

Marketing and Management for Today's Plaintiff Lawyer

Two of the most important things for a Plaintiff lawyer are to believe in what we are doing and to actually care about our clients. Being a Plaintiff lawyer can be uniquely stressful. In addition to the normal stresses that other lawyers face, we are often going against Defendants with many more resources than we have. We routinely represent "David" vs "Goliath" and this can be very difficult. Because of the stresses of the uphill battles that we must face, this type of work has to be a calling, not just a way to make a living.

Once we have established that we are doing this for the right reasons, it is time to consider how to become and continue to be successful. From a business perspective, the success of a Plaintiff law firm can easily be divided into two main areas – Marketing and Management.

Marketing for the Plaintiff lawyer can be different in many respects than marketing for other type firms. Many times, marketing budgets are limited and marketing time can be limited. Studies have shown that most Plaintiff firms spend 10 to 15 percent of revenue on marketing. There is no magic number on this percentage of spending. Each firm should make a plan for it and attempt to stick with it for the long run. A long-term marketing plan is a must for the firm to be successful. There can be deviations from the plan from time to time but attempting to stick to a plan is vital.

First, we must remember that in marketing, we are sowing seeds or planting trees. Many lawyers will say that they are too busy to do a lot of marketing. Others may say they feel like it is too late in their career to do any marketing. It is true, the best time to plant a tree was 20 years ago. However, the second best time to plant a tree is TODAY. We need to remember that in law firm marketing, everything should be about tomorrow and very little should be about today. We have to be willing to sacrifice time, energy and resources today for the reward that we know will come in the future. For an excellent book that discusses these principles, see *You Can't Teach Hungry* by John Morgan (www.amazon.com).

Below are some practical suggestions regarding how to prioritize and focus your marketing efforts. We must first identify our target market. There is marketing to clients and marketing to referring attorneys. Regarding marketing to clients, the following seem to be very important:

- Clients hire lawyers that they know, trust and like.
- A satisfied client can refer cases to you.
- A client is more satisfied with good communication than large dollars for his or her claim.
- 94 percent of clients will visit your website before they come to your office.
- Face time is very important.

- Firm brochure may be important.
- Database marketing is the best and cheapest form of marketing.
- Lawyer referral service of Alabama State Bar is helpful.
- TV, radio, billboard and newspaper are not for everyone.
- Organizations – Civic Clubs – play a vital role.
- Being involved in Politics makes you meet people.
- Websites are very important.
- Blogging is very important.
- Social Media is growing:
 - YouTube
 - Twitter
 - Snapchat
 - Facebook
 - LinkedIn

With regard to marketing to referral attorneys, the following seem to be very important:

- Lawyers deal with other lawyers they know, trust and like.
- Personal relationships are more important than results.
- Database marketing can be important.
- Brochures are helpful.
- Websites are a must.
- Face time is valuable.
- Seminar attendance is good networking.
- Leadership in legal groups is good networking.
- Big verdicts and settlements help with reputation.
- Do not overlook existing relationships as they are the most important.
- Have a written marketing plan to which all in the firm agree.
- Small intimate gatherings of lawyers are more important than the big ones.

For a great discussion of lawyer marketing, see TheRemsenGroup – *Seven Habits of Successful Rainmakers*. (www.theremsen.com/88) Also, see sample Marketing Plan attached.

As you can see, marketing can be very important and time consuming. It is best to pick the areas above that fit your practice and develop a long-range plan you can sustain.

Historically, law schools have taught very little about the business aspect of running a law firm – the management aspect. Lawyers are left to learn as they go. The most important thing is that we help people that need it. However, we must know something about business or

that will be hard to do. Below are some specific things that help in running the business part of a law firm:

- Revenue and expenses per lawyer are the most important indicators of how the firm is doing.
- Goals – you must have written goals regarding revenue, expenses, lawyer retention, marketing, how long before cases are filed, how long before they will get set for trial, etc.
- Plan and budget.
- You must have a yearly revenue projection.
- Cutting expenses is not always a good thing.
- Case financing.
 - Esquire Bank (www.esquirebank.com).
 - Non-recourse financing by the following companies:
 - Advocate Capital (www.advocatecapital.com)
 - Counsel Financial (www.attorneylending.com)
 - RD Legal Funding (www.fundingforlawsuits.com)
- Stop and think where you will be in five years.
- Take time off to think.
- Alabama State Bar offers several services to help in running a law practice (www.alabar.org).
 - Casemaker Legal Research – free service.
 - Group Life Insurance – Disability Insurance.
 - Access to the American Bar Associate retirement plan.
 - Locallawyers.com
 - Ruby Receptionist – phone answering service, can get basic information for you and transfer phone to you or can return calls for you.
 - UPS discounts.
 - Verizon discounts.
 - Virtual office information.
- You must have a sustainable practice, which takes discipline, order and a shared common vision. Remember, everything is about tomorrow, not today.
- You must look at monthly expenses each month. You must have a monthly budget and try to follow it.
- Recognize trends in the law and be out front. Kmart and IBM were No 1. Now Walmart and Amazon hold the top spots.
- Give people input into goals that you are setting for them.
- Be honest with people even if it hurts.
- Public recognition of employees is good.
- Delegate and follow up.

The main concept in management is to have good people that you can trust. However, when you delegate to them, you must follow up to be sure it is done the way you want it done and in the timeframe you want it done.