

# Definitely Mabey

## Mothballing traditional marketing approaches

### SPECIAL NOTE:

*The May edition of the Definitely Mabey column will not appear in Canadian Lawyer as the digital version of the magazine has exercised its right to not publish materials whose content it disagrees with. While I subscribe to F. Scott Fitzgerald's thought "The test of a first-rate intelligence is the ability to hold two opposed ideas in mind at the same time and still retain the ability to function", I respect their right to handle the column in the manner they have chosen to.*

— S. Mabey



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Firms now and in the future will be more driven by business development efforts than historical marketing ones, which will have an impact on legal directories, publications, marketing staffing levels, advertisements, and ancillary expenditures.

First let's reduce advertising budgets and marketing staff focused on ads!

There are a variety of studies out there, with some actually focused on law firm advertisements, which generally say that less than 50% of businesses can recall if they saw an ad by a law firm and less than half of the ones that could recall can tell you what the ad was about. The ads with the most memory/gravitational pull seem to have humans in them!

That is not to say law firms have not spent significant sums of money on the development and placement of ads. Oh contraire! There are a number of advertising firms and periodicals who have capitalized on this perplexing need for lawyers to advertise to each other—could this be the ever elusive cross selling they speak of in many circles? This expense has likely been a real contributor to the hourly rate increases in the past.

But really, have you heard any recent testimonials from clients saying they hired the law firm to handle their legal matters due to the number, quality or even nature of the firm's advertising?

Of course the “elephant in the room” (so to speak) is if firms move away from advertising in some periodicals, do they risk their lawyers not being selected for individual awards? I don’t know the answer to the question but would direct you to the previous comments on the impact of law firm ads. So when you are advertising individual awards ask yourself other than parents, siblings, spouses and children how effective is it as a communication vehicle?

Problem identification is nice but readers like to also hear possible solutions. My counter to advertising is based upon the following premise—clients are more likely to follow up with firms when they read about approaches to / or treatment of issues that they are dealing with or facing.

The challenge for firms of all sizes is getting their articles, blogs, etc. in front of existing and potential clients in a cost effective and timely manner. There are companies that will do this for you on an annual basis and at the equivalent cost of one or two ads!

There are likely a number of similar services but the two I am familiar with are Lexology and Mondaq. These two providers automatically capture editorial publications from websites and blogs, and push them out to a significant subscriber base in various markets in Canada and around the world. Once captured, these articles will be emailed to targeted subscriber audiences and will be picked up by online searches. Additionally, these articles are often forwarded or tweeted by various followers. The potential reach and exposure is enormous.

The firm pays an annual fee to have articles distributed to subscribers and “picked up” via an online search engine. The subscription service is free to anyone who wants to sign up for email alerts by visiting the Lexology or Mondaq sites directly. Subscribers must register their personal details and pre-select their topic areas, regions and/or countries of interest and once registered, regular customized email alerts are sent to the subscriber. Since all articles are online, firms are able to receive analytic reports on readership for various articles.

Lexology has an international focus and is tailored to law firms and corporate law departments. Lexology has a relationship with the Association of Corporate Counsel (ACC) so our articles can be picked up by ACC subscribers. Mondaq is also partnered with a number of professional organizations including the Canadian Bar Association (CBA) and the Canadian Corporate Counsel Association (CCCA).

**So if firms pull away from impersonal advertising where will they shift their focus?**

The focus will be back to a “people-to-people” approach with the following segments of marketing departments receiving significant investments:

1. Social media coordination with three core focuses:
  - a. The firm’s interactive sections of their web site—videos; webinar; etc.;
  - b. Linked in; and
  - c. Twitter.

2. Business / market research (one of the fastest growing expenses in firms); and
3. Staff writers—lawyers who will “ghost write” blogs and articles for practicing lawyers who will edit and publish them.

Business / market research is important for many reasons including ensuring the firm's business development efforts are well thought out and focused on the audience the firm is trying to reach. I see the following tasks falling under this mantle:

- Follow and track business trends, political and economic factors; utilize to suggest ways to develop and execute business development strategic plans and campaigns;
- Create, edit and develop proposals, pitches and responses regarding targeted prospects, industries and sectors;
- Initiate, coordinate and/or implement marketing and business development initiatives for all lawyers;
- Create, edit, and maintain lawyer biographies, practice descriptions and experience lists for use in the firm's business development initiatives;
- Research and analyze trends in firm practice and identify new cross-selling business opportunities;
- Manage the proposal/RFP process in order to maximize effectiveness of response, streamline process and minimize lawyer time spent; and
- Research and develop opportunities to raise firm, group or lawyer visibility including sponsorships, writing opportunities, client panels and presentations; arrange all logistics for participation.

One of the real positives about this evolution is that small and medium size firms can be on equal footing with large firms.

I am not advocating the wholesale dismissal of all of the marketing folks directly impacted by this change in direction. It presents an ideal opportunity for marketing staff to reinvent themselves as marketing departments become engaged in their firm's pricing process.

Until next month, as Peter Drucker is believed to have said

"The greatest danger in times of turbulence is not the turbulence—it is to act with yesterday's logic."

#### Comments or Questions?

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