

# Differentiation In Selling For Lawyers



By Lawrence M. Kohn

**T**he value of differentiating in selling is evident, but its execution elusive. Ask most lawyers about their differentiation and expect to hear, "Quality work and good service." While these answers may be true, they are not motivational to prospects. Fortunately, you, as a legal marketing professional, can help lawyers understand differentiation and use it to convert contacts into clients.

## Define differentiation

Differentiation means more than being different. A quick search for the definition on the web reveals a variety of responses. The current definition in Wikipedia.com (the on-line editable dictionary) is, "The modification of a product to make it more attractive to the target market." But of course, differentiation is not limited to products. And differentiation could include developing new services as well as modifying existing ones. The *essence* of differentiation is being **superior** to the competition. Of course, to differentiate, you must let your prospect know about your superiority. So, I define differentiation as, "Identifying and communicating superior benefits."

Differentiation for lawyers and their services is daunting because a firm may have hundreds of lawyers who need to differentiate themselves. And, each lawyer may offer dozens of different legal services, each of

which need to be differentiated as well. This means that one law firm could have thousands of superior benefits to identify and communicate.

## Delegate differentiation

The job of differentiating lawyers and their services must be shared by the lawyers. To start, the technique we recommend is to delegate to lawyers three things: 1. Identify the ways they currently excel; 2. Identify benefits for one client that can be offered to others; and, 3. Identify new benefits. These steps enhance a lawyer's ability to become aware of all the benefits they offer.

## Document differentiation

To increase a lawyer's ability to do their differentiation identification homework, ask them to take notes. Suggest that they take notes *while they are working*. That's because it is often easier for lawyers to notice differentiators as they deliver them rather than trying to think of them afterward. As lawyers learn to write down their differentiators, identifying them will shift from being intrusive to inspirational. Also, by writing differentiators down, lawyers will be able to remember and prioritize them for communicating to prospects in the future.

Let's take a look at each of the three categories for capturing Differentiators:

### 1. Identify the ways they currently excel.

Identifying the way lawyers excel is an almost limitless vehicle for developing differentiators. Every day, lawyers interact with clients and referral sources in ways that may be superior to the competition. Areas of specialization, skills, values,

processes, legal strategies, hobbies and interests can all be considered potential differentiators.

An example is the lawyer who identified her ability to communicate complicated concepts using language that was easy for her clients to understand. That benefit became a meaningful differentiator.

Lawyers can enhance their ability to identify the ways they currently excel by paying special attention to compliments. Many lawyers see themselves as similar or even inferior to the competition. But, compliments from credible clients are powerful messages that confirm the ability to offer superior benefits.

Since compliments are so important for noticing differentiators, it makes sense for lawyers to implement client satisfaction surveys. Surveys motivate clients to give compliments which they might not offer in the normal course of business.

Another resource for identifying areas where lawyers excel is a lawyer's colleagues. Simply asking lawyers to help each other to identify areas where they excel can offer important insights into differentiation.

### 2. Identify benefits for one client that can be offered to others.

Lawyer-client relationships are often customized, and unique benefits remain isolated to a single client. But, if one client benefits, other clients and prospects could benefit as well. Consider the lawyer who wanted a client to send more work. He didn't want to give discounts based on promises of increased work. So, he offered a tiered pricing structure which rewarded the client for increasing the level of legal

activity. The first tier was charged at one rate, and subsequent tiers were billed on a continually reducing rate. Tiered pricing worked for one client and it became a differentiator for many new ones.

Another example is the lawyer who regularly attended the board meetings of only one of his clients. Attending board meetings gave the lawyer an opportunity to solve problems before they developed into serious liabilities for the client. Seeing the benefit to the client, the lawyer began offering to attend the board meetings of many clients using the service as a unique preventive-law differentiator.

### **3. Identify new benefits.**

Lawyers must constantly be on the lookout for new ways to offer superior benefits. One method is to analyze each aspect of their practice and ask, "Is there a better way?" Constantly asking that question will develop a way of thinking that regularly identifies improvements.

Another effective strategy for identifying new, superior benefits is for lawyers to pay attention to the benefits offered by other professionals and businesses. Often, these benefits can be translated into their practice. Consider the lawyer who wanted to learn how to play the guitar. His instructor offered a series of reduced-price lessons so the lawyer could decide if he liked the instructor. While the lawyer ultimately didn't become much of a guitar player, he did notice the strategy of offering a low-barrier-to-entry service. He was able to translate that strategy into his own practice by offering a smaller, less-expensive service to clients who, after working with him on the smaller project, increased the level of work. Again, client surveys are a valuable tool. Surveys are an opportunity to ask clients where they would like to see improvement and if

they have needs that are not currently being met.

### **Determine differentiation**

When selling, it is always important to determine which differentiators are of greatest interest to a prospect. One way to identify the best differentiators is to ask the prospect about their needs. By asking, a firm we know learned that a prospect company was particularly interested in how the law firm would support the company's mission statement. Prior lawyers had trivialized the issue. The law firm responded by offering to have a meeting dedicated to discussing the mission of the company and how the legal work would support it. The firm also offered quarterly follow-up meetings to discuss the status of the firm's performance in this area.

Another way to learn which differentiators are of interest is to mention benefits to prospects and look for signs of interest. The lawyer could even ask prospects to prioritize their interest in the benefits mentioned.

There may be situations in which lawyers want to communicate a superior benefit but the prospect does not express an interest in it. In that situation, the lawyer must educate the prospect as to the need prior to communicating it as a differentiator.

Of course, you should guide lawyers in selecting the most important differentiators. Suggest that they create a priority list of differentiators for each prospect.

### **Demonstrate differentiation**

Part of my definition of differentiation includes communicating. As lawyers identify differentiators, they should include them in their speeches and articles. They should mention them in their networking groups and talk about

them in their beauty contests. But talking alone may not convince a prospect of the merits. Lawyers need to support their differentiators by demonstrating them. For example, claiming thoroughness could be demonstrated by showing a detailed checklist that would normally be used by the lawyer when handling a matter. Or, claiming to have good contacts could be demonstrated by making a few introductions prior to being hired. When lawyers demonstrate differentiators, they augment the claim of superiority in a way that can be easily understood.

To support lawyers in demonstrating their differentiation, ask them how they currently do it. Then, help them brainstorm new techniques. Your ideas and support will help produce more varied and effective results.

### **Differentiation *DELIVERED!!!***

When you help lawyers identify, prioritize and demonstrate their differentiators, you too are offering a superior benefit. As they succeed, many lawyers will feel more confident about their ability to offer value. They will feel more motivated to reach out to prospects. Over time, they will bring in significantly more business. They will see how much easier selling is than they expected. Much to their surprise, they will probably learn to enjoy selling. And, they will become more appreciative of you and your assistance. The inevitable result is that you too will be differentiated as an even more valuable member of the firm

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