upload each of them to

YouTube as individual videos, perhaps once every week or two.

        - Use narrow, detailed keywords and buzzwords in the captions, tags, and descriptions so Google will index them thoroughly.
    - Upload the PowerPoint slides to slideshare.net.
        - Create a thorough, detailed SlideShare profile.
    - Google highly ranks SlideShare profiles in name searches.
    - Connect the SlideShare slides to your LinkedIn profile.
    - Post links and updates of your videos and slides to LinkedIn, Twitter, Facebook, and other social media accounts.
    - If you're committed to speaking, hire a video editor to turn your speeches into a demo video.
    - For example, my speaker video is online at t.ly/Dj5Y

- [ ] Consider hiring a professional presentation consultant, particularly one who specializes in online presentations. A few quick tips:
    - Be aware of how you look in the square box you'll be framed in during your webinar.
        - Carefully consider the lighting. Are you backlit and in silhouette or is a harsh ceiling light creating scary or unflattering shadows on your face? Perhaps you need to change locations or buy a soft light that will fill in the shadows, e.g. t.ly/qmB39
        - Double-check the background behind you. Is it highly professional without distracting items? Zoom has a feature that lets you blur your background or replace it with a picture of something neutral. Don't rely on it; it looks like an amateurish green screen.

  - It's important to make eye contact with the viewers, which means maintaining constant eye contact with a cold, impersonal camera lens. To make this easier, I tape a photo of someone smiling at me immediately under the lens or attach a Post-It note with some eyeballs drawn on them. Trust me, it's easier to have something to make eye contact with.
  - It's important, but *very* difficult to not look at your screen (instead of the camera) when someone on the screen is talking to you. Most younger people understand this, won't care, and will be looking at their screen too. Less tech-savvy or more traditional people will have more trouble if the other party doesn't seem to be looking at their face.
  - Sequester your pets far away so there's no cat walking across the keyboard or dog barking in the background. I give my dog a new chew toy and lock him in the bedroom.
  - Arrange care for any young children; a child with a boo-boo does not respect closed doors. See t.ly/yZJLG
- Dave Bruns suggests that in these difficult times, these personal issues are not considered as problematic as they would be under normal circumstances. In fact, he believes that it can help humanize you in your professional relationships and recommends addressing this issue up front: "We know everyone is at home and we might see some cats, dogs, kids, spouses, or doorbell from the delivery guy. Don't worry about it, we'll work through those issues…"
  - Practice extensively with the software before the program so you can effortlessly take audience chatbox questions, watch the clock, and minimize the glitches.

Your Elevator Speech

- ❑ Master a basic **“elevator speech”** (how-to information is available online). This is a good time to practice with those you are sheltering in place with. You have a captive audience!
  - 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.
    - Watch the video at t.ly/pZxGk
  - Dave Bruns reminds us that “the goal is to get them interested in speaking with you, not shut down the conversation. You want them intrigued enough to ask follow-up questions, while you quickly transition the conversation back to them. It’s simply a door opener—make it interesting, humorous, or personal, not technical or difficult to understand.”

- ❑ Write multiple versions of your elevator pitch.
  - **Quick version:** One or two sentences that describe what you do and why.
  - **Medium version:** One to two paragraphs; an expansion of your quick version of the what and the why to include the who.
  - **Long version:** An expansion of your medium version; can include example clients, representative engagements, and other relevant information.
  - **Alternative versions:** Create customized versions of your elevator pitch for different audiences.
  - **Most importantly, a “canned” pitch isn’t likely to be helpful.** The goal is to ask the other person about themselves *first*. This way, when they then ask what *you* do, you will have the information that helps you describe yourself and your practice in an advantageous way,

showing them that you are knowledgeable about their business and industry.

- Why waste time talking about things you do that they don't care about?

- ❑ In addition to your elevator pitch, have short answers ready to everyday questions such as "How are you?" Instead of saying "busy" or "swamped," have an anecdote ready about a new matter you are working on or an interesting industry-specific webinar you attended. Always remain upbeat, especially in these turbulent times.
  - "Be a real person having a real conversation, even if it means admitting that you don't have all the answers but are working hard to find them, particularly in the rapidly changing COVID-19 environment." — Lisa Vicine
  - "Consume lots of data to remain relevant. Read or scan *People* magazine when you're at the grocery store, so you are never left out of a pop-culture conversation." — Dave Bruns

Visiting Clients

- [ ] **Visit clients on-site** at their offices, factories, facilities, or stores, at no charge.
    - Many rainmakers consider client visits to be the single most important, most effective marketing tool available.
    - Dress appropriately for the location (suit, or jeans and work boots).
    - Tour the plant, meet employees.
    - Prepare for this visit. Research the client before you go, understand what your firm is doing for them holistically as well as what other firms they might be using for things like litigation or transactions. Ask insightful, educated, well-researched questions.
    - Become more familiar with their industry's legal and business issues.
    - This is critical: You are there to enhance your relationship and learn how to represent them better; DO NOT SELL.
    - Offer to do this as soon as we get the all-clear and are back at work and caught up. They will be facing enormous challenges at that time. These changes can create significant opportunities for them and they will value the helpful advice of an experienced lawyer. This can help cement your relationship and lead to additional legal work.
    - Obviously, this is not a practical marketing strategy while you're forced to work from home. However, once we're back to work, face-to-face meetings will be especially important.
        - The longer we're "sheltering in place," the more meaningful they will feel.

Business Cards

- ❑ When you're out, *always* have business cards with you. This is important, even when you're not attending business functions; you never know when you might meet someone who might turn into your next big client. Pre-2020, I presented at 30+ legal conferences per year. In my experience, roughly 15-20% of the attendees would have neglected to pack business cards. I don't remember any of those people.

- ❑ They may seem old-fashioned to some, but they remain a vital part of today's networking.

- ❑ Cards remain the simplest, most tangible way for people to remember you and contact you later.

- ❑ Consider adding your LinkedIn profile URL and Twitter username (including the @ sign).

- ❑ Don't leave these business cards to gather dust in your bottom drawer; they can't help you unless they're with you. Here's how to guarantee you have cards when you need them:
    - Leave 75–100 in the box in your desk, then divide up the rest among all of your pants pockets, suit coats, blazers, jackets, overcoats, purses, gym bags, briefcase, backpack, suitcase, roller bag, and glove box.
    - Put a rubber-banded stack in your suitcase, so you don't forget them when you're traveling.
    - Watch this brief video about business cards at t.ly/dZmW6

- ❑ Women's outfits may not have pockets.
    - Plan for networking events by wearing a blazer with pockets.

- Ensure you have a purse with a shoulder strap and keep your cards in an outside pocket, so you can effortlessly pull them out with one hand.
- In a pinch, you can insert a few cards in the back of your plastic name tag, or in your cell phone case.

❑ At networking events, 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.

❑ The goal is not to simply pass out cards to attendees.
- You must collect their cards as well, to ensure that you can manage the flow of communications and effectively follow up with them.
- Do not put the burden on them to stay in touch.
- Read more under "Networking and Attending Seminars" below.

