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MARKET CONNECT

Leveraging Advanced Media in Law Firm Marketing

by

John E. Conway; Director, Sage Partners

Once branded as the "social sandboxes" of high schoolers and college undergrads, services such as Facebook, Twitter, and others have begun to emerge as viable new marketing tools for businesses ranging from Consumer Products companies to Professional Services firms. In addition to these, new techniques in Search Engine Optimization, Blogging, and Business Intelligence software have amplified the business development effectiveness of web sites, professional networking and advertising.

After some initial and understandable reluctance and skepticism, an increasing number of law firms have begun to experiment with and/or embrace one or more of these tools/techniques. From our experience, a set of external and internal drivers seem to be encouraging this trend:

1. External Drivers:

These fall into quantitative and qualitative categories.

On the quantitative side, many of these new tools and techniques, if used appropriately, actually work quite well at developing new business and retaining existing customers. They can increase the visibility and relevance of your firm and can provide a platform for dialog and feedback.

On the qualitative side... As more social-networking-aware prospective and existing clients surface, they have begun to judge the "credentials" of professional organizations on a broader range of factors... including technology savviness and social media practices .

By way of a simplistic but increasingly relevant example, consider two law firms identical in every way (e.g. high expertise in practice areas of interest to their prospects, very successful litigators, competitive rates, etc.) except in the area of how it presents itself via new media channels. One firm has a basic, difficult to search web site, provides limited access to white papers; places low on Google searches, and has no presence on Facebook or other social media sites. The other firm is the exact opposite. For this new wave of prospective clients the lack of new media relevance demonstrated by the first firm above may spell the difference between being selected or rejected. In general, clients would rather work with firms who are "on their game" in all dimensions and a lack of new media evidence may suggest, perhaps unfairly, otherwise.

2. Internal Drivers:

Many of the firms we have worked with have also demonstrated the importance of these tools/techniques in three areas *within* the firm; Communications, Client Research/Analytics, and Recruiting.

Applications such as Skype, Gmail+ and, yes, even Twitter, used in conjunction with fixed and mobile computer personal computer/smart phone platforms, allow unparalleled ability to communicate. This obviously applies to interaction with clients as well as colleagues. Even better... these solutions cost next to nothing to deploy and manage.

In research/analytics, knowledge of email and social networking systems has become an almost essential component of the research mix. The success or failure of many cases has turned on a firm's ability to gather information and evidence from as wide a range of sources as possible. Social systems, for better or worse, are designed to capture information that can hold huge implications for success or failure in case work. In an exciting new development, low cost, business intelligence tools, easily mastered by professionals within the firm, offer the analytical capability to sift through thousands of numerical or textual databases to reveal insights in fractions of a second. (More on this later.)

The domain of recruiting is trending in much the same way as the client/firm selection process. Firms are discovering the importance of new/social media awareness to lure the top students from the major law schools. All things being equal, exceptional law students will typically opt to work with those firms that demonstrate excellence in all areas; few want to work for, as one law student put it, "yesterday's firm."

Ten Advanced Media Solutions to Consider

In our work with law firms and other professional services organizations, ten focus areas continually rise to the top of the list of successful marketing solutions. These include:

1. Website Enhancements: When was the last time your firm upgraded its web site? By this we do not mean when did you last update information on your professionals or news or white papers. We mean a complete, architectural redo. Technological advancements in just the last one or two years have made sites designed prior to that virtually obsolete. The most recent technology gives visitors to your site the ability to quickly and intuitively conduct effective searches on the firm, practice areas and professionals.

2. Search Engine Optimization: As an experiment, conduct a Google search for law firms using the parameters you feel best represent your firm. When one of our prospective clients recently tried this by searching on the key phrases: Business Litigation + New Jersey + Transportation + Highest Success Rate they placed 109th on a Google search... even though they are considered one of the top three law firms in these four areas. A number of lesser, competitive firms... not to mention a number of "single-shingle" firms...placed in the top ten. Why? Because the other firms had mastered the art of Search Engine Optimization (SEO). SEO encompasses a number of tricks and techniques designed to gain the attention of the algorithms used by Google, Yahoo!, Bing and other search engines. These can be as simple as placing the right number of key words and phrases invisibly on your website or as sophisticated as using counter-algorithms. Many firms will rightfully express skepticism that prospective (or even existing) clients select a law firm based on a Google search and they may be right. However, the relative low cost of enabling SEO technology may well be worth the investment ... even if only one client in a thousand engages your firm or one target recruit signs on via the influence of this channel.

