



Charles A. Maddock

Does Your Law Firm Have A Marketing Culture?

By Charles A. Maddock

Whether they admit it or not, every law firm markets. Since lawyers are a high-performing lot and know that business equals revenues equals food on the table, almost all lawyers market, even if somewhat grudgingly.

Lawyers do good work to retain and grow clients; they look for opportunities to expand their existing work; and they almost always provide good to excellent client service. In most firms, client development and revenue production are the two most important keys to the partnership kingdom. What's more, law firms focus on pricing, product quality, office location and continually enhancing their reputations. All are textbook hallmarks of marketing.

Sounds pretty good so far, doesn't it? But problems often occur when the firm recruits and retains non-lawyer marketing or sales professionals. Why? Because lawyers, who are usually articulate, bright and knowledgeable, are frequently lost in space when it comes to defining what they want from their marketers. Some lawyers want high-level strategy, others want more seminars and still others want press releases and client parties. Sadly, you'll find all of these demands – with little or no prioritization – in many law firms. This lack of clarity often results in an “us vs. them” environment, a culture that can range from tolerant, to uninterested, to hostile when lawyers relate to their marketing professionals. Small wonder that the lifespan of marketers in law firms remains so brief.

Establishing priorities, defining goals and speaking the same language are the basic steps that make marketing work within law firms. The firms that recognize that marketing has impact on virtually everything the firm does have established a culture in which marketing is integral to firm success. These firms have a marketing culture.

How to Build a Marketing Culture

What is a marketing culture and where do I get one? What will it cost? Will it hurt? To attain the benefits of having a seamless marketing program, law firm management must evaluate the following issues carefully and objectively:

1. *Do we have clear and realistic expectations of the business development staff? Can lawyers articulate them? Can the staff?*

Many law firms truly don't know what to expect from their marketing professionals, so they wind up asking for virtually everything from identifying new markets to training lawyers to sell to creating advertising based on the theory that if other firms are doing it, it must be right. Lawyers need to take the lead in determining priorities, with the advice of their marketing professionals. The expectations must fit your firm, not *all* firms, and must be clearly communicated throughout the firm.

2. *Do we have the right people doing the right things?*

In many firms, there are far too many tasks assigned to the Marketing Director and to most of his or her staff. This is frustrating to the firm and to the marketers alike. What's more, a recent study indicated that senior marketers spent 80% of their time reacting to lawyer requests, while mid-level marketers spent 50% of their time reacting — exactly the opposite of the right ratio. Since lawyers often don't know what to expect from their marketers, they ask every partner what they would like to see the marketing staff do. This then turns into a three or four page position description that no one could reasonably be asked to achieve. Less is truly more here: focus on important, achievable actions that will result in satisfying clients and attracting prospects.

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3. Do we have a strategic or a tactical focus?

At first glance, most firms seem to have a strategic focus or would like to claim that they have one. For many firms, this has meant realigning their strategy to focus on relationship building, client retention, growth, geographic location and so on. However, when it

with the firm – and many firms lack experience in staffing for a marketing function. However, marketers are sometimes at fault in this area as well. Some marketers, especially anxious to secure a job in a prestigious firm, tend to over promise their capabilities and claim that they will need minimal support for the position. As a result, they get

to be an *ex officio* member of the firm’s Strategic Planning and Executive Committees. This gives the Marketing Director the opportunity to relate directly to those in the firm who have the most clout and the most knowledge and interest in marketing.

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comes to the marketing function, many firms still focus more on printed materials, the website and seminars. Although firms often admit that these functions are more tactical than strategic, they also admit, and rightly, that they are important for supporting marketing strategy. Firms and marketers run into problems when firms recruit marketers on the basis that the job will be purely or mostly strategic and it winds up being very tactical. Marketers become even more restive when they are assured that the focus will switch very shortly and after two or three years they remain mired in the same tactical limbo. Once again, it’s much better for the firm to know exactly what it wants and hire and retain on that basis.

4. Do marketers have the right human support?

This is a two-edged sword. Marketers are often dissatisfied by the level or number of support staff assigned to their group or by the inability to recruit, retrain or dismiss existing staff. Among marketers, this is one of the highest sources of dissatisfaction

what they asked for, which is often part-time from a staff person who is inexperienced in marketing. Firms and marketers need to be candid with each other to attain the right balance of experience and personnel.

5. Do marketers have the right reporting relationship?

Reporting relationships for marketers in law firms have changed significantly in the last decade. Ten years ago it was common for the Marketing Director, as part of the senior staff at the firm, to report to the Executive Director. Since the Executive Director was often inexperienced or not at the front line in understanding the firm’s marketing requirements, this reporting structure has changed, typically to the Managing Partner or the firm’s Marketing Partner. This relationship is vital to the success of the function: it places the marketer squarely in touch with the direction and goals of the firm and signals the level of importance of the marketing function to other lawyers in the firm. In some cases, the Marketing Director is invited

6. Are members of the business development staff respected and listened to by the lawyers?

It is much more likely that business development staff will be respected if the expectations of the firm’s marketers are clear. If lawyers don’t know whether the marketing personnel at the firm are to perform a strategic role, a sales role, or something else, marketers may find themselves shut out of important decisions or avoided by the lawyers. In addition, marketers and lawyers have very different backgrounds, personality types and career expectations. For the position to succeed, lawyers and marketers need to accommodate their differences and play to each other’s strengths. Both sides need to realize that marketing needs to be valued for its *quality* (achieving strategic and revenue goals), not just its *quantity* (number of seminars or website pages). When marketing professionals have demonstrated success on personal, firmwide or practice fronts, marketers and lawyers will speak the same language and with greater clarity.

7. Do we have the right budget for business development?

Often, marketing efforts in firms are hindered, not for want of good ideas, but for want of money. In many firms, according to the Altman Weil Survey of Law Firm Economics, the average expenditure on marketing is only 1.7% of annual firm gross revenues.

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Interestingly, despite the increased interest in and efforts spent on law firm marketing, this number has not changed much over the last decade. Not surprisingly, plaintiff's personal injury firms spend four or five times this number, and are able to see the results of their efforts very quickly. For defense and corporate firms, this number is often seen as a "not to exceed" way to establish a budget. A much better idea is to establish a zero-base budget, based on need, and report on results as least annually, if not semi-annually.

Managing the marketing function in law firms requires daily give-and-take by the lawyers and marketers alike. Depending upon whether the firm has a marketing culture, this can be a source of friction and dissatis-

faction or a catalyst for institutional success, career growth and pride. The most successful firms know that when marketers and lawyers recognize each other's strengths, the resulting equation is greater than the sum of its parts. ♦

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