Networking and Attending Seminars

Since the COVID-19 outbreak, networking has moved online, but it remains the foundation of all business development. It's important to know how to network, particularly at conferences and seminars where you'll find a target-rich environment of prospects. Conferences have all been cancelled for health concerns but when we're eventually able to get together again, the following techniques can build your personal brand and reputation and accelerate the development of the network of prospects who will become your future clients. It's worth reviewing the techniques you'll want to use, whether you're speaking or attending.

- ❑ Networking is a *long-term* process. Learn to meet more of the *right* people, those whom you can turn into prospects, business contacts, then clients.
    - "Active listening" is important.
        - That is focus intensely on the speaker, work to thoroughly understand their message, and respond thoughtfully."
    - Ask well-informed questions regarding their business.
    - Listen for opportunities and ways to help them achieve their goals.
    - Ask your firm to bring in training on networking skills. See my brief video at goo.gl/Bwq9ii
        - Networking is a learned skill. It's not difficult, but many behaviors seem counter-intuitive.

- ❑ ***Before* the Event**
    - Determine whether the event you'll be attending is business or social.
        - If it's *social*, great, have fun. But if it's *business*, then you'll need to be more intentional and strategic, and invariably have less fun.

- ○ When blocking off the event on your calendar, block off an additional hour in addition to the scheduled time.
  - Commit to arriving 30 minutes before the program starts and staying 30 minutes later—*that's* when the actual networking occurs, not during the presentation.
  - If your goal is to create new relationships or reinforce existing ones, this extra networking time is important.
- ○ Consider doing some quick Internet research regarding any targets or prospects whom you expect to be at the event.
  - This information gives you an easy conversation starter ("Hey, I read that you were [doing X]. Tell me about that!"
  - It also positions you as the type of informed, educated professional they should want to work with.
- ○ Write down a few simple, tangible goals to complete. They can be simple, e.g. "Meet two new people," or "Collect three business cards," or "Speak with Amanda at ABC Company."
  - Identifying specific goals makes your behavior more strategic and intentional; it'll guide your movements and let you know if you've been successful.
  - One goal should be to speak with an existing contact you know will be there.
  - Ask two questions: "How's business?" and "What are you working on that you find especially interesting?"

❑ ***During* the Event**

- ○ **Be strategic regarding whom you speak to.** You're busy and you have taken valuable billable time away from work to be here.
- ○ You have only 30 minutes to meet and speak with the people you need to help advance your career. You can't afford to risk spending this time with the "wrong" people.

- Subtly read their name tag and assess whether they fit your strategic profile *before* approaching and engaging them in conversation. (Don't get caught doing it.)
  - It might feel a tad mercenary, but remember, you've decided that this is *business*. You're at this event to meet new people who might turn into prospects and clients, not to make friends. That's for some other time or event.
- Don't sit at empty tables. The same rule applies to where you sit—be deliberate regarding whom you'll spend lunch with.
  - Choose your seatmates carefully, intentionally, and subtly.
  - You'll spend an important hour between these two people. Make sure they're the "right" people for this occasion.
- Try to meet more, rather than fewer people.

❑ **Wear a name tag**

- If you need to write your own, make it neat, large, and legible. It helps attendees ask you questions and remember you later.
- Affix name tags to your *right* lapel, not your left. This way it faces towards people when shaking hands with them.
- Gender-communication expert Susan Freeman, President of Freeman Means Business, suggest that "Women may need to plan ahead regarding their fashion choices to avoid damaging fragile clothing with a name tag's sticker or clip.
  - "Have a selection of indestructible "conference blazers."
  - "Keep a blazer hanging on your door at work for last-minute programs."

- If you're given a lanyard, position it above your chest so people can comfortably see it.
  - It may have a spring-clip to resize it. Tie a knot if necessary.
  - A name tag dangling around your stomach is entirely invisible. (These days, no one will risk being caught looking down there.)
- When you next receive a magnetic-clip name tag, consider keeping it in your briefcase. They're the most flexible and least destructive style and can be reused in future events.

❑ **Networking Questions.** It can be difficult to get started in conversation with a stranger. Try some of these.

- [Look at their name tag.] Tell me about [company].
  - What do you do there?
  - What kinds of products/services do you provide?
  - Who are your target customers?
- How did you get started in _______________?
- What do you enjoy most about what you do/the topic of the event?
- What changes are happening in your industry?
- What are some of the projects you are currently working on?
- What can I do to help you/your business?
- Would you teach me more about ________ [business/topic they have an interest in]?

❑ **Graceful Exit.** Once you've made a good impression with someone within your target audience, create a relevant follow-up meeting or activity, commit to that follow-up, then exit the conversation so you both can continue networking.

- It’s socially acceptable to suggest that you need to make a call, use the restroom, say hello to someone you see across the room, or get a drink.
    - A friend of mine always orders a half-glass of beer at the bar. This way, he’s never more than a few ounces away from an excuse to get out of an unhelpful conversation.
- “I don't want to take up all your time. “I’d like to continue our conversation, so how about we plan to get together? “I’ll email you in the next couple days.”
    - Then be sure that you *do* it.
- Write your promise on the back of their business card after you split up, so you’ll remember.
- Don’t get caught doing it, some people and cultures believe that writing on their business card is insulting.
    - Follow-up is hard. But it works.
- Don’t monopolize their networking; they want to speak with more people too.
    - You must *force* yourself to keep moving. It’s too easy to simply continue a positive conversation when things are going well.
    - Fight the urge to speak only to your friends. Hanging out with them is easy and fun, but that’s not why you’re at this event.

❑ ***After* the Event**

- Connect with them on LinkedIn within 24 hours, with a brief personal note that reminds them of who you are.
- Use the information on the business cards to add them to your firm’s contact list or database for appropriate mailings, holiday cards, etc.

    - Try to send a follow-up email by the next afternoon. Keep it simple and to the point, such as, "Nice meeting you, let's continue our conversation over lunch."
        - Offer a specific date, time and place in your email. Don't waste time with endless noncommittal back-and-forth communications.
        - Be polite and assertive; they will appreciate your being direct.
    - Follow up as promised. For example, you might say, "After we spoke, I looked into [the topic in question] that relates to our conversation. I have attached a couple of the firm's electronic updates on this issue. Are you signed up to receive them?"

- [ ] While it's important to provide the client with as much meaningful information as you can, it's also important to find out as much as possible about their business and role.

- [ ] Clients particularly value lawyers who understand their business and industry. Speaking the client's language can set you apart in a positive way.

- [ ] Think about a strategy for the specific kinds of business initiatives and legal work on which you would like to partner with clients.

Conduct a "Needs Assessment."

The basis for conducting this assessment is to identify the client's needs and objectives. It will also give you and the client the opportunity to work together to brainstorm and create a clear plan for the future.

The key is to strategize and present this information in a way that identifies their questions and concerns and helps them achieve their future goals. If there are legal solutions to their concerns, you have a path to find a way to work together on them.

