

# Basic Training & Beyond

## Day-Two

Client Relations

Marketing

Productivity & Technology

# Who is your ideal client?

- Why good client choice is vital
- What are the characteristics of your ideal client?
  - Where are they & how do you talk to them?

We are licensed to solve the problems of others for a fee

**LAW IS A RELATIONSHIP BUSINESS**

The business decision you make:

Taking anyone & everyone who walks in the door

or

Being selective and discerning

# Client Vetting

- Advance fee (when is the *need* for your problem-solving ability at its peak?)
- The interview process & using a questionnaire
- Social media & public data bases
- Credit report: [Experian's service for lawyers](#)

# When you need to close

- Are you talking to the decision maker?
- Can you solve this problem?
- Are there contingencies?
- Ask for the work.

# Now that you have said “Yes”

- Start work in their presence
- Make sure they “see” you solving their problem
- Create a system of informing & educating that is personalized to each client

# The challenging client

- Allow for sufficient time & attention
- Document the effort; (This becomes part of the client file: LEO 333)
- If you need to withdraw: Rule 1.16(b)



# Real listening

How it works

Why it works

The problem we are solving  
has an emotional component

# Client expectations

What are they?

How do we address them?

A big factor in satisfied clients  
who will refer new clients

# Setting Boundaries

- It starts at intake & is reflected in the fee agreement
- Some client have to be trained & reminded
- Boundaries keep us professional
- The lawyer who takes no unscheduled calls

# A small client can refer a big client

- Every client should feel like your most important client
- Informing & educating is essential
- Contact the client before the client contacts you

# The New Client Checklist

- Am I competent & efficient?
- Is this an ideal client?
- Is this work in my Plan?
- Will the fee be reasonable now, during & at the end of the representation?
- Are expectations addressed?
- Can I finish the work?
- Will I need help?

# Opportunities to make a good impression

- The appearance of the client file
- The office experience for the client
- The client's interaction with you
- Meeting them quickly using [Zoom](#)

# Clients to avoid

The liar

Exquisitely angry client

Serial litigant who is pro se or has fired counsel

The unrealistic person

The person who ignores boundaries & directions

The person who does not value your effort

The person with the *unsolvable* problem

# You are on thin ice when . . .

- You are working outside your expertise
- You are too busy or afraid to communicate
- Your office is chaos and client data is exposed
- Your invoices are inaccurate
- You have big receivables & sue to collect fees
- You take on new work just to cover overhead
- You represent friends & family for free



# Evaluate your client's experience

Request our *Client Satisfaction Survey Form*

From [PMAS@dcbar.org](mailto:PMAS@dcbar.org)

Use [SurveyMonkey.com](https://www.surveymonkey.com)

More information on *Client Relations* is at

Page 77, e-Manual

# How to avoid a problem using a survey

**When staff have significant client contact, survey the client both during and at the conclusion of the representation.**

**Encourage feedback about how the client is being handled.**

**Make sure the survey results come to you.**

# Here's what to ask

- What should we keep doing?
- What should we stop doing?
- What did we not do that we should do?

# 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

Marketing is anything we do that changes the culture for the better.

- Seth Godin



The first step . . .

Start from what is real & true.

I act  
on the basis  
of my  
self-image.



# Lawyers and imposter syndrome

Own who you are.

Own where you are.

Move from  
“I have to market,”  
  
To  
“I get to market.”

Our choice . . .

-to talk about us

or

-to talk about the problem we  
solve

You cannot impact a feeling  
with a fact.

You can only impact a feeling  
with another feeling.

Experiences that involve little emotional intensity seem to do little to arouse focal attention and have a higher likelihood of being registered as “unimportant” and therefore of not being easily recalled later on. Events experienced with a moderate to high degree of emotional intensity seem to get labeled as “important” (probably by anatomic structures in the limbic region and closely aligned areas, such as the amygdala and orbitofrontal cortex, which are discussed in more detail later in the book) and are more easily remembered in the future.

[The Developing Mind, 3<sup>rd</sup> Edition](#)

[Dr. Daniel J. Siegel](#)

**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.xxx](http://www.juveniledefense.xxx)





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?

The problem the client lives with is  
often deeper and wider  
than the part you will solve.

