111 Ways a Non-lawyer Can Help a Firm's Marketing and Client Relations

Effective, tasteful, professional marketing is essential to profitability and the existence of a law firm. This is a list of marketing activities that lawyers should pursue but don't have the necessary time or energy.. Most lawyers would rather practice law than devote nonbil1able time to marketing or client relations activities. An obvious way to reconcile the client relations and marketing needs of a firm with the desire of the lawyers to practice law is to use a nonlawyer marketing person to do the "Busy Work" which effective, tasteful, professional, good marketing requires.

The most important and compelling reason to use a non-lawyer to do the firm marketing and client relations work is that the work will never get done if left to the practicing lawyers. There are other distinct advantages to using a non-lawyer marketing or client relations person to help a firm's marketing efforts. A lawyer can bill enough in 3 or 4 hours to pay the non-lawyer's salary for a week. The lawyer will be happier and more effective doing what he or she went to school to learn to do and was hired to do. The nonlawyer will be happier and more effective doing what he or she was hired to do and will be happy doing it.

This list can be used as a menu. The lawyers, through the Marketing Partner or the Marketing Committee or through the General Administration of the firm, can select the priority of the tasks. The nonlawyer marketing person can then begin doing the work. The lawyers should do that marketing activity which the lawyer can do best (calling the client, meeting and entertaining the client, keeping the client informed of the progress on the case, bring marketing data to the nonlawyer, etc., to name just a few).
The nonlawyer can do the rest of the work.
There is no order of priority in this list. The priority of what should be done first depends on the types of clients and cases the firm wants.
This is not a complete menu for marketing or client relations because it omits most of what the lawyers have to do as their contribution to the firm's activities. Additionally, the list only tells a marketing person what to do, it does not tell the person how to do it, (The Foonberg book, How To Get and Keep Good Clients, is of great help in telling you how to do it).
As the title of the list indicates, a nonlawyer can help the firm, but only a lawyer should be in charge of making policy decisions.
Unless a person has been trained as a lawyer and has practiced law recently, he or she is not likely to be as current as practicing lawyers on the true problems and opportunities which the practicing lawyers face on a daily basis. The nonlawyer may be more up-to-date on the mechanics of getting the job done, once the lawyer has decided on the job to be done. It takes law practice experience and legal training to anticipate the ethical problems and professional problems which will arise due to erroneous short-term marketing decisions. Erroneous decisions may bring in a particular client or case which may be harmful to the firm's long-range professional standing and goals. If the firm is destroyed, the nonlawyer simply looks for a new job, the lawyer may have to look for a new career.
I would have preferred to title this article, 101 Things a Nonlawyer Can Do, since 101 is a catchy number and a better marketing device, but in marketing this article as in marketing legal services, one should only promise what one

can deliver.

1. Calendar, purchase and send appropriate greeting and birthday cards and put the data into the tickler system

2. Do all of the leg work in arranging all of the details of a seminar.

3. Maintain all firm and individual client and referrer lists. Maintain the data in the data bank.

4. Periodically meet with the attorneys in the firm to interview them to get the data about them and the clients needed for the firm's data banks (similar to debriefing sessions in the military).

5. Rewrite and distribute legal research memos into articles for publication in newspapers, trade journals etc. (or work with outside public relations firm to do this).

6. Help set realistic goals for the firm's marketing efforts, i.e., to penetrate a particular company or industry, or to increase business by cross selling, or to get a certain number of new clients, or to increase total business by a certain percentage or to penetrate or expand a particular area of law or practice group.

7. Prepare press releases and send them when and where appropriate. Enlist the help of a public relations firm if necessary.

8. Monitor news items concerning existing and target clients in order to be able to disseminate the information in the firm and to send congratulatory cards and notes where appropriate. Get a public relations or professional clipping service to help if needed.

9. Periodically update firm brochures and hand -outs to reflect the kind of clients the firm has and/or is seeking.

10. Develop departmental brochures and individual attorney fact sheets to be used by departments and individual attorneys as supplements to the firm brochure where appropriate.

11. Arrange for outside lecturers and for consultants where appropriate to come to the firm to help in sales training, printing, public relations, etc., unless the marketing person is trained and skilled in these areas.