- ❑ Susan Freeman offers "some powerful questions that show respect for the client, giving them an opportunity to share what's most important to them, below:
    - From your perspective, what would be a valuable way for us to spend this time together?
    - What would be useful for you to know about our firm?
    - What prompted your interest in our meeting?
    - In talking to some of our clients in your industry, I'm struck by a couple of particular issues they are grappling with. These include: [give examples]. How would these resonate with you and your management?
    - How is your organization reacting to... (a recent, important development in this client's industry or function)?
    - How are you handling... (new competition, cheap imports, a new regulatory framework)?
    - Is there a particular competitor you admire?
    - Can you tell me what your biggest priorities are for this year?
    - What are your most significant opportunities for growth over the next several years?
    - What exactly do you mean when you say ["risk-averse," "dysfunctional," "challenging?"]

  - Who would you say are your most valuable customers?
  - What would your best customers say are the main reasons they do business with you?
  - Why do customers stay with you?
  - Why do customers leave?
  - When customers complain, what do they say?
  - How have your customers' expectations changed over the past five years?
  - How would you describe the biggest challenges facing your own customers?
  - What's the driving force behind this particular initiative? What is behind the drive to reduce costs, design a new organization, etc.?
  - What would "better" (risk management, organizational effectiveness, etc.) look like?
  - How much internal agreement is there about the problem and the possible solutions?
  - From your perspective, given everything we've discussed, what would be a helpful follow-up to this meeting?"

- [ ] Any one of these can help you to show respect, gain trust, build rapport, and, ultimately, be likable.
  - Since people want to work with people they like, try *active listening,* rather than talking.

General Mindset

Always remember, whatever your job, **always do more than is expected.**

Clients can't often tell whether you're doing a good technical job, but they can tell how well you're treating them, and this is especially true when you can't physically shake their hand and look them in the eye. Communicate regularly. Meet your obligations and deadlines. Be responsive–don't make clients wait to hear from you. Try to return every call and email within two hours and never let a call or email go unreturned overnight. Don't be afraid to return a call or email simply saying you are working on it and giving the client a deadline when they can expect to receive the requested information.

Treat every person at the firm with the utmost respect regardless of their gender, race, religion, sexual orientation, age, or title. Learn the names of all of the receptionists, secretaries, clerks, and messengers, and use them. It's not only the decent thing to do, people notice. It matters. Savvy lawyers understand that secretaries and receptionists are often the best source of information because they have different guards up and might be more willing to share.

Gender-Based Communication Musings

Susan Freeman offers some personal insight into gender-communications within law firms:

Women remain underrepresented at every level in corporate America, despite having earned more college degrees than men for over thirty years. Most organizations understand the need to do more—corporate commitment to gender diversity is at an all-time high. Nonetheless, progress remains slow—and may even be stalling.

One of the most-powerful explanations is the simplest—we have blind spots when it comes to diversity, and we can't solve problems we don't see or understand. Raise awareness in your own firm and lead by example. Women need to have an equal shot at the career-stretching assignments. To create equity in the workplace, we must help women and men communicate more effectively.

- ❑ Diversity and inclusivity are not the same things.

- ❑ Firms that are diverse and inclusive perform better than firms that are not.

- ❑ Diversity requires including women and men of different ages and races.

- ❑ Inclusivity calls for complete integration of all employees into all firm operations.

- ❑ Women and minorities benefit from having people who coach them on "political navigation" as well as skills development.

In the workplace, people are continuously—and often unconsciously—assessing your communication style for two sets of qualities: warmth (empathy, likeability, caring) and authority (power, credibility, status). In all cases, a communication style turns into a weakness when overdone. A woman's collaborative approach can appear submissive and a man's directness can seem callous.

Men appear aggressive when their expansive postures infringe on other's personal space (sometimes called "manspreading"), when they have a "death grip" handshake, and when they emphasize status cues to the point where they look haughty and uncaring. Women are viewed as weak or passive when they are unnecessarily apologetic, when they smile excessively or inappropriately, and when they discount their own ideas and achievements.

Typically, women have the edge in collaborative environments where listening skills, inclusive of body language and empathy are highly valued, and are judged as better at dialogue. Women are more empathetic and less combative. Because they are better at listening, they can more effectively and consistently find client-centered solutions.

Without as much ego or bluster, they can find unique solutions to litigation, rather than just filing a lawsuit. Most clients want to avoid costly litigation, yet many male attorneys do not even consider seeking a creative solution or alternative. The client's real goal is to resolve the dispute and get back to making money. In this regard, a woman attorney's inclination to listen and predisposition to be creative, offers a solid advantage.

Women are generally more patient and better listeners, positioning them to understand the client's real needs when negotiating a deal or trying to solve a client's business problem.

Research shows that success and likeability are positively correlated for men and negatively correlated for women. That is, when a man is successful, his peers often like him more; when a woman is successful, both men and women may like her less. This trade-off between success and likeability creates a double-bind for women. If a woman is competent, she does not seem nice enough, but if she seems really nice, she is considered less competent. This can constrain her career advancement.

This bias often surfaces in the way women are described, both in passing and in performance reviews. When a woman asserts herself—for example, by speaking in a direct style or promoting her ideas—she is often called "aggressive" and "ambitious." Or worse. When a man does the same, he is considered "confident" and "strong."

According to Carol Goman, author of The Silent Language of Leaders, women display more "warm" body language cues. They are more likely to focus on those who are speaking by orienting head and torso to face participants. They lean forward, smile, synchronize their movements with others, nod and tilt their heads (the universal signal of listening, literally "giving someone your ear").

These are powerful and positive communication traits. Understanding these differences in gender-based communication gives you an advantage. Use what you now know to grow and protect your practices, your client's company, and yourself.

The receiver makes meaning of the message—regardless of the sender's intent. Effective communication takes place when the sender confirms the message is received as the sender intended. For each person certain communication strategies are more effective than others. As men and women communicate differently, there are common practices that make building and maintaining relationships a bit easier. We suggest giving the following recommendations an old college try:

- ❑ Adapt to sudden changes in direction whether in your personal or professional life.
- ❑ Use an easy-going and, where appropriate, fun, approach to building and nurturing relationships with colleagues and clients.
- ❑ Be prepared to share problems openly with trusted advisors or mentors inside the firm.
- ❑ Provide information that stimulates conversation among people of differing personalities, views, and styles.
- ❑ Ask for others' thoughts and ideas—even if they conflict with your own.
- ❑ Don't always expect brief, specific answers, especially outside of the courtroom.
- ❑ Allow for storytelling—your own and that of others—in your life.
- ❑ Acknowledge unique talents and leadership skills, even when you are not the leader.

- ❑ Be clear on your expectations, desired outcomes and completion details.

- ❑ Support others' needs for new ideas, state-of-the-art technology, modern-day materials, and intellectual growth challenges.

- ❑ Offer others praise and appreciation when due, early and often.

- ❑ Indulge in occasional speculation, knowing sometimes the questions are more meaningful than the answers anyway.