- & wider
- than the piece
- you will solve

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 marketing example . .

You have the right to remain silent.

vs.

Never talk to the police.



# The ideal client's problem recognition process

- I think 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 . . .

The old Yellow Pages ads are aimed  
at the last stage of the problem  
recognition process:

Who is the right lawyer for me?

Legal Zoom is aimed at the early stages.

What do process focused  
websites do?

# Some examples of process focused sites:

DiPietro Law Group

VirginiaDivorceAttorney.com

Rosen.com

JerseyEstatePlanning.com

<http://www.bobbattlelaw.com>

<http://www.oginski-law.com>

<http://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

An example of “it’s all about me” lawyer marketing . . .

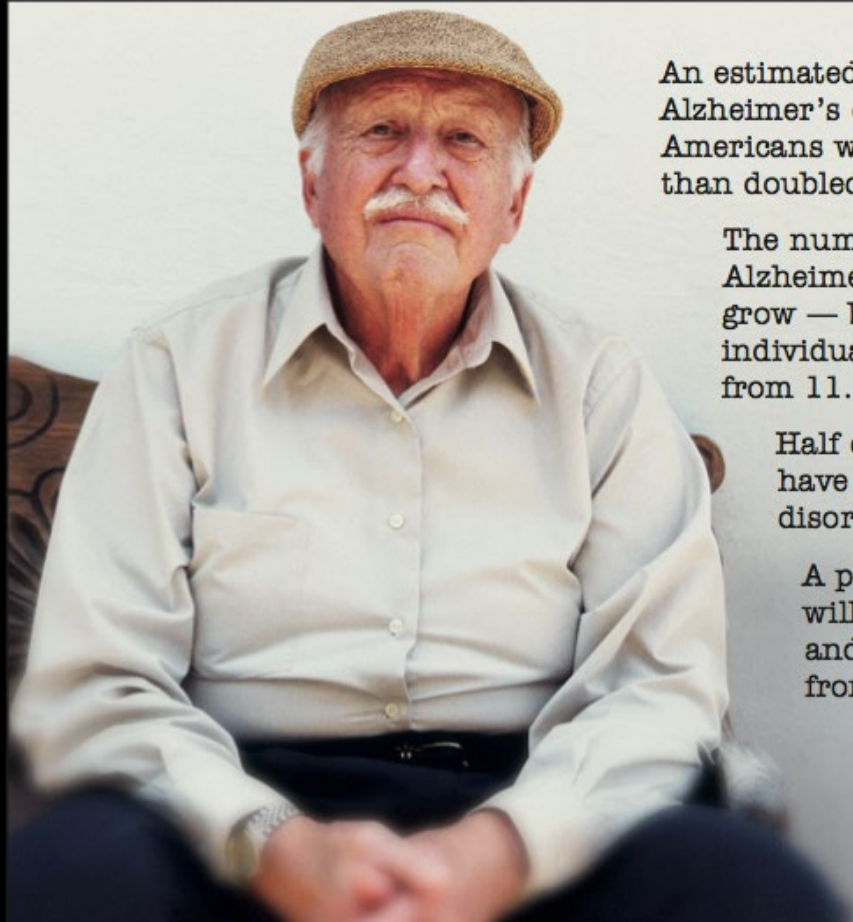


You are an estate planner or elder lawyer  
and you know your ideal client has a process.

How do you talk to them  
while they are working their way through  
their process?



# "Dad Couldn't Remember How To Get Home."



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](http://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.

