Successful Small Firm Practice
DC Bar
October 24, 2016

Marketing
Applicable Rules:

7.1

7.5
Codes, regulations & other jurisdictions can also apply.

Example:
Bergman v District of Columbia
DC Court of Appeals 08-CV-859
The first step . . .

Start from what is real & true.
I act on the basis of my self-image.
Own who you are.
Own where you are.
Our choice . . .

-to talk about us

or

-to talk about the problem we solve
Your perpetual questions:

How does the client see me?

is the client’s experience with my
Which message is more effective?
Juvenile Defense

Experienced former prosecutor who now focuses on the problems of juvenile defendants.

Thomas Wight, Esq.
Lawyer
136 Pryor Street SW
Atlanta, GA 30303
www.juveniledefense.com
This is Serious

No one thinks their child will end up here
For HELP when the unthinkable happens call

Thomas Wight
Attorney at Law
404-502-3967
Imagine your client's earliest thoughts about the problem . . .
If you had the chance to provide information at that moment . . .

What would you say?
How can you inform and educate your ideal client at each stage of their problem recognition process?
The information you would provide is . . .

content for marketing messages.
Inform . . .

Be careful not to give legal advice when marketing.
The Miranda example . . .

You have the right to remain silent.

vs.

Never talk to the police.
The ideal client’s
Problem Recognition Process

• I’ve got a problem . . .
• Maybe it will go away . . .
• Can I solve it myself . . .
• Do I need a lawyer . . .
• Who is the right lawyer for me?
Questions you can ask to learn about your client’s Problem Recognition Process

Why did you come to me?
Tell me about your problem?
What will the solution feel like?
What worries you now?
What have you worried about in the past?
Who else have you told about this problem?
Questions you can ask to learn about your client’s Problem Recognition Process

Is this the first time you have talked to a lawyer?

What concerns you about talking to a lawyer?

What is the best way for us to communicate?

When did you first realize you had this problem? What did you do?
Questions you can ask to learn about your client’s
Problem Recognition Process

Tell me what you know about this problem you want me to solve.

Since we have not worked together before, would you like to know how I charge to solve your problem?
every prospective client needs to

Why do I need a lawyer?

Do you know what you are doing?

What do others think about you?

Are you right for me?

Can I work with you?

Will you care?
Taking what you learn and engaging

What do process focused websites do?
Some examples of process focused sites:

www.virginia-divorce-attorney.com
www.rosen.com
www.jersey-estate-planning.com
www.bobbattle-law.com
www.oginski-law.com
www.paestateplanners.com
Marketing focused on "me"
Tax, Business Law, Business Formation and Finance,
Computer/High Tech/Biotech Law,
Intellectual Property, Trusts, Estates,
Wills, Probate, Estate Planning, Real Estate, Civil Litigation, Mediation.

Attorney and accountant, Notary Public. Former IRS attorney and former tax/business transactions attorney for a major corporation (Freddie Mac®). Education: University of Maryland (B.A., 1977); St. John's University School of Law (J.D., 1980); Georgetown University (M.S. Accounting, 1981); New York University School of Law (LL.M., 1987). Practice serves individuals, business, trusts, estates, partnerships, nonprofit organizations, etc. in regional, national, and international legal matters. Licensed to practice law in Maryland, District of Columbia, Virginia, and New York. Admitted to U.S. District Court-District of Maryland, U.S. District Court-Northern District of New York, U.S. Tax Court, U.S. Court of Appeals-Fourth Circuit, and U.S. Supreme Court Bar.

Computer law, high tech law, biotech law, software/product development agreements, consulting services agreements, software/product licensing agreements, software/product maintenance agreements, domestic and international software/product distribution agreements, e-commerce and web development agreements, joint ventures, teaming agreements, subcontracts, confidentiality agreements, litigation, etc.

Intellectual property (trademarks, service marks, and copyrights), applications, protection issues, infringement issues, domain name and web content protection, online brand protection issues and resolution strategies, domain name recovery and acquisition processes, unfair competition, trade secrets, trade dress claims, litigation, etc. Identifying and inventorying intellectual property assets, buying and selling intellectual property assets, etc.