Your Mental Health

Law can be a difficult and stressful career. We work long hours on intellectually and emotionally challenging projects for clients who may seem demanding and unappreciative. We bring the work home with us not just physically, but also mentally and emotionally. It is essential to take care of yourself. Eat right, get enough sleep and exercise, and spend time with your friends, family, and hobbies. Volunteer for a charity. Ensure you have a vibrant and fulfilling life outside of your practice, as well. Being successful and productive is more about that balance than it is about the quantity of work you have produced.

Law can be an isolating profession even while working in an energetic office. In today's uncertain times, it is important to focus on your emotional and mental well-being in addition to your physical condition. The "social-distancing" and "self-isolating" behaviors that can keep you free of disease can be lonely and stressful. These can cause additional health problems and aggravate any physical problems you may have.

During periods of intense and extended isolation, take the time to exercise and find productive ways to distract yourself. Try to maintain a consistent daily routine, even just waking up and eating at the same time every day. Take a walk or ride a bike. Do an art project or start a 1,000-piece puzzle.

Start some of the things you've been putting off, like cleaning out your drawers or closets. Take an online class and learn a new skill. Write that article or blog post that you've been thinking about. Learn to play the guitar; in just a few days you can be strumming and singing early Beatles with your friends online.

Sarah Tetlow, Legal Productivity Coach and Founder of Firm Focus suggests "when distracting projects pop into your mind or vision while you're trying to finish a deadline for work, quiet the distraction by identifying *when* you will address it.

- 'I need to do the laundry. I will do it when I take a break at 3:00.'
- 'I should write an article about this topic!' I will set a tickler reminder to prepare the draft on Tuesday after I've filed this brief.
- 'I would love to clean out that closet.' I will do that on Saturday afternoon.

By identifying a scheduled time for your next action on those precious thoughts and tasks, it will help calm your brain of the distraction knowing you have a plan."

Speaking of calming the brain, practice mindfulness with an app like *Calm* or *Headspace*. Listen to some stress-reducing music, like "Weightless," by Marconi Union. Use this time to get in better shape by downloading an exercise app like *Couch to 5K*, *Hundred Pushups*, or *Pocket Yoga*, and get started!

Andrew Fishman, LSW say "It's important to stay informed, but it's easy to become overwhelmed by too much bad news. Consider limiting the news to certain times of the day. Try to figure out how much information you need to make healthy choices without going overboard or obsessing.

"Resist the powerful attraction to the social media platforms that can increase your stress. Sites like Facebook often act as a funnel for bad news, fake news, conspiracy theories, and people either complaining about their miserable lives or humble bragging about how much better their lives are than yours.

“In times of crisis, people may worry about their loved ones getting sick and dying. This is often connected to the amount of media a person consumes. This fear isn’t *entirely* irrational but may do more harm than good; stress like this can damage your mental and physical health. Unless it’s helping to make healthy decisions, worrying isn’t a good use of time or energy.

“Try to be proactive about connecting with loved ones. Get as close as you can to meeting in person. That is, Facetiming is better than calling, because you can see the smiles on their faces. Calling is better than texting because it’s more interactive and you can hear them laugh. And texting is more dynamic than passive email well-wishes. Share upbeat messages on Instagram.”

Consider reading *The Happiness Advantage* by Shawn Anchor, which discusses how “happiness fuels success.” In your life and career, strive for a career that provides *both*.

If you feel that you may need some support or assistance, there are many available resources designed specifically for lawyers. These include (1) Lawyer Assistance Programs through state and local bar associations and (2) the renowned Hazelden Betty Ford Foundation at hazeldenbettyford.org. Seek them out.

Conclusion

If you follow this checklist, over time you should find that you have developed a significant network of contacts you can turn into clients. Moreover, you will have laid the foundation for a successful career, one that is fulfilling personally, professionally, and financially. Hopefully, you'll be able to look back on this unprecedented event as the time you invested even more deeply in your personal marketing and took your practice to the next level.

Remember, once you identify what you love to do, find a way to bring that into your practice. If you do, you may spend your time until retirement leaping out of bed every morning absolutely passionate about your profession, your career, and your success.

Good luck!

Author Biography

Ross Fishman, J.D.

Of Counsel magazine wrote: “Many people consider Ross to be the nation’s foremost expert on law firm marketing.”

Ross is one of the legal profession’s most popular marketing and ethics CLE keynote speakers. Often characterized as both highly entertaining and educational, Ross’s presentations draw on his experience as a litigator, marketing director, and marketing partner, inspiring lawyers at all levels.

A Fellow of both the College of Law Practice Management and the Litigation Counsel of America (LCA), Ross has branded 200 law firms worldwide on six continents and has written 300 bylined articles, including seven monthly columns. Selected as a “Lawdragon 100 Leading Consultants and Strategists, he received the international Legal Marketing Association’s (LMA) first peer-selected Lifetime Achievement award and was the first marketer inducted into the LMA’s international Hall of Fame.

A particular highlight was when a grateful Louisville law firm client had the Governor commission Ross as a Kentucky Colonel. He's been quoted in the media hundreds of times, in publications including *The Wall Street Journal, The New York Times,* and NPR's "All Things Considered."

A member of the federal Trial Bar (N.D. Ill.), Ross received a B.A. in Speech Communications, *cum laude*, from the University of Illinois, and his J.D. from Emory University School of Law. **Subscribe to his marketing blog** at *fishmanmarketing.com/blog*. His speaker website is rossfishman.com.

ross@fishmanmarketing.com
fishmanmarketing.com
rossfishman.com
LinkedIn.com/in/rossfishman
Twitter: @rossfishman

Addendum

NICHE AND INDUSTRY MARKETING CHECKLIST: LONG VERSION

Niche/Industry Marketing© Worksheet for Lawyers

What industry or niche specialty practice should you focus on?

Target companies must be appropriate to the size of the firm:

- What's your specialty niche?
- What type work do you want more of?
- Are there people/industries you particularly enjoy?
- What types of companies are most likely to hire you?

What skills, interest, or passion leads to an appropriate target?

- Something interesting/unusual about you?
- Previous job/career providing insight?
- Family business you worked in?
- Spouse's business you have contact in?
- Existing client providing industry experience?
- Previous big win/case study to get you started?
- Personal connections to give you a leg up?
- A hobby that engenders useful insight?

<u>Select *one* industry group or trade association.</u>

Browse through the *Encyclopedia of Associations* *(see page 47)* and select a little-known, niche-oriented trade or professional association upon which to focus your marketing efforts—ideally a national organization with a nearby local chapter where you can focus your monthly networking activities. Surround yourself with *clients*, not competitors.

- You must be active, visible.
- Attend monthly meetings.
- Join the membership committee.
- Work to leadership position.
    - Committee chair
    - Conference chair
- Focus most of your marketing activities on this group.
    - Networking, research, biography, articles, speeches, public relations, ads, etc.

<u>Some ways to focus your practice, a health care example:</u>

- **Geography:** "National" is usually too broad. Define a narrower geographic region.
- **Size of business:** Focus on a certain segment of the business (e.g. just small or large hospitals).
- **Type of business:** Subset of a larger industry (e.g. ambulatory care facilities).
- **Injury type:** Focus on a certain type of injury (e.g. punitive damages or emotional distress).
- **Practice area:** Specialize in a narrow area (e.g. kidney dialysis or anesthesiology).
- **Or a combination:** Select two among the list (e.g. radiology cases in small hospitals).