## *Elder Law Firm of* **Marshall & Associates**

### **Jersey Shore Office**

303 Allegheny Street, Jersey Shore, PA 17740-1405  
(570) 398-7603 (800) 401-4552

### **Williamsport Office**

49 E. Fourth Street, Suite 200, Williamsport, PA 17701-6355  
(570) 321-9008

### **Wilkes-Barre Office**

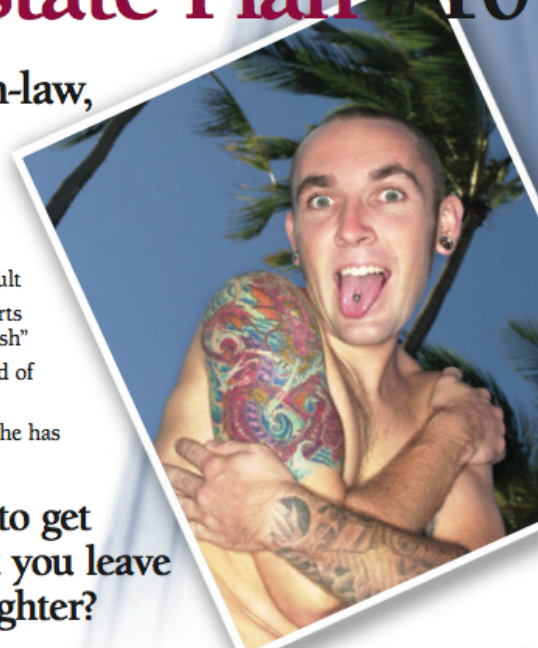
Cross Creek Pointe, Suite 402, 1065 Hwy. 315, Wilkes-Barre, PA 18702  
(570) 822-6919

# 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.**

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**10:00am-11:30am**  
The Lodge at Rancho Mirage  
68-900 Frank Sinatra Drive  
Rancho Mirage

**Thursday, February 16, 2006**  
**6:30pm-8:00pm**  
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FAX 760-406-5053  
WWW.LEELAWYERS.COM

Who is Zamani & Associates  
talking to in this video?



# Who is O'Neil Wysocki talking to here?

September 2020 Dallas Bar Association | Headnotes 7

FAMILY LAW • CHILD CUSTODY • DIVORCE

In **Family Law**, Nothing is ever Black and White.  
**KEEP THEM SEEING RED.**



 **O'NEIL WYSOCKI**  
FAMILY LAW  
*The Wise Choice*  
OWLawyers.com

5323 SPRING VALLEY ROAD, SUITE 150 | DALLAS, TX 75254  
T: (972) 852-8000 | F: (214) 306-7830

SmartMarketingNow.com

**What are the questions  
in your ideal client's mind?**

What is the intent  
reflected in this video?

BenGlassLaw

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.

Use this same content for:

An email marketing campaign

A blog post

A lead generator featured on your website

Your brochure

Social media

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 business.

Sophisticated contact management  
software review:

Contact Management Software Reviews

SalesForce.com

Clio Grow

A basic contact management system . . .

Contact ID	Contact Name	Contact Name?	Contact Title	Billing Address	City	State or Provi	Postal Code	Cour
1	Contact 1	Contact 1	Title 1	Address 1	City	New York	12345	Unit
2	Contact 2	Contact 2	Title 2	Address 2	New York	New York	12345	
3	Contact 3	Contact 3	Title 3		le	Washington	12345	
4	Contact 3	Contact 4	Title 4		le	Washington	12345	
5	Contact 4	Contact 5	Title 5		York	New York	12345	Unit
6	Contact 5	Contact 6	Title 6		York	New York	12345	Unit
7	Contact 6	Contact 7	Title 7		le	Washington	12345	Unit
8	Contact 7	Contact 8	Title 8	Address 8	Seattle	Washington	12345	Unit
9	Contact 8	Contact 9	Title 9	Address 9	New York	New York	12345	Unit
10	Contact 8	Contact 10	Title 10	Address 10	New York	New York	12345	Unit
11	Contact 8	Contact 11	Title 11	Address 11	New York	New York	12345	Unit
12	Contact 9	Contact 12	Title 12	Address 12	Seattle	Washington	12345	Unit
13	Contact 10	Contact 13	Title 13	Address 13	Seattle	Washington	12345	Unit
14	Contact 11	Contact 14	Title 14	Address 14	New York	New York	12345	Unit
15	Contact 12	Contact 15	Title 15	Address 15	London		12345	Unit
16	Contact 13	Contact 16	Title 16	Address 16	London		12345	Unit
17	Contact 14	Contact 17	Title 17	Address 17	London		12345	Unit
18	Contact 14	Contact 18	Title 18	Address 18	London		12345	Unit
19	Contact 14	Contact 19	Title 19	Address 19	London		12345	Unit
20	Contact 15	Contact 20	Title 20	Address 20	London		12345	Unit
21	Contact 16	Contact 21	Title 21	Address 21	Tokyo		12345	Japa
22	Contact 17	Contact 22	Title 22	Address 22	Tokyo		12345	Japa
23	Contact 18	Contact 23	Title 23	Address 23	Tokyo		12345	Japa
24	Contact 18	Contact 24	Title 24	Address 24	Tokyo		12345	Japa
25	Contact 19	Contact 25	Title 25	Address 25	Tokyo		12345	Japa
26	Contact 20	Contact 26	Title 26	Address 26	Tokyo		12345	Japa
27	Contact 21	Contact 27	Title 27	Address 27	Tokyo		12345	Japa
28	Contact 22	Contact 28	Title 28	Address 28	Tokyo		12345	Japa
29	Contact 23	Contact 29	Title 29	Address 29	Paris		12345	Fran
30	Contact 24	Contact 30	Title 30	Address 30	Paris		12345	Fran
31	Contact 24	Contact 31	Title 31	Address 31	Paris		12345	Fran
32	Contact 24	Contact 32	Title 32	Address 32	Paris		12345	Fran
33	Contact 25	Contact 33	Title 33	Address 33	Paris		12345	Fran
34	Contact 26	Contact 34	Title 34	Address 34	Paris		12345	Fran
35	Contact 26	Contact 35	Title 35	Address 35	Paris		12345	Fran
36	Contact 27	Contact 36	Title 36	Address 36	Paris		12345	Fran