3. Linked Campaigns: In the conduct of business, law firms intersect with many other firms and individuals. For decades these contacts have been leveraged and networked to develop new business. With today's economy and the competitive environment, this is no longer enough. A new media marketing tool, the linked campaign, has shown great results. In its simplest form, you simply ask your network partners to include a link to your firm, as appropriate, on their website or other on-line platform. Also, make sure your colleagues include the firm's web address on biographies, conference materials and published papers. Search Engine algorithms are often geared to increase the rank of a firm by the number of times key words or the firm's web address appears on third party sites.

4. *Blogs*: Blogs are, typically, the text-oriented websites of individuals (or firms) where-in the text is often displayed in reverse chronological order (i.e. last to first). They differ from traditional, static websites in that, if designed appropriately, they permit *interactivity and dialog*. These functions, offer a remarkable opportunity to gather marketing intelligence. Visitor comments, sent in response to blogs posted by the owner of the blog, can generate significant insights and added value. By way of example, one of our clients involved in a public policy case, launched a blog to "create a court of public opinion." The resulting discussions, debates and dialog within this on-line forum provided a wealth of data of use by the firm's lawyers in developing and arguing their position. Unfortunately, many firms fail to take advantage of this ability to dialog and, instead, merely insert a non-interactive "blogs" section on their website... a section that is little more than a place to park white papers and articles. With this approach, much of the marketing value of the blog is lost and, worse, it can broadcast that your firm does not understand the "blog concept." If there *is* a down side, blogs *do* require more "care and feeding" than a non-interactive site and should be maintained daily for maximum impact. However, we feel that the investment can pay large dividends.

5. *Webinars and Video Conferencing*: These have been around for many years and, if used appropriately, can add to a firm's marketing mix. The new element is the availability of no-cost or little-cost functionality via services such as Skype. One firm we worked with was able to extend its reach to Asian markets using this approach. They held daily conference calls with their Chinese counterparts and with their clients and prospects at pennies per minute in service charges. This would have been economically impossible as recently as a few years ago . Co-Partnered events using these technologies provide an excellent way to extend marketing reach but are often overlooked by law firms. In this model, a law firm will team up with (typically) a client or non-client firm operating in a practice area (e.g. transportation) and deliver a joint, broadcast "webinar" to a range of existing and prospective clients. If executed correctly, this is a win-win for all concerned. In our experience, some law firms have avoided this form of marketing due to fear of reprisal from clients or prospective clients operating in the same practice area as the event partner. If managed properly, we have determined this is often an unfounded fear.

6. *eMail Marketing*: In the olden days (i.e. 2006 or earlier) this form of marketing was often labeled *spam* marketing by law firms and considered a technique practiced by unethical ambulance chasers. While cold-call emailing certainly still exists as a tactic, email marketing today allows law firms to utilize on-line solutions to deliver and measure the effectiveness of email press releases, informational videos, white papers and articles. In its most acceptable form, email marketing employs analytical tools that observe and report on your website activity (Assuming you have an up-to-date architecture... See #1). These tools can report on who is visiting your site, how long they lingered, what they searched for, what they downloaded, and as appropriate, contact information,

and much more. These analyses can be forwarded to the appropriate professionals in your firm for further action such as call-backs, conventional or e-mailing of collateral, etc. These data can also be utilized to gauge increases in client or prospect interest as a function of speeches, interviews and other public, semi-public or private events (such as conferences, etc.).