<u>What do I do after identifying some likely organizations?</u>

- Contact them; the information is in the *Encyclopedia of Associations*.

  "I represent companies in your industry and would like to learn more about your association. Do you have a local chapter?"

- Request membership information.

- Learn about pricing, benefits, member demographics.

  Are they your target prospects?

- Analyze the conference schedule, magazines, and website.

<u>What's the plan?</u>

- "We don't accept [vendor] members."

  "I can help members avoid trouble, protect themselves, save money…

- Write articles for magazine, newsletter

- Preventive-law monthly column

- Local/national conference speeches

- Network monthly at local meetings

- Advertise

Summary

Focusing your marketing clarifies your message and identifies how to use the standard tools most efficiently and effectively:

- Website
    - ***Micro-site or blog*** *directly on point.*
- Networking
    - ***Finite audience*** to meet.
- Research
    - ***Specific industry*** to learn about.
- Biography
    - ***Tailored experience*** to describe.
- Social media
    - ***Add to LinkedIn bio.***
    - ***Twitter*** can establish expertise with the media.
- Brochure, print or electronic
    - ***Targeted*** to group's needs.
- Articles
    - ***Focused message*** is easy to discuss in print or on blogs.
- Speeches, Newsletters
    - ***Interested audience*** and a narrow topic.
- Public relations, quotes
    - ***You're the expert,*** so reporters need you.
- Advertising
    - ***Inexpensive placement*** in targeted publications or online.

NICHE/INDUSTRY MARKETING CHECKLIST: SHORT VERSION

Seek to identify one or more narrow niches in which, if effectively marketed, you could use to build a successful, focused practice. Where can you become a market leader? This form seeks to focus your thoughts regarding where to start.

Consider specific industries, narrow market segments, target communities, geographic regions, sub-practice specialties, and/or areas of narrow expertise. Avoid broad, traditional headings like Health Care, Real Estate, Insurance, Construction, or Financial Services. In what niche do you have the threshold level of expertise and limited law firm competition?

1. What narrow niche or industry should you consider targeting?

2. Identify any other firm lawyers who have experience in the target area.

3. Briefly describe your interest or expertise for this niche or industry.

4. Identify one or more existing clients or contacts in the targeted area.

5. Identify the best trade associations or similar organizations serving the target area, if you know (or look in Gale Publishing's *Encyclopedia of Associations*)

6. Identify any lawyers or firm(s) who would be your primary competitors.

7. How might you or the firm distinguish yourself from competing law firms in those areas?

INDIVIDUAL MARKETING PLAN: LONG VERSION

Describe Your Personal Marketing Goals for [year]

I. Developing Your Network and Reputation

Clients perceive professional activities like writing, speaking, and bar- and industry-association activities as indications of your knowledge and skill. Ensure clients know about your activities by sharing through the firm's marketing outreach, and posting to social media.

A. Networking

Networking is the foundation of client development. Build a network of the *right* contacts. After a thorough analysis, *precisely* identify the most likely sources of new business for the practice you are trying to develop—your "target audience." Next, find out which industry or trade associations they belong to and which meetings they attend. Then join those organizations and *work toward a leadership position.* You can't get business if the people who hand out the business don't know, trust, and respect you. This is a critical, *long-term* professional-development activity.

I will actively participate as a member of:

- ❑ **Industry or Trade Association(s)** In which *industry* would you like to develop contacts? What groups do your clients belong to?
- ❑ **Bar Association(s)** These help professional development and build a strong resume. For business-development purposes, it is better to be the only lawyer in a roomful of potential clients than sitting among other lawyers. Allocate your time carefully. As a young lawyer, select one bar association and work toward a leadership position. *Get active and visible!*

Association/Section	Committee

B. Supporting Activities

Certain activities support the firm's marketing. Some are included below.

- ❑ I will create or regularly update my CRM lists and LinkedIn connections.
- ❑ I will create or regularly update my biography and social media profiles.
- ❑ I will help draft or update written promotional materials (e.g. blog posts, social media, newsletters, etc.) targeting the following department, practice area or industry:
- ❑ I will commit to creating or helping update my matters in the experience-management or knowledge-management system.
- ❑ I will commit to creating or helping update a list of representative cases or transactions.
- ❑ Other, describe:

II. Developing Existing Client and Prospect Relationships

It is important to focus much of your marketing efforts on maintaining and expanding existing relationships.

A. Strengthening and Expanding Existing Client Relationships

Roughly 80% of a firm's new business comes from the top 20% of its clients. Lawyers should commit to strengthening, enhancing, and expanding these top relationships. The primary focus is to learn more about their businesses and industries, strategic business goals, and legal needs so that you can provide more informed and useful counsel. An added benefit of this enhanced understanding is that it positions you to identify new business opportunities. As the General Counsel of a Fortune 500 company said, "If you're not willing to take the time to learn about me, you do not really want my business." List the two current clients you will work to strengthen the firm's relationship with.

Existing Client's Name:

- ❑ **Company Research.** It is important to have current information about firm clients. To learn more about their company and industry so that I can serve them better, I will review their website, including the "What's New" section. I will leverage firm resources to learn more about my clients. (see *www.google.com/alerts*)

- ❑ **Client Visit (5th-year associates and up).** Within 6 weeks, I will volunteer to visit the client's facility, for free, to learn more about them and invest in the relationship, so that I can understand their business and enhance our service. I will tour the facility, and meet their people at all levels, but I will not market to them in any way. Instead I will learn about their goals, personnel, products, and operations.

- ❑ **Attend Trade Conference.** This year, I will offer to go with the client to his/her trade association conference at no charge, to learn more about his/her business and industry.

- ❑ **Read Industry Periodicals.** Within two weeks, I will view online and/or subscribe to (and read) the client's and competitor's trade journal(s) or blogs, to learn more about his/her business, industry, and jargon. The client would be delighted to learn of my interest and inform me of the best publications to read.

- ❑ **Write Industry Article.** This year, I will co-author an article or blog post with a client.

- ❑ **Make Conference Speech.** This year, I will arrange to speak at the association's next conference on a topic of particular relevance to this industry, co-presenting with a client if possible.

- ❑ **Attend Client Meetings.** This month and every two months thereafter, I will offer to attend the client's internal meetings, at no charge, to learn more about them, and offer advice on accomplishing its goals.

- ❑ **Entertain Client.** Every two months, I will entertain this client for a meal, event, etc.

- ❑ **Present In-House Seminar.** I will offer to conduct a free seminar on a useful topic.

- ❑ **Add to Mailing List.** I will ensure that this client and its key personnel are on our list.

B. New Client Development

Although it is a less-efficient way of bringing in new business, developing new clients is still important. List below one non-client target you will seek to develop business from during the coming year, and any additional support that you need to help you accomplish this.

