

How To Get The Cases

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TEN EFFECTIVE WAYS TO GET CASES

There are numerous ways to acquire new cases as a plaintiff's attorney. The purpose of this paper is to list ten ways that have worked effectively for my firm. It is important to remember that a modern day plaintiff's firm must take a multi-faceted approach in marketing its services to both the general public and potential referring attorneys. In order to take a cost productive and effective approach to successfully garner new cases, your firm must be willing to invest the resources to keep pace with our ever-changing profession.

1 – Reputation

The single most effective way to acquire new cases is to have a solid reputation for good work and good results. It is easier for a perspective client or a referring attorney to send a case to someone who has a history of successful results. Every practicing attorney, intelligent enough to pass the bar exam, knows that the most important asset an attorney has is his or her reputation. It is important for your firm to have a reputation for working diligently and aggressively throughout the litigation process. Furthermore, a firm cannot attain the reputation needed to receive cases or build a strong referral base without acquiring large jury verdicts. Any firm that is not willing to take a case to trial is more than likely not going to be able to get a national reputation as a powerful plaintiff's firm.

2 – Advertising

There has been no aspect of the plaintiff's attorney practice that has evolved more in the last ten years than attorney advertising. Advertising by attorneys is a topic that usually gets strong reactions by all attorneys, some in favor and some against. Being an

attorney is not just a profession – it is also a business. It is a simple rule that businesses must market themselves in order to be successful. There are numerous ways to effectively market your firm in order to get new cases. Some plaintiff firms have chosen to be very aggressive in their marketing techniques by direct advertising on television or in the print media. Other firms have decided to take a more low-key approach to marketing to the general public.

My firm has utilized several techniques in advertising and marketing for new clients. In some states, where we have licensed attorneys in our firm, we have used the approach of direct advertising. We have done this both on television and in newspapers. Additionally, we have developed relationships with firms who specialize in advertising and who have developed strong name recognition in their respective markets. There are numerous attorneys throughout the country who specialize in the area of marketing for cases and referring the majority of their cases to other attorneys. My firm has found that it is very cost efficient to work with “advertising attorneys” throughout the country to obtain large numbers of cases. By utilizing this system, we are able to pinpoint the parts of the country where we obtain cases and to spend our money in the most effective manner.

3 – Firm Website

My firm has a Website that can be located at www.beasleyallen.com. We take our Website very seriously and devote a great deal of manpower and financial resources to keep the Website constantly upgraded. At the present time, we are getting approximately 5,000 “hits” per week on our main Website.

The Website provides information to our referring attorneys and to the general public. We have an attorney profile section, which provides a bio of the attorneys in our firm. We have a current case section, which allows one to look at the cases our firm is currently handling. Furthermore, when we are attempting to get a certain type of case, we

will put information regarding that type case on our Website for the general public to see. This tool has allowed us to obtain new cases.

In addition to our main Website, we also have numerous other Websites for specific practice areas in which the firm is involved. These areas include: Product Liability, Aviation Law, Personal Injury, Consumer Fraud, Insurance Fraud, Finance Fraud, Nursing Home Litigation, Business Litigation, Environmental Litigation, Mass Tort Drug Litigation, and numerous other practice areas. These specific Websites serve two concurrent purposes: (1) They allow us to keep our current clients and referring attorneys updated as to the status of their cases, and (2) They allow us to receive new referrals.

In this age of technology, it is very much in style for everyone to have a Website. I believe that Websites can be very effective, but only if one is willing to devote the resources to have a top-notch professional Website. If you are not going to devote the necessary resources, I would suggest that you do not endeavor to create a Website, as you may do more harm than good for your practice.

4 – Communications

It is essential that you communicate properly with both your clients and your referring attorney base. The two main advantages of proper and consistent communication are to provide a comfort level to your clients and referring attorneys that their cases are getting the care that they deserve and to use the communications to obtain new cases. My firm constantly communicates with clients and referring attorneys regarding their current cases and also regarding new cases that my firm is seeking.

It would be a mistake to disregard your own firm's client base when looking for new cases. It is essential that you let your own clients and referring lawyers know what new cases your firm is seeking. For example, whenever we learn that there is going to be a

class action regarding an insurance company, we will quickly write our referring attorney base and let them know that there will soon be an opt-out from the impending class action. We will provide the referring attorney with all relevant information to allow them to obtain potential clients that can be referred to our firm. Obviously, the referring attorney will have no obligation to send the cases to our firm, but if we are the firm that notifies them about the potential cases, it stands to reason that most of them will ultimately refer their cases back to us.

5- Firm Newsletters

Most people think the best way to advertise or market is via the television media. This perhaps is true. However, another proven way to effectively market your firm is by using newsletters and publications. Several years ago, I decided to write what we now refer to as the *Jere Beasley Report*. This is a monthly publication from our firm that is provided to over 18,000 individuals throughout the country. The purpose of this publication is two fold. It is a convenient way for us to keep our clients and referring attorneys aware of what we are working on at any given time and it also allows us a chance to let thousands of people know what new cases are developing in our firm.