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 . . .

Sources for unique & traditional cards:

[Moo.com](https://www.moo.com)

[DesignYourOwnCard.com](https://www.designyourowncard.com)

[Crane.com](https://www.cranepaper.com)

[VistaPrint.com](https://www.vistaprint.com)

Speaking engagements . . .

Books & free publications . . .

Useful tools . . .

Create a great logo



[99 Designs - Logo Design](#)

# What Every Virginia Woman Should Know About Divorce

# 7 Estate Planning Mistakes to Avoid

The concept - informing, educating  
& establishing yourself as the  
expert in your area - applies in any  
practice area . . .

Material for an essay, seminar, blog  
& newsletter are the tools.



Marketing starts with the right mindset

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:

[Rollins & Chan](#)

Or you can use a service:

[Great Legal Marketing](#)

[Mockingbird](#)

[UpwardAction.com](#)

Focus on the problem you solve & the questions in the mind of the prospective client

## Why the newsletter works

Targeted to your audience

Regularity

Long-term tool

Becomes a part of your process

More cost effective

Few do it well


Hardcopy is better than electronic

[EXT][New post] By Search Warrant or Subpoena, the Government Will Get Your Gmail (and the Numbers Are on the Rise)



GRAND JURY TARGET <comment-reply@wordpress.com>

To Daniel Mills

 If there are problems with how this message is displayed, click here to view it in a web browser.

New post on **GRAND JURY TARGET**



## By Search Warrant or Subpoena, the Government Will Get Your Gmail (and the Numbers Are on the Rise)

by [Kropf Moseley](#)



[By: Sara Kropf](#)

I have a Gmail account for personal use. You likely do too. And nearly every one of my clients has one. In fact, Google owns about 43% of the email market. Gmail has about 1.8 billion users and about 306 billion emails are sent and received daily in 2020.

Who cares about Gmail this much? The federal government does.

That's because people still send a lot of interesting things via email. The government wants to use those emails to build their criminal cases, particularly in white-collar cases. We think about wiretaps as electronic surveillance since they happen in real time, but gathering email is a key part of how the government investigates potential crimes.

Email post links  
back to blog

[GrandJuryTarget.com](https://GrandJuryTarget.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* by Ben Glass

*Primal branding: Create Zealots for Your Brand, Your Company,  
and Your Future* by Patrick Hanlon

# Website creators

- [Mockingbird's free resource – Cockroach](#)
  - [GNGF](#)
  - [AttorneySync](#)
  - [Rytechllc.com](#)
- [Foster Web Marketing](#)



# Marketing goals

- Not all marketing turns into instant sales
- There are long-term benefits to marketing (Top of mind)
- Build your credibility
- Reach expert status in your practice area
- Increase your lawyer referrals
- Key: you must have a strategy
- CONSISTENCY IS EVERYTHING

# Productivity & the Small Firm

Profitability & growth are the result of  
a productive lawyer

It's a question of using the right tool for the job

It's stepping back, watching & creating  
workflows



## ARE YOU **LAWYERING** OR **LABORING?**

**2.5 hours**

The average time an attorney spends on billable work per day.