12. Track and monitor referrals in and referrals out to see if the firm and the clients are benefiting from the referrals.

13. Track new business sources from client intake forms.

14. Track new business sources by interviewing firm lawyers and nonlawyers.

15. Prepare biannual marketing training retreats featuring outside instructors and in-house lecturers.

16.Survey present and former clients (if trained in how to do it) in order to develop new business and to learn client-perceived strengths and weaknesses.

17.Assist in preparing bids or proposals requested by potential clients.

18.Do cold calls via telemarketing if the firm is willing to do this type of marketing. .

19. Arrange for and supervise use of single and season tickets for entertainment of firm clients. Be sure that all tickets intended for client promotion get used for client promotion. Include athletic, cultural, charitable, political events, etc. Work with ticket brokers to get needed tickets as required for various events where the firm wants to be seen in public with a client or to send to a client.

20. Work with attorneys to be sure their current individual biographies and Martindale -Hubbell listings and other directories reflect what the firm currently wants to emphasize. Do this on a periodic basis.

21. Work with a printer or public relations consultant to design firm or department logos or logotype signatures.

22. Work with a public relations firm to decide in which white pages and in which yellow pages the firm wants to be listed and under which specialties or areas of practice the firm or individual lawyers and the firm name are to be listed. Also decide nature and extent of yellow page listings and whether to emphasize by red ink or yellow highlighting the white page listings.

23. Hound attorneys for materials for client newsletters and client alerts and be sure that present, past and potential clients and targeted clients and referrers of clients get the newsletters and alerts.

24. Help set and administer the firm budget for advertising and listings in charity programs, etc.

25. Get appropriate media coverage for the activities of individual attorneys and the firm in appropriate public service or community activities. Get assistance from a public relations firm if necessary.

26. Develop media contacts through an outside public relations firm. to get members of the firm into the media as "experts.' Get quoted by the media on new developments and decisions in the areas of law in which the firm wants to be recognized as experts.

27. Ascertain which attorneys and non attorneys are obstacles in the

firm's marketing efforts and that the departments can educate them as to the importance of the firm's marketing efforts. Let them know that their careers and the careers of all the firm lawyers and staff are at stake.

28. Take appropriate steps to be sure that all client data and marketing data and firm data are safeguarded from unauthorized disclosure or dissemination. Mark computer data and lists to secure commercial protection. (This should be done as directed by a knowledgeable lawyer.)

29. Assist each lawyer in the firm in developing and executing a personal marketing plan to coordinate each attorney's interests and abilities with the needs of the firm, as decided by the firm.

30. Assist each department or practice group in preparing and executing its annual medium-term (3-year) and long-term (5-year) marketing plan in accordance with the anticipated needs, and plans of the firm and its clients.

31. Monitor the performance of each individual attorney and practice group's vis a vis their performance of their marketing plans. Report performance or nonperformance to the responsible marketing attorney partner.

32. Locate and prepare a directory of ghost writers to assist attorneys in getting special articles ghost written where necessary for publication as firm articles. Get a public relations firm's help if necessary.

33. Act as the central clearing house for inquiries from prospective clients. Direct inquirers to the lawyer or practice group or department or rainmaker attorney most likely to make a favorable impression on the inquirer.

34. Act as a central clearing house for in-house cross-marketing opportunities for the firm

35. Work with accounting department to conform invoices or billing procedures to meet the specific needs of specific clients.

36. Follow up on marketing leads when supplied by lawyers and others.

37. Work with internal or external information specialists (librarian) to access electronic and hard copy databases and directories to get the most complete publicly available information about prospective and current and target clients.

38.Work with specialists to design, perform, analyze and follow up on information obtained from client surveys.

39.Work with word processing or information services department to set up and maintain desk top publishing formats and mailing lists for client alerts, newsletters, internal communications and other communications.

40.Circulate the names of the attorneys, the nonattorneys and the referrers of clients who are instrumental in bringing in new clients or increased business from existing clients (everyone likes to see their name in print).

41. Share marketing information obtained with conflicts department to head off the firm devoting large resources to seek clients the firm can't represent and to provide conflicts data base with more up-to-date information.

