Marketing Legal Services: It’s Everybody’s Job

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Ahead of the The National Association of Minority & Women Owned Law Firms meeting in Fort Lauderdale in February; the National Law Review had the opportunity to speak with Jeffrey Fox[^1], author and founder of Fox and Company, a marketing consultancy firm. Fox will be presenting at the conference, and he was kind enough to share his insights into the legal industry and how to market legal services.

The Legal Market is Changing, and Lawyers Must Specialize

It’s not a secret that technology and a variety of factors are changing the legal industry, and increasing the competition for legal services. Fox says, “The internet and the ability to digitize everything, services like legalzoom are going to eliminate, anything clerical on the legal side; for example, wills, closings, getting a license, that’s all going to go away.” This new reality is already happening in legal services, and law firms are feeling the squeeze. To respond to this change, Fox says lawyers must develop a niche. Being able to develop a subject matter expertise, to be able to completely own an area of the law or of practice as your own is an important survival strategy for the changing legal world. Fox says, “If people don’t start thinking about subject matter expertise they are going to be dead.”

Once firms or attorneys have found a niche, they can find a way to market that
niche. The first step is making sure that the niche is defined and clearly articulated. Fox suggests lawyers attempt to explain what they do without reverting to saying “I’m a lawyer” or “I practice law.” If lawyers can’t give a specific answer like, “I help people get divorced” or “I keep people out of jail” then they might have a hard time getting their point across. Being able to explain the work in layman’s terms can help when it comes time to communicate to prospects what you can do for them. Fox says, “If the pitches are too general, they lose--but a specific pitch is more effective.”

**Find your Niche and Develop a Way to Market It**

An entire marketing plan can flow from a niche once it’s defined. Fox says, “You need to know what your niche is, and then you develop a business strategy from that.” A key part of any marketing plan is very specific--and it has to be based on the attorney’s situation, and; of course, who the clients are.

How you go after it will vary based on your situation. Fox offers the example of an attorney who had extensive experience working with Tribal Law. The attorney developed his niche and realized that many of his potential clients--or people he’d worked with in the past--were associated with the Ironworkers Union on Construction sites. The attorney got his cards out to potential clients through the Union--and made sure his card indicated he was familiar with Tribal Law. Identifying the dots is an important step, because only once the dots are identified can they be connected. As Fox says, “Once you know your niche, you can go after it.”

Fox also emphasizes the importance of outreach. He suggests spending time each day, every day, finding ways to connect with prospective clients, important people in the industry, and current clients. This can be sending out articles of interest, pointing out things that might interest them, or in general just finding ways to connect. Fox acknowledges this can be difficult. He says, “It’s a challenge for everybody in professional services to do outreach. The reality of it is that 90% of the people in a professional firm want to do the work, they don’t want to get the work.”

**Understanding How (and Why) People Buy Legal Services (and how to Charge them for it)**

Fox says, “the only reason anybody buys anything--including legal services--is the avoidance of loss and the potential for gain.” Understanding the motivation of a prospective client can help in conversations attorneys have with prospective clients--specifically, in giving the client the information he or she can use to decide to go with your firm. Lawyers should focus on outcomes; specifically, what can the prospective client gain? And what can they lose?

An important part of this conversation is figuring out the dollarized value of the services the law firm will provide to the client, and how much it will cost the law firm to provide that service. Fox encourages law firms to think beyond the billable hour, and to calculate cost based on a project basis. To do that effectively, law firms have to understand the difference between cost and billing. Fox says, “the law firm has to understand what this is going to cost, and how they are going to bill it.”
Billing is based on the dollarized value the firm expects to deliver, and how much it will cost the law firm to provide the service is a different calculation. Understanding the difference between the two, and being able to offer a prospective client a clear idea of how much the services are going to be is a way to distinguish a lawyer and a firm. After all, as Fox says, “No one gets up in the morning and says, I have $10,000 extra dollars, I’m going to go hire a lawyer.”

**It’s Not just the Rainmaker: It’s everyone’s job to get (and keep) the client**

Many firms have Rainmakers who are responsible, officially or not, for bringing in business. Fox suggests a slightly different model. He says, the rainmaker should be part of a team that brings in business—that way, the prospective client has a variety of people he or she can call, and if the rainmaker gets pulled into another prospective client negotiation, it doesn’t feel like a bait and switch. He says, “the rainmaker is part of the team and introduces the team during the negotiations, so it’s a blend—not either or, but a blend of services.” Additionally, this gives other individuals in the firm the chance to learn from the rainmaker—to see what he or she does, to observe, and maybe pick up those skills.

But most importantly, Fox says, Marketing and Business Development need to be top of mind for everyone at the law firm, regardless of job title. Fox says, “Every single employee in a law firm, without exception, needs to know how they get and keep clients. And the leaders of the law firm have to make sure—with diligent training and oversight—that everybody understands precisely and specifically how they get and keep clients.” Marketing and business development is everyone’s job, and everyone’s responsibility. Fox says, “How you hire, how you train, and how you promote should be based around this idea—that every single person in a law firm is directly or indirectly tied to getting or keeping paying clients.”

Thanks to Mr. Fox for sharing his insights and experiences.

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[1] Jeffrey Fox, author of twelve books on business and founder of Fox and Company, a marketing consultancy firm.

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