

Employment Resource Guide

A publication of the

STATE BAR OF CALIFORNIA
CALIFORNIA YOUNG LAWYERS ASSOCIATION

The Fundamental Principles of Rainmaking

B Y R O B E R T N. K O H N

Lawyers who have recently graduated from law school, or who have been working at a law firm for a short amount of time usually focus exclusively on the practice of law and overlook the business of law. Now, more than ever before, an important part of the business of law is "Practice Development."

Learning how to acquire and keep profitable clients will enhance your ability to find employment, maintain your practice or ultimately become a partner. However, lawyers are faced with an astonishing array of obstacles which make marketing a daunting task.

Often, lawyers are too busy to market. And, even when there is time, lawyers may lack the skills and knowledge to market effectively. Marketing is not a subject that is taught in law school. In fact, prevailing ethical standards and historic attitudes about marketing often discourage lawyers from doing anything to promote themselves by traditional "marketing" methods.

Additionally, there are many fears associated with marketing. There is the fear of rejection, the fear of failure, and fears of being perceived by friends, clients and associates as someone who is overbearing, manipulative and abusive.

Most people who become lawyers do so because they want to practice law, and not because they want to become sales people. However, in today's highly competitive market, where there are fewer clients who can afford legal services, the competition is not only sharpening their legal skills, they are honing their rainmaking skills as well.

Fortunately, marketing is a skill that can be learned. If implemented properly, marketing will not only be successful, but can be done in an ethical and comfortable manner. To do this requires understanding four fundamental principles about marketing for professional services.

BUSINESS COMES FROM RELATIONSHIPS

The first fundamental marketing principle for professionals is that business comes from relationships. Anyone who has generated business will tell you that most business comes from people you know and not from strangers or recent acquaintances. It's very unlikely that you'll meet someone new at a social gathering, give them your business

card, and have them hire you on the spot. It takes time for people to get to know you, develop a sense of who you are and what you can do for them.

Think of the people you know as being part of your community. A community is a group of people who know each other and work together. While you may think of a community as a small village nestled somewhere in the pines, your community can extend to anywhere the world. The more you can do to interact with and strengthen the relationships in your community, the greater the likelihood that your community will support you.

So, marketing doesn't have to be thought of as the distasteful process of selling to strangers. Rather, you can think of marketing as the process of meeting people and bringing them into your community so that you can communicate with them over a long period of time and build closer relationships.

RELATIONSHIPS ARE BASED ON VALUE

The second fundamental marketing principle is that relationships are based on value. Of course, the most important value you offer is quality work. Once you have a client, it's absolutely imperative that you satisfy the client in the performance of legal service. Satisfied clients are loyal, and they will introduce you to their friends and business contacts. Consequently, satisfied clients are your most valuable asset.

ADDED VALUE However, good work alone may not be sufficient to keep clients satisfied. Good client relationships usually requires that you offer "Added Value." In other words, you should always strive to exceed your clients' expectations.

VALUE IN ADVANCE It's equally important to offer value to your contacts before they become clients. Even though you provide quality work, your prospective clients may be skeptical about your ability to serve them. They need to experience the value you offer before they hire you. Then, when your prospective clients have a need for your service, you have positioned yourself as someone who offers great value, and not as just another vendor who's looking for the business.

EXAMPLES OF VALUE It's important to understand and document the many ways you offer value so that you can communicate it effectively to the members of your community. Here are several examples of how to give value (in addition to quality work) to clients and prospective clients:

SAFETY There is a rule in business and that rule is, "Safety first." People need to feel safe before entering into any type of relationship.

Protecting your clients from their adversaries is the most obvious technique for providing safety. However, there are personal qualities you possess such as honesty, loyalty and trustworthiness, which make your prospective clients feel safe.

These qualities are not usually discussed in business relationships. They are certainly not documented in a retainer agreement. And yet, I believe these are the primary reasons people hire you. Who you are is equally (if not more) important than *what you do*.

EDUCATION Another way of offering value is by educating your contacts. One of the most effective techniques for generating business is public speaking. Public speaking is a significant technique for giving valuable information to people. Additionally, public speaking enables you to meet large numbers of people, and it positions you as an active member in the community; a person of authority.

Another technique for educating is writing an article. One of the marketing obstacles new lawyers experience is lack of credibility. Getting published is one of the fastest and easiest ways of establishing credibility. Your article doesn't necessarily have to be published in *The Harvard Business Review*. Trade journals or local papers are hungry for articles and can provide great exposure. Once you are published, you can use the reprint to document your expertise.

ACTIVE LISTENING Another important technique of giving value is "Active Listening." When you listen to someone, avoid the temptation of jumping in to give your input. There is great value in being a sounding board. Letting someone talk can help them clarify their thoughts. Sometimes people need to vent their feelings or frustrations.

INTRODUCTIONS A common technique for offering value is to make introductions. One of the ways you can build your business community is by introducing the people you know to each other. Your contacts will benefit from meeting each other, and they will be more inclined to bring you into their communities.

ENTERTAINMENT Another important value you bring to contacts is that you can entertain them. Doing

things you enjoy with business contacts who share your interests can be a wonderful way of blending social and business activities.