7. Social Media: Facebook (and the just launched Google +) are not just for college kids anymore. Joined by a number of other services such as Linked-In (somewhat of a Facebook for professionals often looking for jobs *or clients*), these have emerged as virtually parallel universes to the web that combine the best features of the web and blogs and rich media and networking. As such they present exciting, new opportunities for professional services business *if managed correctly*. To better understand the potential (for good or bad) you (or a colleague) first need to establish a free, personal account; one on Facebook and another on Linked-In. (Many of the partners in law firms have not opened accounts on either system). Once on the respective systems, enter the name of your firm in the SEARCH box. Odds are you will find a blank page for your firm on Facebook and, on Linked-In, a competitive analysis of firms in your area (perhaps including your firm). Surprised? Now consider that almost anyone under 30 years old who needs legal help will begin their search on Facebook or Linked-In... not on the web. If they find a blank page... well?

Since a new crop of prospective clients and recruits are utilizing these services as their primary informational "water coolers", firms should treat these services seriously. Some of the more progressive firms have built web-site-like landing pages on these social media sites. A large number have only built so-called "place-holder" pages (with a link to your main website) to avoid the embarrassment of a blank page. Most, however, do not have any presence at all.

Executed correctly, a Facebook or Linked-In page can open up a new world of opportunity (just the marketing potential of the network connections alone can be worth the ride)...but it requires that your firm virtually dedicate a resource (or resources) to the platform. Unlike a traditional web site, a social media site is an extremely dynamic cyberspace location. As such, it requires constant updating and editing. If your firm has yet to establish a Marketing Manager position, typically the person who, among other duties, manages such things, perhaps it is time to do so. Current economic conditions have created a large, experienced, advanced-media-savvy talent pool available at entry-position compensation levels.

8. Business Intelligence Analytics: Once the proprietary tool of the Defense Department, Pharmaceutical companies and Wall Street, business intelligence software has evolved into an application available to anyone capable of building a basic spreadsheet on a PC. It uses unbelievably sophisticated algorithms to analyze both numbers-oriented and text-oriented databases blindingly quickly and then produces insights from these analyses. Until recently, one needed a fully staffed

information technology (IT) department and a small priesthood of disciples to manage an IBM-Cognos or an Oracle-Hyperion system. Now, new, high-tech companies such as Tableau Software and TIBCO-Spotfire have brought similar functionality to the masses with easy to learn packages under \$1000. Even IBM has begun to experiment with "systems for everyone." As a representative example of what law firms could do with this technology, pay a visit to the experimental IBM system, Many Eyes (www.many-eyes.com). One of the most popular legal analyses (among many) on the Many Eyes site focuses on the testimony of a former Attorney General, Alberto Gonzales, before the US Congress. All of Gonzales testimony was fed into the Many-Eyes system. It converted this into a "decision tree" of the most commonly used phrases in his responses. (If you visit the site, click on each tree branch as each is dynamic.) You can reach the Gonzales example at:

(<http://www-958.ibm.com/software/data/cognos/manyeyes/visualizations/word-tree-of-word-in-testimony-from--3>)

Imagine the potential of feeding case transcriptions, from testimony databases, into such a system and you will quickly understand the potential for this technology. Relative to law firm marketing, these systems offer a range of capability for competitive analysis, business development and prospective client analysis. By way of example, one of our clients recently used business intelligence software to help a major pharmaceutical company explore the legal risks associated with the testing of a new drug. As a marketing investment, the firm, in partnership with a medical-records database firm, fed Identity-neutralized patient data into one of these BI systems. The analysis revealed a previously unidentified interaction with another drug that could have produced significant health problems for the consumer of the drug. The project took less than a week to assemble and run (the analysis itself took less than 5 minutes). The pharmaceutical firm was so impressed with the result that they signed a long-term relationship with our client firm.