42. Plan and coordinate to get maximum media coverage for firm special events that have public relations or media value.

43. Maintain a communications or publications data base to direct distribution of firm publications and communications. Send appropriate information to special clients and targets. Augment the firm data base with new information. Work with a public relations firm if necessary.

44. Secure permission from present and former clients to use their names in client lists and references.

45. Write the firm's history while there are still people around who know it.

46. Coordinate or hire inside or outside copywriters to rewrite firm research memoranda into various levels of understanding for publication in various publications.

47. Handle client complaints if you are trained how to do it. Alternatively, work with a person who is trained to handle complaints or perceived problems with clients.

48. Work with practice groups or departments or individual lawyers to help maintain on a consistent basis good attorney/client relations by spotting and correcting problems or deficiencies at an early stage.

49. Conduct internal audits of the firm's marketing practices and client relations to spot problems early on.

50. Get involved immediately in all follow-ups on potential new business to provide assistance to the lawyers having contact with the prospect. Do not allow lawyers to "drop the ball.'

51.Contact clients by accounting people directly to ask if they are happy with the firm's billing format, or if they have special requirements.

52.Work with attorneys to promote and maintain new outward bound referral firms and institutions for cases and clients that the firm does not want to handle or cannot handle due to conflict.

53.Work with firm attorneys to develop other lawyers, law firms and institutions as inward-bound sources of clients, either by offering referrals back or by offering referral fees where appropriate and if in accordance with firm policies or by offering perks and benefits.

54.Survey attorneys' and marketing publications to determine existence of various marketing networks and affiliations to determine if the network can supply the types of work the firm wants.

55.Provide accurate information to the Committee that allocates client origination credits or percentages in allocations as between attorneys for new business.

56. Work with hiring committee or recruiting committee to identify lawyers who have special qualifications or backgrounds that will fit into the firm's long or medium range marketing plan.

57. Monitor and train telephone receptionists and telephone handling by those having telephone contact with callers to be sure that clients and prospective clients are not alienated by the phone handling.

58. Train lawyers how to make formal presentations to prospective clients.

59. Coordinate with outside experts (such as myself) in training lawyers how to tastefully and professionally market the firm, their department and themselves.

60. Prepare audiovisual aides for dog and pony presentations to prospective clients.

61. Coordinate desk top publishing, client data base, press releases, and attorneys to be able to get out a client communication within hours of an important case, new law or important event to attempt to be the first firm to inform the client. (Consider sending a one-paragraph fax the same day informing the client that there has been a major development and that the client will shortly get more information.)

62. Assist attorneys in handling media requests, or deal with media for the attorney after getting information from the attorney.

63. Convince attorneys that the negligible time they spend in helping with marketing will on balance offset the limited amount of billable time they might lose and that most good marketing does not require any lost billable time.

64. Monitor clients to insure that the firm does not over communicate; by seminars or client visits from different practice groups, to the point where the client is annoyed or feels that the firm is pressing too hard.

65. Be sure that individual and practice group marketing plans are not overkilling in one area, while ignoring or giving insufficient attention in another area.

66. Work with public relations firm to hire celebrities, actors, politicians, etc., to attend client seminars and social events.

67. Work with a public relations firm to keep clients' names and cases in or out of the media to protect their legal interests, or their cases in progress.

68. Determine which local events the firm might wish to sponsor (if any) to get community recognition such as, walkathons, local teams, local cultural events, local educational television, local educational events, etc.).

69. Prepare periodic reports showing where marketing programs and efforts are working and where they are not succeeding.

70. . Maintain and supervise the marketing master calendar to be sure that all event and promotions under way are proceeding as scheduled.

71. Contact clients directly or through lawyers to determine which new ot repeat subjects clients want or need as seminar topics.

72. Determine directly from clients or through attorneys whether clients Want seminars at their location or at the firm location or other location and when the best day and time would be for maximum attendance of appropriate personnel.

73. Keep records of attendees for post seminar follow-up, and for invitations to future seminars. Use attendance lists to work with various continuing education accreditation entities to get appropriate credits for attendees at firm seminars. (Referring attorneys, CP As, financial planners, police officers, physician., social workers, lawyers, etc.)

74. Determine which occupational groups not currently being served require continuing education credits, and whether there is any marketing value in doing seminars with or for these groups.