**2.9 hours**

The average time spent each day on admin tasks.

**1.2 hours**

Of those 2.9 hours, the top 3 tasks are office administration (16%), invoicing (15%), and configuring technology (11%).

**2 hours**

33% of 6 hours/day not spent on billable work goes toward business development, indicating the importance of generating new clients.



## ARE YOU **LAWYERING** OR **LABORING**?

**23 minutes**

How long it takes to recover from an interruption. Attorneys are interrupted ~6/day, so that's a ~2-hour loss per day.

**2 out of 3 potential clients**

Folks who say their "decision to hire" is most influenced by an attorney's responsiveness to their first call or email.

**59 percent**

People, on average, who didn't hire an attorney even after a consult.

**86 percent**

The average amount of attorneys' earnings that is *ever* collected.

Maddy Martin's full program on  
May 14, 2020 / Affordable Tools, Tech and  
Talent to Run a Small Law Firm Remotely

Recorded Lunch & Learn programs

Smith.ai

# Where technology helps

- Research & finding information
- Managing data, such as time & billing, client information & firm financial information
- Communication

# LEAD CONVERSION FLOW

## GENERATE

## CAPTURE

### Lead Sources (Generation)

### Contact Methods

### Response Methods

### Qualification

### Intake & Scheduling

### Conversion

Referrals  
Reviews  
Local Listings  
PPC  
Social Media  
Content & Freebies  
(Advice, Forms,  
Calculators)  
Technical SEO  
Link Building

Phone  
Email  
Text  
Web Chat

Attorney  
  
In-house  
assistant or  
paralegal  
  
Receptionist  
service  
  
AI service

Good leads

Basic intake

Instant

Transfer  
Call-back  
Appointment

Delayed

Follow-up  
call  
Email drip

Full intake

New client  
agreement

New client!

### Qualification

### Future Clients & Good Will

Bad leads

Educate & Refer



Free additional resources

Smith.ai eBook:

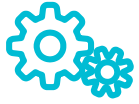
## Are you Lawyering or Laboring?

# Are you Lawyering or Laboring?

7 Steps to Reduce Interruptions & Chores and Run a Highly Productive Law Firm with Virtual Receptionists



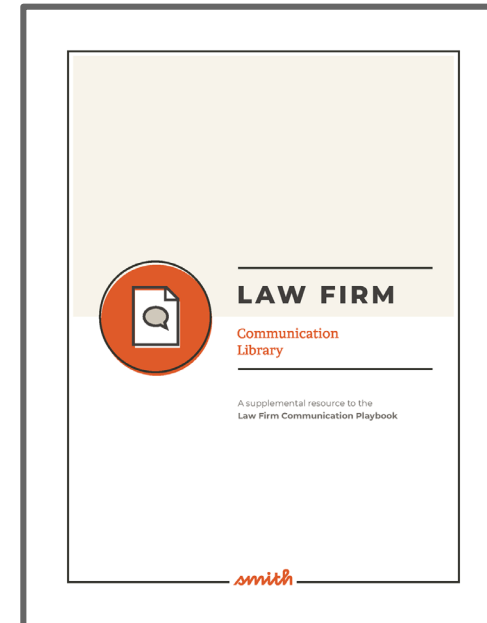
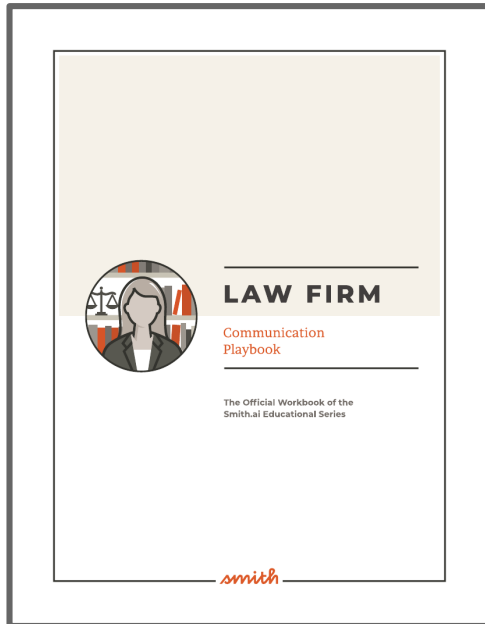




