



12 STEPS TO NEW BUSINESS

WHEN THINGS ARE SLACKING OFF,
IT'S TIME TO SHAKE THE BUSHES.

HERE ARE A DOZEN STEPS SOLOS AND SMALL LAW FIRMS
CAN TAKE TO INCREASE THEIR WORKLOAD

BY
STEVEN A.
MEYEROWITZ

The economy is not good and has been troubled for years. Businesses continue to cut expenses, and more and more individuals and companies enter bankruptcy every day. Large law firms struggle.

Does that mean that solo practitioners and small law firms should just give up?

No. There is plenty of legal business out there. Lawyers just have to work to get it.

1. ANALYZE TODAY'S STATUS

The first step that lawyers should take is to examine where they are. What have they billed over the past year? What have they collected during that period? Are there certain clients that have generated more work than others? Have particular sources referred a number of new clients? Can these new clients be characterized in any meaningful manner?

This information is important because a firm can only know where it is going if it knows where it is. That leads to the next step: creating a marketing plan.

2. DEVELOP A PLAN

Stacy West Clark, a Devon, Pa.-based consultant for solo and small firms in southeastern Pennsylvania and a former marketing director at Morgan, Lewis & Bockius L.L.P., says she tells her clients they "need specific goals" and that they should write them down. The goals obviously vary by lawyer and by firm, but they should be focused, reflecting a desire for more work

from a specific industry. "It could be, 'I want more work from auto dealers,' " she states.

Once the goals are set, lawyers should research the targeted industry. Computer databases and online research tools can help uncover a vast amount of information that will help lawyers determine whether an industry is expanding, reducing or being subjected to litigation. And that can reveal the industry's specific legal challenges.

At this stage, Clark believes, attorneys have enough to write a six-month plan. They should "pick three companies that they wish they were representing, three existing companies from which they want more work and three referral sources." These are the targets.

3. CONDUCT CLIENT INTERVIEWS

There are a variety of tools that lawyers can use to implement their marketing plans and reach their targets. All of these essentially have one purpose: to place the lawyer before decision makers and referral sources to let them know that the lawyer is seeking new or additional business.

One of the most likely sources of new business is an existing client. Indeed, it is substantially easier (and more cost effective) to obtain new work from an existing client than it is to find a new client and get on that company's accounts-payable list.

Lawyers therefore should sit down with the existing clients they have specially targeted, as well as with other current clients, for what Bob Denney, the head of



Steven A. Meyerowitz is a lawyer and freelance writer who is a long-time regular contributor to The Pennsylvania Lawyer.

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Jon C. Krause, www.jonkrause.com

GOALS OBVIOUSLY VARY BY LAWYER
AND BY FIRM,
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FROM A SPECIFIC INDUSTRY.

Wayne, Pa.-based Robert Denney Associates Inc., refers to as a “client review.” There should be no charge for this service, Denney emphasizes.

During the first part of such a review, according to Denney, the lawyer should ask the client, “How have we served you?” and “Are there any improvements we can make?” At that point, the lawyer should invite the client to bring the lawyer up to date on the client’s business affairs as well as the client’s personal situation (such as whether the client has been divorced, remarried or has children entering the business).

In Denney’s experience, “70 to 80 percent of the time, this will present opportunities for legal work.” Perhaps the client needs an estate plan updated, a loan document reviewed or an employee manual prepared. The lawyer then should ask for the work.

4. GET OUT OF THE OFFICE

It is important for lawyers to meet people. This does not have to be painful; there are plenty of opportunities for lawyers (even shy lawyers) to mingle with others outside their offices.

For example, lawyers should join associations where existing and potential clients are members, and they should be active in those groups. Another possibility is public speaking. One lawyer whom Clark represents “is an impassioned speaker who gets clients that way.”

Clark also notes that “if a lawyer likes to golf, the lawyer should go golfing with a client who likes to golf.”

5. WRITE ARTICLES

One of the most effective marketing tools available to attorneys is article writing. A lawyer who writes an article on a current legal topic demonstrates his or her expertise and an ability to communicate to potential clients. They will begin to recognize the lawyer’s name and to associate the lawyer with their industry and as a person able to assist them with their legal needs.

