

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



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

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

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

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

Change Sparked by Epiphany

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

Brand = Your Story

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

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

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

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

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

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

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

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

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

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

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

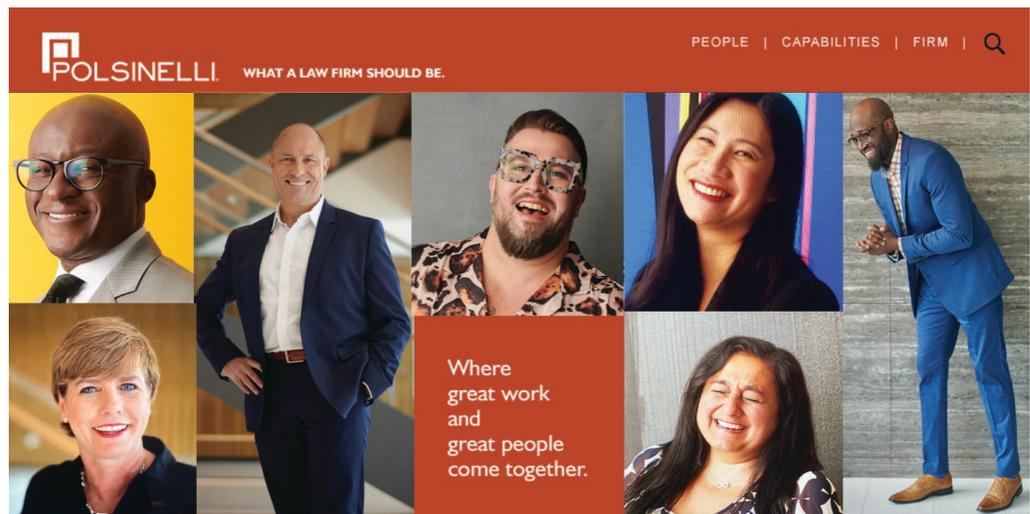
In my experience, big-firm website developers build attractive websites, but deep down, they don’t understand how to build a brand. That’s why 75% of them show animated skylines or colorful abstract imagery on the home page banner. If the principal photo illustrating your entire firm is either thoroughly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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

A Juxtaposition of Size & Strength

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

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

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

Small but Mighty.™

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



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

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

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