Free additional resources

## Smith.ai Guides

### Law Firm Communication Playbook



### Law Firm Communication Library

# Creating systems

<https://www.theformtool.com/>

Automates Word documents

It has a free version

& a pro version for \$89 a year

Create a template for fee agreements

# Free & low cost legal research

Fastcase, a DC Bar member benefit

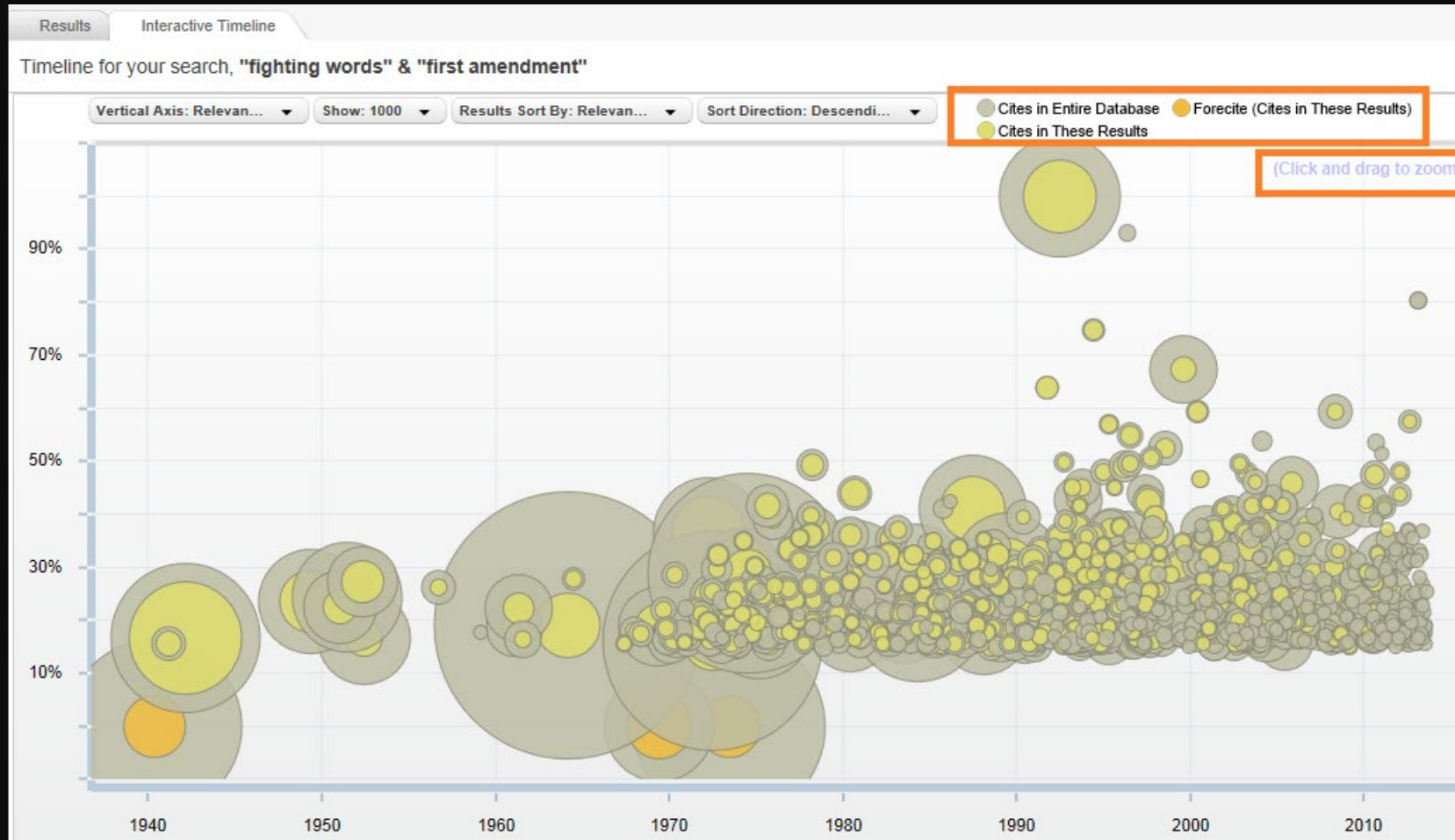
[Learn more about Fastcase](#)