Trusts, estates, wills, probate, estate planning and administration, general and special powers of attorney, health care power of attorney and advance medical directives/living wills, revocable living trusts, insurance trusts, charitable trusts, special needs trusts, etc.
And perhaps the finest example of “it’s all about me” lawyer marketing . . .
You are an estate planner or elder lawyer . . .

and you know your ideal client has a process . . .

How do you talk to them while they are working their way through their process?
An estimated 4.5 million Americans have Alzheimer’s disease. The number of Americans with Alzheimer’s has more than doubled since 1980.

The number of Americans with Alzheimer’s disease will continue to grow — by 2050 the number of individuals with Alzheimer’s could range from 11.3 million to 16 million.

Half of all nursing home residents have Alzheimer’s disease or a related disorder.

A person with Alzheimer’s disease will live an average of eight years and as many as 20 years or more from the onset of symptoms.

The average cost for nursing home care is $42,000 per year but can exceed $70,000.

(Source for all statistics: Alzheimer's Association, www.alz.org)

The answers to the legal and financial challenges posed by Alzheimer’s disease can only be answered on an individual basis by an attorney whose practice is concentrated on elder law, Medicaid planning, and estate planning.

The Elder Law Firm of Marshall & Associates is known throughout Pennsylvania for the expert help they provide seniors who are faced with long-term care needs.

Take The First Step
Call today to reserve a place at one of our free seminars for seniors, their families, elder care professionals, and caregivers. Each presentation lasts about 90 minutes, including a “Question & Answer” session.
Reason To Make An Estate Plan #10

Your son-in-law, Fred

- Hasn't had a job since 1999
- Belongs to a religion that you consider a cult
- Sells t-shirts at concerts by a band called “Phish”
- You suspect he is fond of chemical substances
- Thinks it's great that he has rich in-laws

Is he going to get half of what you leave to your daughter?

Do not miss this FREE seminar!
Two days only. Seating is limited.

Wednesday, February 15, 2006
10:00am-11:30am
The Lodge at Rancho Mirage
88-900 Frank Sinatra Drive
Rancho Mirage

Thursday, February 16, 2006
6:30pm-8:00pm
The Lodge at Rancho Mirage
88-900 Frank Sinatra Drive
Rancho Mirage

Refreshments Served

Reserve your space today.
Call: 760-776-9977

Law Offices Of
Kimberly T. Lee
74-916 Highway 111
Indio, CA 92210
Phone: 760-776-9977
Fax: 760-406-8033
www.lee lawyers.com
Reason #11 Why Every Parent Needs An Estate Plan

Your daughter, Isabella

- Waved to you from the stage throughout her first appearance in the Nutcracker this past year.
- Wants to be a veterinarian when she grows up (either that or Cinderella).
- Loves to hike (in her tutu).
- Still falls asleep in your lap.

How important is her future?

FREE Estate Planning Educational Event

Wednesday, October 12, 2011 6:00pm
OR
Saturday, October 15, 2011 3:00pm

Mill Valley Community Center • Forest Room • 180 Camino Alto • Mill Valley

Seating is limited. Register today at www.TheaLaw.com or call: 415-451-0123

“We strongly recommend both parents attend. Free Childcare for Event!”

Thea Beatie Elliot
Attorney at Law and local mom

700 Larkspur Landing Cir. • Suite 249
Larkspur, CA 94939
Tel (415) 451-0123 • Fax (415) 451-7644
www.TheaLaw.com
Reason #5 To Name **Guardians** For Your Kids

*Your mother-in-law, Barbara*

- Offers you lots of free parenting advice
- Thinks the answer to all baby problems is “more solid foods”
- Most important values are family and carpeting
- Believes in “spare the rod, spoil the child”
- Would do a much better job than you if given the chance.

Are you sure the court won’t assign guardianship of your children to *her*?