Prospect's Name:

- ❑ I will conduct current company research.
- ❑ I will seek to visit the prospect's premises within six weeks.
- ❑ I will attend the prospect's industry/trade association meeting this year.
- ❑ I will view online and/or subscribe to (and read) the prospect's relevant trade journals and blogs within two weeks.
- ❑ I will co-author with a prospect a short, industry-focused article this year.
- ❑ I will seek to co-present with a prospect an industry association speech this year.
- ❑ I will volunteer every two months to attend the prospect's internal meetings.
- ❑ I will entertain this prospect every two months.
- ❑ I will seek to present an in-house seminar to this prospect.
- ❑ I will add this prospect to the mailing list.

III. Additional Resources

What would help you succeed with your marketing?
List the top 5 in order.

(1 is "least important" and 5 is "most important").

_______ Training in how to network or work a room better
_______ Training in how to focus my marketing to achieve better results
_______ Training in how to be more effective in new-business proposals and competitions
_______ Training in advanced client-service strategies
_______ More individual instruction/coaching
_______ Assistance from colleagues (describe:)
_______ Institutional support and leadership
_______ More knowledge of firm capabilities
_______ More time

Describe:

INDIVIDUAL MARKETING PLAN: SHORT VERSION

MY 100-DAY INDIVIDUAL MARKETING PLAN

Clients: In the next 100 days, I will focus on increasing our involvement with the following existing clients (list clients and indicate the type of contact you will make with each client):

1. ______________________________

____

2. ______________________________

____

3. ______________________________

____

Prospects: In the next 100 days, I will initiate contact with the following organizations who are not currently clients of the Firm (list prospects and indicate the type of contact you will make):

1. ______________________________

____

2. ______________________________

____

3. ______________________________

____

Meetings: I anticipate having the following new-business meetings (face-to-face meetings with potential buyers) during the next 100 days (list):

Current Clients	**Prospects**

Positioning: In the next 100 days, I will conduct the following "positioning/broadcasting" business-development activities (speeches, articles, seminars, mailings—general passive marketing activities):

1. ______________________________

____

2. ______________________________

____

3. ______________________________

____

Proposals: I anticipate developing the following proposals for our services during the next 100 days (list):

1. ______________________________

____

2. ______________________________

____

Other: I will conduct the following "other" business development activities during the next 100 days:

Hours: I plan on devoting ______ hours per week to business development during the next 100 days.

Evaluation: The ways I will evaluate my business development efforts at the end of the 100 days will include: ______________

____

HOW TO WRITE FOR THE INTERNET AND ENHANCE YOUR SEO

Biographies, LinkedIn pages, blog posts, and other online material can and should be used to elevate your rankings on search engines like Google (called Search-Engine Optimization, or SEO). We know roughly what Google's algorithms are looking for, which makes it possible to draft your materials in a way that uses this information to improve your results. Although there are no guarantees and the rules continue to change, leveraging this information and staying current on the trends and updates improves your chance of being found by your target audience of buyers and referral sources.

Fundamentally, Google tries to connect each search with the specific pages on credible websites that seem to best match that search. Therefore, when drafting the pages you would like ranked highly by Google, write from the perspective of a prospect seeking that information, working backwards from the specific Google searches they would conduct. Consider the exact terms they would use in the search box and use that same language in your online materials, like websites, LinkedIn, and other social media.

These days, sophisticated users are conducting longer, more complex searches, including narrow specialty areas or identifying particular types of contracts, clauses, phrases, or statutes. They include the name of the city, state, or province which means you should also if you want to persuade Google that your page is highly relevant.

Here is one of the least-known, but most-important pieces of information in this area: There are no "actual" Google search results—results differ on every computer. Google basically knows who and where you are, and tries to tailor the results to be most helpful to what you're probably looking for. This means that your search results will be very different from someone conducting the exact same search down the hall or in a different city or country. It's why when you search for "Plumber" you'll see plumbers in your local geographic area and not from Paris or São Paulo.

This reality can lead to biased results and a false confidence in your success. When you conduct a general "organic" search, your firm may receive a high ranking because Google knows your personal search history and your previous interest in that firm. But a more objective or disinterested searcher, like a prospect searching from a different city, might not find you on Google at all.

It's not unreasonable for sophisticated purchasers of legal services in the US to look for a skilled law firm in a far-flung jurisdiction by searching online. They might not do that for a major practice area in a major US city (e.g. "Boston litigation") where they can easily find a direct, in-person referral. But when seeking a professional in a smaller or less-well-known jurisdiction, Google searches become a useful option. But a firm buried on page 3 or lower will be out of competition. And that's a missed opportunity.

WRITING AN SEO-ENHANCED PRACTICE-AREA PAGE

- Describe the type of issues, services, questions, and tasks you deal with everyday.
- Engage your target audience by writing your text from your prospect's perspective. Let's consider an Intellectual Property group:
    - The firm may proudly offer a "full-service IP practice," but hot prospects rarely search for the terms "IP" or "intellectual property."
    - They more commonly seek "trade secret policy" or "registration of trade marks" or "licensing agreement." Therefore, those are the terms you should use in your practice pages as well.
- Refer to relevant statutes, landmark cases, seminal doctrine.
- Drop in the name of your firm instead of simply referring to "we."
- Include specific geography—the cities, states, provinces, and countries you serve.
- Mention that *"[Name of your firm] represents clients in the following counties:"*
    - List the counties or judicial subdivisions by name. Be careful, if the list is too long, Google may think that you're trying to inappropriately "pack" these terms, and penalize you.
- List the articles that you have written.
- If you are writing for your practice group, add: "Contact [name of attorney] at [phone number] or [email address] for more information regarding our [practice group] Law practice."
- List the names of the attorneys in the practice group, and link each name to their respective profiles.
- Add examples of work you may have done that validates the answer, e.g. client names, attorney names, cases won, and relevant statues.
- When referring to cases or statutes, you may add the complete title or link directly to them.

WRITING AN EFFECTIVE INDUSTRY-GROUP PAGE

Industry pages offer the opportunity to mix keywords that are difficult to impart in the text relating to your professional profile or practice area. This includes geographic terms (e.g. Detroit, Motor City, Michigan, Midwest), techno-legal terms (such as “molder’s liens”), and statutory references (statutes, agencies, cases, and conferences).

Here is an example of a strong industry page prepared by a Detroit-based client:

CONTRACT AND SUPPLY CHAIN COUNSELING PAGE
With our roots in the Motor City and decades of combined experience, our contract and supply chain-counseling team at [Firm Name] understands the risks, costs, and challenges of the automotive and manufacturing supply chains. This in-depth knowledge enables us to provide some of the world’s largest manufacturing clients with practical and detailed advice regarding how to understand, mitigate, and allocate the risks associated with selling complex automotive and non-automotive components, assemblies, and systems in a relentlessly competitive environment.

