

## How to Gain and Retain Clients— Establishing LTR Differentiators



*How to Gain and Retain Clients*

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Every attorney is plagued by the ever-present mandate to “grow the practice.” This imperative is crucial to the success of every law firm, but most attorneys find it bothersome (at a minimum) when they are also under ever-increasing pressure to maintain chargeable hours. It is analogous to the conflicting objectives faced by other service professionals, be they accountants, engineers, architects or IT professionals. However, the key to this growth is not, as some may believe, to simply throw out a net and watch the clients rush your boat. The critical factor in any service professional’s business growth is desire; in short, the prospect must *want* to retain the attorney.

Thus, the real problem for any attorney is not simply the cliché of growing the practice; rather, the key is attaining the critical components of *want*. These components are not nebulous—they are based on three critical factors: your contacts will want to conduct business with you if they like you, trust you and respect you (Likability = L; Trust = T; Respect = R: LTR). And this all must be achieved both with new prospects—so you garner them—as well as with existing clients—so you do not lose them. Business development, then, is inseparable from daily activities; indeed, it must become a part of daily interactions.

Most professionals have an inherent habit of forgetting that the essential truths of human psychology apply not only to life outside of the office, but also to relationships within each business sphere. Indeed, some professionals fail to recognize that the most obvious of these essential truths—that we *choose* to not associate with people whom we dislike—is a critical factor in business.

# Likability Alone is Not Enough

However, likability is insufficient; two additional essential psychological truths operate in tandem with it. We choose not to do business with those we dislike; we also choose not to associate with those we neither trust nor respect. While you may like someone immensely, if you distrust them, you will likely not be giving them your business.

I do not mean to detract from the critical importance of an individual's level of competence. Clearly, clients select attorneys because of their legal competence, not just because they are personally appealing. However, the market is currently flooded with more-than-competent lawyers. Each potential client selects an expert with whom they would like to work. It is this element of the decision that is driven by the LTR differentiators.

In other words, an attorney must catalyze in each prospective client—in essence, every person with whom he or she comes in contact—a feeling of likability, trust and respect. These three qualities are inseparable. And though they are not always innate, they can be taught; in today's ever-more-competitive legal market, attorneys must master the tactical techniques for attaining them.

## A Viable Referral Network

Timothy J. Waters, former managing partner of McDermott, Will & Emery, recently published a highly perceptive article, reporting that “Last year, 2009, a remarkable number of law firms across the country spent more time reducing the number of their lawyers than recruiting law school graduates.”[\[1\]](#) Who were these lawyers who were the victims of that “reducing”? Certainly not those viewed as stellar performers. Yet, these now unemployed attorneys were likely incredible lawyers in regards to the practice of law. They were likely just not those incredible at gaining and retaining clients.

Client retention is not taught in most law schools; the general trend in professional education lacks a psychological aspect: teaching law students only about the law, thus increasing their capability to be legal experts, but neglecting to impart the very tools necessary to grow their future practice.

Building a viable legal practice depends to a great degree upon building a phenomenal referral network. The foundation of this network is legal competence. However, the motivation behind the synapses within this network is still LTR. This referral base can fuel the lawyer's clientele—but that base is only valuable if a lawyer is liked by those within it. Those in a position to refer clients have to want to send them to a particular attorney versus all others, who are likely just as professionally qualified.

The way to ensure that value is to maintain the LTR you have gained in your original clients. In every e-mail, every voice mail, focus on them: What are their needs? What are their concerns? How is their family? Learn their names and the names of those important to them. Ask how they are doing; choose not to dwell on yourself. To ensure their trust, behave with integrity in every endeavor. If a potential client sees

you cheat on the golf course, they will not trust you as their attorney. Likewise, they will respect you if you conduct yourself with compassion, competency and concern for others.

## Retaining Partners

Several critical factors determine the cost of both gaining and retaining clients. According to Alan E. Webber of Forrester Research, acquiring a new client costs five times more than retaining a current client.<sup>[2]</sup> Clearly, this retaining requires the same personal qualities as the initial gaining. If we subscribe to the viable network principle discussed above, the two are inseparable. You will only gain new lasting clients if you have satisfied and retained your long-time clients.

With all the growth of legal marketing, very few people are examining what truly drives business development and the growth of legal practices. Executives don't retain law firms; they retain partners—a person, not an entity, whom they admire. Executives and general counsels no doubt want to respect their legal counsel for his/her knowledge of the law; however, they also want to know their external representation is entirely committed to their cause.

Consider the way you select a financial planner or an accountant to complete your tax documentation. No doubt most professionals can complete the task, but you probably selected the one with whom you felt the most comfortable speaking, the one whom you respected the most technically, and the one whom you trusted to complete the task on time and effectively.

You likely decided about LTR within a few seconds of your interaction with that individual, though probably subconsciously. This intrinsic assessment was perhaps based upon very subjective criteria: professional tone of voice, ability to maintain eye contact, genuine concern about you and your problems, depth of professional knowledge, understanding your needs (or seeming like they did), and so on.

Just as you evaluate your accountant, your future clients will examine you. When a company selects a lawyer, the issues of LTR take precedence over that attorney's competence. Each of us has heard the ubiquitous Dale Carnegie quote asserting, "15% of one's financial success is due to one's technical knowledge." The other 85% is "due to skill in human engineering," which involves the "soft" skills of human engineering, such as likability and empathy; these become the differentiators.

To combat these psychological decision-making factors, all attorneys can improve their LTR techniques to gain and retain clients. It is a teachable process and one honed with practice. Indeed, everyone has the capacity to exhibit qualities of genuine likability, to gain trust and to garner respect, but either use this capacity or choose to ignore it subconsciously. Most may understand that LTR factors need to be established quickly in social settings, but many fail to recognize that business development is inseparable from day-to-day activities. These three factors also need to be utilized in every conversation with every potential client—in every e-mail, every voicemail, in every communication. If you are clearly trustworthy, incite respect and are simply likeable again and again, not only will your initial meetings, presentations and conference calls win you a new client, but your constant concern

for that client's well-being will ensure their retention for years to come.

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[1] See Waters, Timothy J., *The Law Firm Paradigm: Relevant or Relic* (July 13, 2010), available at <http://documents.jdsupra.com/910f3b0f-40a1-464c-b438-f8f6e306d7f5.pdf> (last reviewed November 4, 2010).

[2] See Webber, Alan E., *B2B Customer Experience Priorities in an Economic Downturn: Key Customer Usability Initiatives in a Soft Economy* (February 19, 2008), Forrester Research.

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