75. Get and tabulate evaluations on a continuing, long-term basis from seminar attendees to ascertain which subjects and speakers and locations are most effective in getting new clients and in getting more business from existing clients.

76. Follow up on all marketing leads from all sources and report back to the sources so that people in the firm can see that their marketing intelligence is being acted on and is not being ignored.

77. Coordinate with billing and data processing department to get reports on clients and or referrers or other sources where there has been no face-to-face contact for specific time periods. If necessary call or have a lawyer call these non contacted people just to ask if there is anything the person would like from the firm. The best person to make the call would be one of the firm's lawyers, but it is better for the marketing administrator to call than for no one to call.

78. Interview associates, partners and support staff on a regular basis to seek new information from them or to get their input on new projects that could be instituted or implemented, or new marketing possibilities.

79. Work with the accounting department to develop a list of all organizational membership dues and fees paid over the last five years to determine which groups have been a worthwhile source of clients and new business and which groups have not. Use the information developed to work with attorneys to determine which types of organizational activities to emphasize and which to eliminate or strengthen. Some groups will probably be worthy of firm support even if there is nothing in it for the firm, but this should be a matter of conscious informed decision and not by accident. In other words, separate marketing expense and purely charitable donations.

80. Work with the firm's attorneys to determine which nonlawyer support staff should have firm cards or names on stationery and which should not. (For example, after six months or after one year or for secretaries or messengers, etc.)

81. Work with attorneys and personnel department and individuals involved to determine what titles to give people on their cards to best encourage their making appropriate usage of the card. For example: Librarian or Information Specialist or Electronic Data Base Specialist, File Clerk or Archivist, Secretary or Legal Secretary or Legal Assistant or Assistant to Attorney Jones, Legal Assistant or Paralegal. Key Puncher or Electronic Data Processing Specialist, Word Processor or Document Production Specialist, Personnel Clerk or Human Resources Specialist. What you call people and what they call themselves can affect their pride in their job and their firm and whether they will try to help the firm's marketing efforts.

82. Work with firm's personnel department to be sure that firm lawyers and nonlawyers have adequate supplies of the card they are supposed to have.

83. Initiate the firm's first conscious marketing activities.

84. Be involved in the client complaint process if you have been trained how to handle complaints.. Either take charge and be the input point for client complaints or work closely with a person who is trained on how to handle complaints and monitor client complaints to correct developing problems. Train attorneys and receptionist how to channel angry people. Gather information on perceived or actual problems and follow up on eliminating the problems where appropriate.

85. Do a dog and pony show for potential clients coming into the office. Have a 20-minute set routine developed to show off the technology and facilities of the firm so that a nonlawyer can,

where appropriate, take the client or potential client around. Prioritize on a time-needed basis which firm assets to emphasize first (art work, computers, conference rooms, form files, etc.).
86. Order appropriate items with firm logo or name to put out for conferences where non firm members will be present Common items are yellow pads, pens, pencils, matches (unless the firm has a strong no smoking position), candy jars, etc.

87. When a potential client comes to the office, be sure that there are trade publications for that person from that particular client's industry in the reception room, the conference rooms that will be used and in the offices of the attorneys who will be meeting with the clients. If there are articles about that particular client in the periodical, the article should be drawn to the attention of all people participating in the meetings. Trade association publications are among the best type of periodicals. It may be necessary to consult with the attorneys hosting the meeting or conference in advance to be sure that the appropriate publications are available for each meeting. It may be necessary to change the publications two or three times per day so that each visitor gets the appropriate publications displayed and available.

88. Before an open house or a reception, or seminar, spread around copies of the industry publications of the people who will be there so they will feel that you have an interest or an expertise in their industry. Place articles in periodicals to coincide with your open house or dog and pony presentations to potential clients to show them your current interest or expertise in the field of interest to them.