There is almost no limit to the kind of bylined article lawyers can write, on topics ranging from intellectual property to home mortgages and banking to tax law, and just about as wide a variety of publications in which they can publish. Over the course of a year, lawyers should consider writing at least three articles; an article every other month or more frequently can be even more effective.

6. PREPARE CLIENT ALERTS

Sometimes, a bylined article may not be quite the right thing to do. A court may issue a key opinion that must be explained immediately to clients, a legislator may propose an important bill or a topic may not be weighty enough for a full-fledged bylined article. In these cases, lawyers can send out client alerts.

An alert is a newsletter, but less formal. It gives the reader neces-

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sary and practical information in an easily accessible format. Moreover, it keeps the lawyer's name in front of the client.

Of course, a firm can send out client alerts only if it has a mailing list. Maintaining and growing such a list is crucial. It can also be used to distribute reprints of bylined articles, firm announcements and firm brochures. Who should be on the list? Stacy West Clark says lawyers should add “their neighbors, friends, college classmates” and almost any other person they can think of. The more, the merrier.

7. SEND PERSONAL NOTES

There are many events in clients' lives that, Clark believes, are worthy of recognition. She therefore advocates that lawyers write personal letters to clients on their birthdays and anniversaries and on other important occasions. These letters can be typed, but, she says, lawyers should “use their own ink to personalize them.”

In essence, this kind of correspondence helps lawyers treat clients in the way they would like to be treated themselves. It puts a lawyer in a good light.

8. SIT IN THEIR SEATS

What do clients hear when they call? What do they see when they come into the waiting area? How are a firm's rest rooms?

These questions are important because they help determine the comfort level a client has when he or

she comes to a lawyer's office. Lawyers should know if there are problems in any of these areas, Clark says. One way to do that: “Lawyers should call the office as if they were a client.” They also should sit in the seats in the waiting area and in their own offices to see what clients see and to determine if changes should be made.



SUCCESSFUL BUSINESSES KNOW
THAT THEY MUST SPEND A PORTION OF THEIR REVENUES
ON MARKETING AND BUSINESS DEVELOPMENT.



9. ASK FOR FEEDBACK

Former New York City Mayor Ed Koch used to ask, “How am I doing?” That was confidence! By the same token, lawyers should ask their clients how they are doing. Clark points out that, for example, it might be helpful for lawyers to find out if their clients have noticed their ads in the Yellow Pages. If not, then perhaps the ad should be changed, increased in size or even eliminated.

Another question is what clients think of the law firm’s Martindale-Hubbell listing or if they are even aware of it. If it’s not very effective, the information presented there can be changed. Martindale’s online listings can also link with firm Web sites, which can be of potentially great benefit.

10. SCHEDULE MARKETING

It’s probably safe to say that even lawyers who are not extremely busy are busy people, in both their professional and personal lives. It’s also safe to say that marketing and client development are not necessarily fun things for lawyers to do. That’s why Clark suggests that lawyers should “schedule” marketing into their lives, “just as lawyers fit in exercise three times per week.”

If left to the end of the day, marketing will not get done. And if that happens, a lawyer’s practice, and a law firm’s existence, can be placed in jeopardy.

11. SPEND THE MONEY

Successful businesses know that they must spend a portion of their revenues on marketing and business development in order to continue to thrive. A growing number of law firms are adopting the same practice. This may be all the more important to do for firms that are struggling; cutting or eliminating a marketing budget can be devastating to future results.

Consultant Clark advises that firms allocate at least 1 to 2 percent of their gross revenues to marketing. That should include client entertainment costs, consultant fees and other out-of-pocket marketing expenses, but probably should not include any amount based on the “lost” billable time lawyers spend on client development activities.

12. DON’T BE DISCOURAGED!

It’s not easy to be successful. That’s why it is referred to as “work.” But it can be done, and it can be done even in this economic environment. Bob Denney may put it best when he says, “Just because business is slow for lawyers does not mean that business is not out there.” It may be that lawyers have fallen “into a slump.” With the right attitude, lawyers can beat that slump. ☺