We help our clients with:

- Supply chain contracts and long-term agreements
- Terms and conditions of purchase and sale
- Pricing and material economics contracting, planning, and training
- Tooling and molder’s liens and asset protection
- Supply chain risk/allocation gap analyses
- Warranty and warranty share agreements
- Intellectual property and trade secret agreements regarding manufacturing assets and know-how

Our team also helps automotive manufacturing companies understand and comply with the applicable safety and regulatory rules and regulations affecting their products, including:

- National Highway Traffic Safety Administration (NHTSA) rules, compliance and reporting
- Understanding and managing voluntary and mandatory recalls
- TREAD Act and Early-Warning Reporting planning and compliance
- Training, planning, and counseling for automotive manufacturers new to the United States

You will notice that any of the topics on this page could be live links that open to new pages that would speak to such topics in greater detail—you can start developing those pages when you have time.

Finally, one last word on the makeup of this page: you can also link certain of the items to other parts of the site. For instance, "TREAD Act" could link back to (i) a specific practice page; (ii) the profile of one of the attorneys who specializes on the application of this statute; or (iii) an event, conference, or article that speaks to this subject. These "lateral links" can create significant improvement both from an SEO and user-experience perspective.

Similarly, when drafting your profile, consider the references and links that can be made to specific industries.

WRITING A GREAT WEBSITE BIOGRAPHY/PROFILE PAGE

One of your most important marketing tools is a persuasive website biography. Most prospects will check out your bio before deciding whether to meet with or hire you. Website visitors are looking to identify an attorney with specific skills and experience, and match that against their particular needs.

Profile

While there are several ways to organize the content on a biography page, we suggest that you present the information as follows:

A. High-level summary

In 50 to 100 words, summarize your key skills. Refer to your position in the firm, reputation in legal circles, and standing in an industry. This is also where you can reinforce the main attributes of your firm's brand messaging with a personal message.

This short paragraph can also serve as your signature abstract that you would use whenever there is a reference to you outside the website (in a program where you are speaking, an article you wrote, a video where you are featured, etc.)

You may also list your most recent article, blog post, conference, or presentation—only one such entry is necessary here.

B. Career Highlights

In bullet-point form, list your top five highlights: this is where you are "packaging" yourself in terms that are relevant to your target clients and prospects. Where appropriate, link back to specific practice-area or industry pages on the site. In addition to your general experience, be sure to detail any particular expertise you have in the narrow specialties, niches, or industries you have selected as your marketing targets.

The career highlights should also be replicated in your LinkedIn profile.

This is also where you refer to your practice area(s), and responsibilities in such practice areas.

C. Particulars

- Education
- Publications: list articles, presentations, blogs, videos (with full title) and if possible an abstract of the subject dealt with in such material. All such material should be linked to the full version of the publication. Add a statement that you would be happy to send copies of the articles.
- Bar / Court Admittance
- Memberships
- Awards / Honors
- Social Platforms: addresses and links
- Community involvement with links to landing pages on the site for any association where you hold a leadership position. This is where you have a chance to articulate your commitment to such cause.

D. Complete resume

You can offer your visitor the opportunity to review or access a comprehensive listing of your resume. In such a listing, you should provide full descriptions of relevant matters, such as the complete name of tribunals where cases are heard, cited cases, deals, and press clippings.

Photo

Your headshot/photo should be recent and produced by a professional photographer.

Coordinates

The following basic information should also be made available:

- Name
- Office phone
- Cell phone
- Address (if multiple offices)
- vCard
- Name of assistant
- Practice area(s)
- Email
- LinkedIn profile link

DRAFTING A PERSUASIVE LINKEDIN PROFILE

This memorandum will serve as a checklist of essential items that should appear on your LinkedIn profile.

1. List Your Full Name

Do not use abbreviations. Married women who changed their name should include their maiden name as well.

2. Display a Professional Photo

There are reasons why some people don't want to display their photos, but this is a social networking platform. Not displaying your photo raises more questions than provides answers. Ensure that it is a professional, high-quality photograph. LinkedIn is not Facebook; do not use cropped group, vacation, or wedding photos. No props or artistic effects. Express your personality but err on the side being more conservative. Below are three LinkedIn photos with different styles. Iris Jones is outside with natural lighting, Sheenika Gandhi is inside in an office space, and Samantha Ruben is in front of a traditional solid-colored background. Each photograph conveys a slightly different impression; choose your photo's style to support the image you are trying to create.



3. Have a Professional Headline That Properly Brands You

In the space underneath your name is your "Professional" or Profile Headline. It will appear in search results next to your name, as well as next to any questions you ask or answer. It is, in essence, your elevator pitch in a few words. Do not simply put your title and firm name here: this is the place to interest anyone who finds you in a LinkedIn search result to learn more about you.

Think more in terms of "Raleigh Property Tax Attorney" or "North Carolina Family Law," rather than "Associate, Smith & Jones LLC."

4. Have Something Relevant and Timely in Your Status Update

The Status Update is about showing that you are still relevant in doing whatever you are doing. Going to an event? Share it. Attending a conference? Share it. Read something interesting that is relevant to your brand? Share it. Use your Status Update to show your relevance, and try to aim for a once-a-week update. You don't want someone visiting your profile and see a Status Update that is months old...

For those who enjoy writing, LinkedIn is an ideal platform to push out your articles.

5. Display Enough Work Experience... with Details

Your LinkedIn profile doesn't need to be a resume. One simple sentence summarizing what you did is enough to ensure that a potential reader understand the role that you had. Job descriptions provide you the perfect opportunity to pepper your profile with narrow, search engine-friendly keywords that will help you get found. For example:

> Amber concentrates her practice in the area of litigation, with a primary emphasis on litigating large commercial disputes. She regularly represents financial institutions, corporations, limited liability companies and individuals in contract, corporate, shareholder, U.C.C. and fiduciary disputes in all of the federal and state courts of North Carolina, including the North Carolina Business Court.

6. List Your Education

Put education details on your profile. What did you achieve at a certain school? Honors, awards, or activities? Mention them.

7. Get Some Recommendations

The LinkedIn "profile completeness" algorithm requires that you receive three recommendations in order to get to 100%. This is not critical, but is useful. Do not be embarrassed to ask friends who know you well to recommend you; it's a well-understood part of social networking today. And when you've done something particularly great for a client, that's the optimal time to sheepishly tell them that "the firm's marketer insisted that we ask for some LinkedIn recommendation." That is, blame "Marketing" if it'll make you feel less awkward to ask; your client will understand. Email them the link, to make it easier for them. And of course, it's only polite to recommend them back!

8. Acquire Connections

If you're on LinkedIn you should be networking. Connections are also important to help get found in the huge LinkedIn database. Rule of thumb? Multiply your age by 10 and that is the *minimum* number of connections that you should have. Join some relevant practice and industry groups and connect with the members you know. Start with your firm, any previous firms you've worked for or jobs you've held, and your law school class. Connect, connect, connect.

9. Your Professional Summary is *Essential*

The Professional Summary section is the first thing people will read, right after your headline. Don't just dump the first 2,000 characters of your standard resume into your LinkedIn Summary. This is how you will introduce yourself to your professional contacts, and future clients, referral sources, and employers. This is the most-important professional social-networking platform, so why not spend a few minutes introducing yourself? This is the place for you to tell your own story, in your own voice, typically with a bit more personality than your firm's website bio.