MARKETING IS A CONTACT SPORT

The third fundamental marketing principle is that marketing is a "Contact Sport." The philosophy of relationship based marketing is that you need to meet a lot of people, build quality relationships and then eventually you will do business with 'some' of them. The more people you meet, the more business you'll get.

So, how do you meet new people? One of the best ways is through organizations. Organizations can help you meet and develop relationships with people in many ways.

First, organizations provide networking opportunities. Organizations often provide social gatherings and educational programs which can be positive environments for meeting and interacting with both old and new acquaintances.

Second, organizations provide leadership opportunities. You can join committees, organize events and help to build the organization by bringing in new members. Working together with the members of the organization for the common good is a bonding experience.

Third, organizations provide an opportunity for communicating to large numbers of people through public speaking and writing articles. Organizations are often looking for pro-bono speakers with interesting topics to address their members. Likewise, organizations are often in need of topical articles for their publications.

There are literally millions of organizations throughout the world that provide both networking and leadership opportunities. Among them are community, charitable, religious, personal interest and cultural organizations.

One word of caution - organizations can be costly and time consuming. And while you may join some organizations purely for the pleasure of supporting a worthy cause, or for friendship, if your goal is to market, then make sure the organization you select is well targeted.

For example, if you have a client in a particular industry, you may want to join some of the trade or professional groups of that industry. Another important organization is your alumni association. Alumni associations create an opportunity to see old friends and meet new contacts who share a common history.

ASKING FOR INTRODUCTIONS Another technique for meeting more people is to simply ask your existing contacts for introductions to the people they know. Remember, safety is the first rule in developing 'relationships', so it's reasonable to assume that meeting people

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through existing relationships will create a sense of safety and create a quicker bond. For example, you could meet the other advisors of your clients — CPA's, bankers, insurance agents.

JOINT VENTURE MARKETING if you feel uncomfortable "asking" your contacts for introductions, then you can pursue "Marketing Joint Ventures." A Marketing Joint Venture is the concept of bringing together non-competing professionals who share similar targets with the intent of sharing information, marketing expenses and contacts.

For example, imagine co-producing a seminar with an accountant and a banker. Each of you would be responsible for inviting a few people. Using this technique, you give value to your joint venture participants, as well as get the opportunity to meet their contacts.

QUALITY RELATIONSHIPS TAKE A LONG TIME TO DEVELOP

The fourth fundamental marketing principle is that building quality relationships takes a long time. Once you meet someone, it's necessary to stay in touch.

MAILING LIST MAINTENANCE It is amazing the number of lawyers who fail to appreciate the importance of a comprehensive mailing list, and only maintain a list of current clients and referral sources. The purpose of your mailing list is to document all the members of your community whom you've met so that you don't forget them.

In compiling your mailing list, make sure you are thorough in adding the names of all of the people you know who can help you in your marketing effort. Go through your rolodex, your address book, legal files, organization rosters and, of course, your desk drawer. Once you have a comprehensive mailing list, you will be in a position to communicate on a regular basis with all of your contacts.

One popular way of consistently communicating with everyone on your mailing list is to send them an occasional newsletter. Other types of mailings include holiday cards, reprints of articles, legal updates and announcements about interesting developments in your practice. If you ever produce a seminar, or speak at an organization, you have an opportunity to send invitations to everyone you know. One or two contacts per year is all it takes to maintain a significant presence in the lives of your contacts.

Losing touch with valuable contacts is a critical marketing error. Over the course of your career, you will undoubtedly meet significant numbers of people, some of whom could eventually send you business — but only if you stay in

touch. Lawyers who have practiced for a long time often regret that they have lost track with many of their good contacts. If too much time passes without any communication, calling those contacts for marketing purposes feels awkward and embarrassing.

TARGETING As you compile your mailing list, you should make a list of the contacts you've met who represent your most fertile marketing opportunities. This is a process called "Targeting," and it is one of the most effective marketing activities.

Targeting begins by identifying four areas of resources: 1) Existing clients who could provide more work; 2) Existing referral sources who could be referring more business; 3) Prospective clients; and, 4) Prospective referral sources. In addition, think about targets who could introduce you to their organizations, and provide speaking and writing opportunities.

CONTACT MANAGEMENT

Once you've identified your targets, it is valuable to have a "Contact Management" system to insure that you stay in touch. Enclosed at the end of this article is a Contact Management Form used at

Kohn Communications. You should make a photocopy of the form and use it in your marketing efforts.

Keep in mind, it's relatively easy to think of good marketing ideas. It's the implementation that's difficult. Using the Contact Management Form will force you to identify a goal for each prospect, document how you plan on offering value, and then establish a deadline for taking action.

CONCLUSION

So, while at first marketing may seem like a daunting task, it can be broken down into small and manageable tasks that can be learned and implemented. Marketing can be thought of as a process of meeting large numbers of well targeted individuals, bringing them into your community so that you can give them value over an extended period of time. And, by following this methodology, you can market in a way that is not only ethical, but personally and financially rewarding

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