9. Communications: Nowhere has technology advancement been more visible than in the realm of advanced mobile (i.e. wireless) communication. This began (arguably) with the Blackberry and has rapidly evolved with the emergence of smart-phones, such as the Apple iPhone and numerous Android and other platforms. In parallel with this, numerous applications or "apps" have emerged, many of which have bearing on the legal profession. While it is beyond the scope of this article to identify and comment on these, we tend to place Twitter in the communications category in support of law-firm marketing. First... What the heck is Twitter? From Wikipedia... *"Twitter is a website, owned and operated by Twitter Inc., which offers a social networking and microblogging service, enabling its users to send and read messages called tweets. Tweets are text-based posts of up to 140 characters (the micro part) displayed on the user's profile page."* Technology author Steven Johnson describes the basic mechanics of Twitter as "remarkably simple:" *"As a social network, Twitter revolves around the principle of followers. When you choose to follow another Twitter user, that user's tweets appear in reverse chronological order on your main Twitter page. If you follow 20 people, you'll see a mix of 20 'follower' tweets scrolling down the page."* Senders can restrict message delivery to just their followers. While Twitter works equally well on both fixed and

mobile platforms, many of the more interesting applications are mobile and thus we consider it more of a communications platform with social networking functionality.

Relative to law firm marketing, most of the initial experiments we have observed begin with Twitter's search function. Using Twitter search, you can very easily conduct a focused search in your geographical area to find individuals chatting about law firms in general, your firm, your practice area, your partners, your clients, cases, and so on. Because much of the Twitter system is publicly open, you can easily reply to a person or persons of interest from your search with a personal message, a question, or a commercial message for one-on-one or one-to-many marketing. In many ways this is uncharted territory for the legal profession but worth keeping tabs on as more and more individuals sign onto the Twitter system (over 350 million currently according to some sources).

10. Advertising: Advertising has always been an interesting subject for debate within the legal profession and has garnered both supporters and detractors. Whatever your opinion, for the purposes of this article, we want to point out that advertising in today's marketplace can be viewed through many lenses. These include:

- Print (i.e. directories, trade publications, news publications; indoor and outdoor billboards others.
- Broadcast (i.e. radio, television and cable)
- Mobile (i.e. cell /smart phone)
- On-Line (i.e. websites, social media sites; eMail; blogs, others)

When assembling a campaign, we encourage law firms to consider all of these in their initial marketing mix. Then construct your budget only after a careful evaluation of the potential for each moving forward. For example, we have seen many firms continue to purchase expensive advertisements in legal directories when, for their particular target audiences, a spend in a different area would have provided much greater returns.

Identifying Media Solutions That Work Best for Your Firm

With the vast and growing array of solutions how can law firms identify those that best align with their particular requirements? We recommend a 4-Step Approach:

Step One: Assess Your Current Situation

The journey begins with the establishment of a baseline including the who, what, when, where, why, how and how much (i.e. budget) of your firm's approach to marketing and business development as it exists today. This can often become "a religious experience" as, in many firms, most of this activity has developed by historical accident with little firm-wide visibility. We strongly urge firms to include input from everyone, Senior Partner to administrative assistant, in the discussion

Step Two: Create a Vision of What the Future Could Look Like

In parallel with Step One, ask all members of your firm to submit a wish list (publicly or anonymously) of future marketing and business development activities/solutions. Use a list such as the previous "Ten Advanced Media Solutions to Consider" to catalyze ideas and discussion.

Step Three: Conduct a Gap Analysis

With maps of your current situation and future vision in hand, identify, categorize and tabulate the differences or gaps.

Step Four: Develop and Execute Action Plans

Using the results from the Gap Analysis, lay out a prioritized, time-phased implementation plan that includes and identifies the people responsible, budgets, metrics and expectations. *Then execute.*

Nothing to It But to Do It

The utilization of advanced media marketing solutions for law firms can have a dramatic, positive and lasting impact on your firm, your professionals, and your clients. However the elements are many and not for everyone. Some of those solutions that work well for one firm could prove disastrous for another firm.

As one of our clients put it "For the past 50 years our firm's marketing plan has consisted of our partners bringing their existing and prospective clients to lunch or the golf course... and it has worked fairly well. So there's no way in Hell that we're all going to start tweeting tomorrow. Just aint' gonna happen."

That said, the same firm did embrace web site enhancements, SEO, linked campaigns and business intelligence software... and has enjoyed a healthy new book of business as a result.

John Conway is a Director with the Boston-based management consulting firm, Sage Partners
(www.sagepartners.net)

He can be reached via email at jconway@sagepartners.net