Devote the time necessary to make your Summary truly great. Admittedly it can be difficult to write this way about yourself, so get some help if necessary from a professional writer, or perhaps an old friend who aced that college creative writing class.

Here's a LinkedIn profile that I wrote for my friend Joe Fasi, one of the nation's top trial lawyers. Joe's a kind, modest guy, and he wins complex ten-figure cases because juries like and trust him. It's just 333 words long, but see if it helps you start forming a generally positive impression of him and his technical skills:

> Most people know the movie "The Maltese Falcon." I am not the Maltese Falcon, but I am from the island of Malta and speak fluent Maltese. I also like to speak to jurors, and do so often and in cases with large damages at stake. I've tried over 100 jury trials to verdict, defending complex cases with enormous exposure against sympathetic plaintiffs.
>
> I haven't counted up my precise win-loss record, but a client recently asked me "how the heck I keep winning all these cases." I wasn't exactly sure how to respond to that, but I smiled and thanked him for what he intended as a compliment. Thinking about it later, I suspect the answer might partly be that I don't get involved in the games that many litigators like to play. I don't play puerile hide-the-ball tricks. I'm aggressive, but honest and reasonable. I want a fair and just resolution and, if a plaintiff wants my client to pay a lot of money, they better prove that they're darn well entitled to every penny of it.
>
> In post-trial research, juries have universally said that they liked me—they felt I approached the trial with decency and integrity, and trusted me to help them get at the truth. This is particularly important because it means I become the face of the faceless corporation. I've helped level the playing field.
>
> Fewer and fewer large cases actually go to trial. When they do, I defend them, nationwide, for companies that are among

the most skilled and strategic purchasers of legal services, including manufacturers, pharmaceutical, and tobacco.

I typically handle cases as the lead trial attorney, getting hired at the outset to resolve a problematic dispute or lawsuit. Some companies use me as a their "go-to attorney," parachuting me in on the courthouse steps, either to support an existing trial team, or simply take over and handle the trial, especially the large or challenging cases.

Specialties: Product Liability, defense of nursing homes, and professional/medical liability.

11. Claim Your Personal URL

When you sign up to LinkedIn you are provided a complex "Public URL." You can customize and simplify this when you edit your profile with a couple simple steps. If you have a common name, make sure you claim your URL before others do! My LinkedIn URL is *https://www.linkedin.com/in/rossfishman/.* It's simple, and yours should be too. You can then include your abbreviated LinkedIn link on your email signature, business card, and everywhere else you go online. A quick Google search will find short videos detailing the simple steps.

12. Add Your Website(s).

You can add up to three website links. You will want to link to your blog and you may want to link to a page of any attorney directory where you're positively referenced. You should make a title for each website link—instead of having your firm name as the title, use something like "North Carolina Personal Property Tax Advisor."

13. Join Relevant Groups

You should join Groups that are relevant to your areas of interest and expertise, get active in the discussions to help meet people in your growing professional network, build your brand as a helpful and knowledgeable member of the community, and start connecting with the members as mentioned above.

HOW TO WRITE PERSUASIVE CASE STUDIES

Among the most persuasive components of a lawyer's written marketing arsenal is a current collection of case studies (also called "war stories"). Clients regularly comment that direct, relevant experience can be the decisive factor when selecting their attorneys for a particular case or matter. It is important to your marketing efforts to draft and maintain an updated collection of these examples as you go throughout your career.

In determining whom to hire, prospects are thinking, "Don't tell me that you *can* do something, show me that you've already *done* it successfully." This information is important to have in your online biographies, and for use in competitive new-business materials.

Attached is a simple, fill-in-the-blanks form to expedite the collection of this data. Before creating your own process, remember to leverage the professional staff at your firm to find out if there is additional information that you should collect or if there is firm-wide experience-management or knowledge-management system or process in place. You may choose to either fill in the blanks and start from there, or simply dictate the information following the Sample Summary format in the example shown below. With a little practice, you can dictate new case studies in just a minute or two.

LITIGATION CASE SUMMARY FORM

Case Facts:

1. The simple case caption was: ______________________

2. Client name: ______________________
   ❑ Plaintiff ❑ Defendant

3. The court/jurisdiction was: ______________________

4. The *total* amount at issue was: $ ______________________

5. Client description - revenues, industry, etc. [e.g. $250 million pharmaceutical co.]: ______________________

6. Relevant issues/allegations of complaint:
   [e.g. fraud, RICO, breach of contract]: ______________________

7. The names of the firm's legal team: ______________________

8. Full description of outcome (settlement, dismissal, jury verdict etc.): ______________________

Case Highlights:

9. IMPORTANT: Describe how the client benefited specifically by your work (e.g. how did you save them time or money, develop an innovative strategy or tactic, etc. that another lawyer might not have considered):

Sample Litigation Summary

This is a short, easy-to-read format that provides all the necessary "who, what, where, when, why, and how" information for your prospects. Remember to use plain English and short sentences, simplifying it as much as possible, targeting an eighth-grade reading level. It's not that your targets can't comprehend big words and complex sentences, just that when reading text online, they prefer not to.

Par-D, Inc. vs. U.R. Safe Company

We defended U.R. Safe, a middle-market manufacturer of smoke detectors, in a $5 million product liability, fraud, and wrongful death action in Vermont state court. The plaintiff alleged that a defective smoke detector manufactured by our client caused the fire which destroyed the plaintiff's liquor store. Following a month-long trial the jury returned a verdict in our client's favor on all counts in just 45 minutes. The case was settled on appeal, setting an important precedent in the field of liquor store conflagrations.

TRANSACTIONAL CASE SUMMARY FORM

Deal Facts:

1. Client name: ______________________________

____

2. Other parties involved: ______________________________

____

3. The *type* of transaction was: ______________________________

____

4. The *total* amount of the deal was: $ ______________________________

5. Client description - revenues, industry, etc.
[*e.g.* $250 million pharmaceutical co.]: ______________________________

____

____

6. The names of your legal team:

____

____

7. Description of the deal:

____

____

____

Deal Highlights:

9. IMPORTANT: Describe how the client benefited specifically by use of our firm (e.g. how did we save them time or money, develop an innovative structure, *etc.* that another firm might not have done):

10. May we use the name of this client in our marketing materials?
❑ Yes ❑ No

Sample Deal Summary

This is a short, easy-to-read format that provides all the necessary "who, what, where, when, why, and how" information for your prospects. Remember to use plain English and short sentences, simplifying it as much as possible, targeting an eighth-grade reading level. It's not that your targets can't comprehend big words and complex sentences, just that when reading text online, they prefer not to.

Acme Incorporated

We represented Acme, a $500 million mail-order company engaged in the manufacture of roadrunner-catching devices, in a coordinated series of sophisticated financings totaling $250 million. These include its public offering of $135 million of senior subordinated notes and $115 million of senior secured discount notes. Proceeds from the note offering and the term loans, along with proceeds from a prior private placement of common stock, will be used to design and construct a new jet-propulsion backpack to be marketed to desert coyotes.

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