DC & Federal & all jurisdictions, plus more is free  
as a Bar member benefit

(Non-members pay \$1000.00 annually)

[Fastcase Lunch & Learn program recording](#)

# The Fastcase interactive timeline – visualize search results



# Important small firm systems

- Client intake & setup – your onboarding process
- Information processing; how paper and data are handled, entered & stored
- Tracking cash flow & financial information
- Conflicts checking – how it's done in small firms

# Time & Billing

- [Time59.com](#) \$199 annually for entire firm
- [Bill4Time.com](#) \$27 - \$80 monthly per user
- [TimeSolv.com](#) \$35 monthly per user
- [Timeslips](#) \$860 annually / \$925 perpetual

Prices as of 7/21/20 vendor website

# Case Management Systems

- [Clio is a DC Bar member benefit](#)
- [MyCase](#)
- [RocketMatter](#)
- [Cosmolex](#)

[Lawyerist review of case management tools](#)

# Technology Tools

- Online booking system - Calendly, Acuity, VCita
- Video Conferencing - Zoom, Google Hangouts
- VOIP phone system - Ring Central, Google Voice
- Case management - MyCase, CLIO, Smokeball, Rocket Matter
- Project Management/Team & Task Management - Asana, Trello, [monday.com](https://monday.com)
- Web cam
- Lighting
- Microphone
- Scanner
- Online file storage - Dropbox, Google Drive, Box



# Things have changed during Covid

How are lawyers planning to change their ways? Consider these statistics from Clio's 2020 Legal Trends Report:

- 96% say they'll store firm data in the cloud.
- 95% say they'll support electronic documents and signatures.
- 96% say they'll accept electronic payments.
- 96% say they'll use practice management software.
- 83% say they'll meet clients through videoconferencing.

# How are they operating now?

- 85% of law firms are using software to manage their practice.
- 79% of lawyers rely on cloud technology to store their firm's data.
- 62% of firms allow clients to securely share and sign documents electronically.
- 73% of firms allow clients to pay invoices electronically.
- 83% of firms are meeting with clients virtually

# Examples of new firm models

- [Potomac Law Group](#)
- [Rollins & Chan](#)
- [MD Family Lawyer.com](#)
- [Nakia Gray](#)

# Concept Mapping

A strategic thinking tool

Plain paper and colored pencils/pens

Concept mapping, a/k/a mind mapping for  
lawyers

The five best applications

Lunch & Learn Programs are here.

# Some long-term goals

- Build your database
  - Sign up for a CRM and begin building your list
  - Create a resource and have people opt in Choose
- a niche practice area and become THE expert
  - Show up with information to educate (but don't give it all away)
  - Blog
  - Live Stream
- Establish yourself as an expert
  - Guest posts/appearances
  - Bar Association articles and CLEs
  - Media pitches
  - Host your own info sessions
  - Host a challenge
- Launch a new product, service, event online—SELL something



Download this free guide:  
<http://beyondthebarinstitute.com/attract-clients-online>

Join Nakia's free Facebook group for lawyers  
[www.graylegalpc.com](http://www.graylegalpc.com)

# Generate Money Now

- Offer virtual consults (paid and unpaid)
- Create an information product and sell it (helpful resources are needed)
- Host online events (paid and unpaid)
- Collaborate with other professionals who serve your same audience
- Offer a special (Wills, Expungements, Strategy Sessions)



We all want to be happy &  
profitable

You can do it on your own.

Some lawyers have done it with help:

How to Manage a Small Law Firm

Atticus

Affinity Consulting

PMAS