Call Today For Your **Free Parent’s Protection Planning Guide:** (415)451-0123 or visit www.TheaLaw.com

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**THE LAW OFFICE OF THEA BEATIE ELIOT**

700 Larkspur Landing Cir.
Suite 199
Larkspur, CA 94939
Tel: (415) 451-0123
Fax (415) 451-7644
www.TheaLaw.com
Reason #6 To Get A Divorce
Your husband, Alex

- Helps with the dishes, then acts like he should get a medal
- Sheds so much hair, your bathroom floor looks like it has a rug on it
- For Christmas, gave you a dual-bag vacuum cleaner
- Main occupation in life is watching endless hours of sports on TV
- Refers to your favorite sushi restaurant as “the bait shop”
- While out to dinner with you and another couple, likes to hit on the waitresses
- Or your best friend

Are You Sure You Want To Stay Married?

Call Today For A Complimentary and Confidential Divorce Consultation: 626.683.8869

Russakow | Ryan | Johnson

Pasadena Office
225 South Lake Avenue, 10th Floor
Pasadena, CA 91101
626.683.8869 tel
626.683.8870 fax

Ontario Office
3633 Inland Empire Blvd., Ste. 777
Ontario, CA 91764
909.466.1661 tel
909.466.1662 fax

Orange County Office
2603 Main Street, Ste. 1050
Irvine, CA 92614
949.833.8838 tel
949.833.8808 fax
Elements of a good, long term marketing system
Prepare information about the five to ten questions you get from every new client.
Prepare a 15 to 30 minute talk to a room full of your potential ideal clients informing & educating them about the problems you solve.
Give this talk to groups & organizations. Break the talk into one to three minute videos.
Create a database of contacts in Outlook, in a spreadsheet, or in any other functional system.
Who goes into your contacts list?

Friends, family, clients, former clients, potential clients, & anyone who can refer someone with a problem.
Sophisticated contact management software review:

http://contact-management-software-review.toptenreviews.com/

www.salesforce.com
A basic contact management system . . .
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Contacts are referral sources & potential clients so long as you engage with them.
How many opportunities exist for you to be found?

How many venues can you create for your marketing message?
You & your presence
Your office
Business card
Website (video)
Newsletter
Blog
Brochure
Social media
Community engagement
Speaking engagements

Books & free publications

Useful tools
Create a great logo

http://99designs.com/logo-design
What Every Virginia Woman Should Know About Divorce

Before You Go – 7 Steps Before Moving Our of the Marital Residence
6 Major Mistakes to Avoid When Selecting An Estate Planning Attorney
The concept applies in any practice area . . .

Employer Alerts by Charles H. Fleischer
Relate to Marketing like it is your best client.

How would you treat your best client?
You would have a plan
You would strategize
You would open a file
You would work on it every day
You would evaluate it often
You can do the work yourself:

http://rollinsandchan.com/

Wufoo form builder

Square Space

How to create a Facebook business page

Or you can use a service:

Foster Web Marketing

Great Legal Marketing

SmartMarketingNow.com
Marketing resources

*The Culture Code* by Clotaire Rapaille

*Influence, the Psychology of Persuasion*  
by Robert B. Cialdini

*Contagious, Why Things Catch On* by Jonah Berger

*You Can’t Teach Hungry* by John Morgan

*Great Legal Marketing & Renegade Lawyer Marketing*  
by Ben Glass

*Primal branding: Create Zealots for Your Brand, Your Company, and Your Future* by Patrick Hanlon
Getting Clients: For Lawyers Starting Out or Starting Over

BY MERRILYN ASTIN TARLTON

Save when you pre-order by October 31 - Just enter the code "GettingClients10" at checkout for 10% off the normal price.

Price: $40.00

BUY NOW

The most difficult challenge you face as a lawyer is figuring out how to get clients. Particularly if you're a young lawyer. It can feel like there is a secret no one is telling when other lawyers have lots of clients with what looks like a minimum of work.

Merrilyn Astin Tarlton has been coaching lawyers to unlock those secrets for over 30 years. In her new book "Getting Clients," she brings extensive knowledge and a warm sense of humor to walk you through what you need to be doing — and when you need to be doing it — to become the lawyer you have always wanted to be, doing the type of work you have always wanted to do.
Truths

All marketing works. Some work better than others

Marketing is long term trust building.

Bad phones kill good marketing.
The Disciplinary Process

From bar complaint through a contested adjudication.