It is not necessary for a firm to do a publication as elaborate as the one done by our firm to market effectively in this manner. I have seen several firms who simply send out short a quarterly newsletter. I have personally had lawyers throughout the country tell me that they enjoy reading our publication and we have seen hundreds of situations where our firm has received referrals from attorneys throughout the country based on stories they have read in our publication. I would strongly urge each of you to use this manner of marketing in your practice.

6 – Referral Attorney Relations

The life-blood of any major plaintiffs' firm is its referral base. My firm commits a great deal of resources to keep the proper relationship with our referring attorneys. As stated earlier, it is imperative that you communicate adequately with your referring attorneys to avoid the many problems that can arise. If in fact a problem ever arises, we try to take the attitude that the "customer is always right."

In addition to constant communications between our firm and referring attorneys, we also provide certain services to them. We always try to send a Christmas gift – such as steaks or turkeys – to our most active referring attorneys. Also, we try to provide tickets to sporting events for those attorneys who enjoy going to football or basketball games. Each year, we host a reception at the last Auburn University home football game. In November, we held our 2002 reception and entertained over 3000 people. This is a great opportunity to spend time with referring attorneys in a social setting. Also we take the opportunity, whenever it is available, to take referring attorneys to lunch or dinner. I personally insure that all attorneys working in my firm understand the paramount importance of keeping referring attorneys happy.

7 – Articles and Publications

I have a rule at my firm that all attorneys publish at least one article each year. These articles are normally published in either our state legal periodicals or in national legal periodicals. On the national level, we try to publish articles in the American Trial Lawyers Association and the Trial Lawyers for Public Justice magazines. In state, we try to publish articles in the Alabama Trial Lawyers magazine and the Alabama Bar Association magazine. There are numerous other periodicals that we routinely place articles in throughout the country.

We have received many cases as a direct result of articles published by members of the firm. This is especially true as it relates to newly developing areas of litigation. For example, if our firm receives a big verdict in a novel area of the law and in turn publishes an article on the same we will routinely get dozens of calls as an inquiry regarding the new theory of liability. Of course, these inquiries, more times than not, result in cases being referred to our office.

Not only does publishing articles provide us with new referrals, but it also keeps the name of our firm fresh throughout the profession. It does not cost anything to have an article published in legal magazines – therefore, it is a very cost effective way to acquire new cases and publicize your firm's name.

8 – Speaking Events

In addition to our firm's policy regarding each attorney publishing an article once a year, we also require that each attorney in our firm speak at a legal seminar at least once a year. It is no secret that attorneys attend legal seminars. Each and every attorney that you meet at a seminar is a new potential referring attorney. One thing that I have my attorneys stress at each seminar is that we are willing to help any and all plaintiff attorneys throughout the country. That means we will provide them with copies of briefs, pleadings, discovery, etc. at no charge. By doing this, we show that we are willing to cooperate with anyone on the right side of the law. This also allows us to receive additional referrals.

9 – Associations

In my firm, we feel it is extremely important to be involved in numerous professional associations. These associations range from our local bar association to National ATLA. We have a tradition of having leadership positions in all local and state organizations.

Recently, we started participating more actively in national organizations. This year, the president of our local bar association and the president our local trial lawyers organization are each members of my firm. In the near future we will have members of the firm who are in officer positions in all major state professional associations.

It is our philosophy that having leadership positions in professional organizations benefits our firm in several ways. First and foremost, it allows our firm to have an active role in setting policy for our profession. Secondly, it allows us the visibility that we feel we must have in order to perpetuate our firm's reputation and image. Additionally, professional associations provide a great opportunity to network with other attorneys.

10 – Media Relations

When I was Lieutenant Governor, I learned quickly that the media was truly the fourth branch of government. I also learned it was imperative to establish and maintain a good rapport with the media. Media coverage is the best form of free advertising available. I have learned over the years that the media will willingly cover legitimate news stories if, in fact, you have a credible reputation with the profession. My firm employs a full-time staff to insure that we receive the maximum news coverage available.

Whenever my firm has a big verdict or a substantial settlement, we make sure the news media is aware of the situation. We contact all print and television media in the area and sometimes hold news conferences. Over the years, we have received hundreds of new cases as a direct result of a news story someone saw relating to a big verdict or settlement. We are always mindful of making sure local and state media receives information about events of our firm. Recently, we have utilized national media as well. There are many news shows on the major networks that are more than willing to listen when called upon. Additionally, national magazines like the *National Law Journal* are always

willing to consider running stories relating to big verdicts and substantial settlements. This type advertising does not cost anything and generates substantial business for our firm.