89. Alert the receptionist as to who is expected that day. One way is to check the reservations for the conference rooms for conferences and depositions and check with the attorney who reserved them for the expected people. When the person(s) arrive, have the receptionist say, "Welcome, Mr. Smith. We've been expecting you. I'll notify Ms. Jones that you're here. I've been asked to give you this issue of the Widget Makers Association Journal in case you wanted to look at it while you're waiting.' This will impress the client or potential client that you are well-organized as well as having an interest in that area of law or industry. If there are other people in the reception area within hearing range do not mention aloud the name of the welcomed person, as their presence may be a matter of confidentiality in the particular matter. There's no harm in doing this for the client of the other lawyer. It may give the other lawyer's client a good impression of your firm, so that you'll be considered when the other lawyer's client needs to use or recommend a different law firm (for a conflicts situation in the appropriate circumstances, for example). Even if there is no new business in it for the firm, the other lawyer's client may gain a respect for the organization of the firm which could inure to the benefit of your client in the matter.

90. Have the receptionist notify you of all conferences or visitors expected (as a back-up to attorneys notifying you) so you'll be prepared for the visit.

91. Assume or accept responsibility for periodically walking through the reception room, conference rooms and other public areas to be sure that they are neat, clean and convey the image the firm wants conveyed. It may be appropriate for you to correct problems through the general administration of the firm rather than interpose yourself between other personnel and their own chain of command.

92. Survey clients who have been referred out in order to
remind them that you still consider them to be your clients and in order to be sure that the clients are happy with the firms you are using.

93. Survey clients who have been referred in to you in order to
show the results of the survey to the people who refer work in to you.

94. Arrange in advance for Continuing Professional Education credits for those who can receive it for attending firm seminars. It may be necessary to submit program materials or keep attendance records or submit attendance records for the program.

95. Identify other law firms or accounting firms or institutions for cosponsoring seminars in order to extend client lists and to reduce costs of seminars.

96. Learn the Continuing Professional Education requirements for each group which you want to attract to your seminars.

97. Maintain an adequate supply of appropriate form letters or cards to send on special occasions such as birthdays, religious holidays, births, deaths, illness, etc.

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98. Learn and accumulate the death and funeral customs of various religions so that the firm or the individual lawyer will do the appropriate thing when the death of a client or client's family member occurs. Determine whether flowers, candy, cards, donations, etc., are appropriate.

99. Be sure that every job applicant, including those who will not get hired receives a certain amount of information and materials about the firm and its specialty areas. Those not hired often go to work at other firms and can refer that firm's business to your firm or simply do their own referring to the firm. Applicants who don't get hired can be considered similar to clients whose matters are not accepted. They are still potentially a source of future business.

100. Work with personnel department to keep track of firm
"alumni" who have left the firm under friendly circumstances. Keep them on mailing lists for possible referrals when their current companies might need your firm.

101. Locate and work with list brokers to provide specialized lists for mailings or for other purposes.

102. Work with data processing department to calendar ahead for known time triggered client legal needs. Typical examples from the section on getting work from closed files include lease renewals, will reviews, judgment renewals, trusts terminating, etc.

103. Publicize attorney's activities in service, professional and charitable causes. Many clients and potential clients will be in accord with the goals of the organizations supported by the attorney and some will express it by becoming closer to the attorney or the firm. This type of press coverage is usually obtainable in the local press where the information can be accumulated

and used as filler. it is incumbent on the attorneys to keep the marketing people advised on what they're doing.

104. "Debrief' attorneys after they attend bar meetings to get names and addresses of other lawyers they met in order to put the other lawyers' names into the data base to receive selected mailings.

105. Work with budget committee to get a budget for each individual attorney to do marketing (expense reimbursement) and for departments and rainmakers (memberships, season subscriptions, major contributions, etc.).

106. Determine if there are any local radio programs or cable TV programs which have an audience that the firm wants to reach and determine what kind of program(s) the firm might want to sponsor.

107. Determine if firm can fund small annual prizes to graduates of local high schools, universities or law schools to get recognition and long range name familiarity with academic communities.
108. Put together CLE retreats for lawyers from law firms which refer
you clients.

109. Ride circuit to branch offices or get reports from branch offices to determine what marketing opportunities are available for development and to determine what help they want or need.

110. Periodically analyze existing directories in which the firm could list itself to determine which, if any, the firm should choose.

111. Obtain copes of the Codes of Professional Responsibility or Ethics governing your attorneys and ask an attorney to explain it to you so you can recognize problems. Obtain a copy for every attorney in the firm.