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Marketing for “Young” Lawyers

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I would suggest that marketing for young lawyers is really not much different from marketing for lawyers of any age and of any legal experience and, further, that the marketing of legal services is really the same as the marketing of any services.

What is the definition of “marketing”?

The Marketing Association of Australia and New Zealand (MAANZ), not to be confused with MLAANZ, defines marketing as:

“... activities that facilitate and expedite satisfying **exchange relationships** in a dynamic environment through the creation, distribution, promotion and pricing of products, goods, services and ideas”. (1)

The UK Chartered Institute of Marketing (UKCMI) defines marketing as:

“ ... the management process responsible for identifying, anticipating and satisfying **customer requirements** profitably”. (2)

The American Marketing Association (AMA), in surprising brevity, defines marketing as:

“... the activity, set of institutions and processes for creating, **communicating, delivering and exchanging offerings that have value for customers**, clients, partners and society at large”. (3)

A marketing guru, one Peter F. Drucker, has said:

“Marketing is so basic that it cannot be considered a separate function...it is the whole of the business seen from a view of its final result, that is, from the **customer’s point of view**”. (4)

What is the essence of marketing?

Marketing is a skill but it is not rocket science.

Marketing is NOT about you as a lawyer. Marketing IS all about THEM, that is the clients. Clients are at the heart of marketing.

Lawyers do need to have an appreciation of how clients select their legal service providers, for example, whether that be by skill, knowledge, expertise, reputation, capacity, ethics, creativity, price or accessibility or, by a combination of these or indeed of other factors.

The essence of marketing is to understand the needs of your clients and their industry. It requires you to put yourself in a position which allows for direct and regular communications with your clients so that you can, firstly, understand their needs and, secondly, provide your services which meet those needs, or put it another way:

“Produce the services which you can sell, rather than just selling the services which you can produce.”

How to market ?

Law students are not taught the skills of marketing, nor client relationship management nor service delivery. Once they become practising lawyers they learn (or in some cases, do not learn) these skills on the job.

However, marketing time competes with billable time, noting that there are not enough Sundays to satiate the twin-headed monster of time recording and billable hours! Not so easy to juggle these competing time demands!

However take time to learn the concepts of marketing and in particular the importance of focussing upon your target clients, whether they be existing clients of your practice or not, and of understanding their industry, and the sectors of that industry, in which they operate, in our case the maritime industry. In doing this, it helps to “step into your clients’ shoes” so to speak, in order for you to obtain that essential understanding of their needs.

After proper research on those needs, write your own marketing plan and allocate set amounts of time to execute it. That plan could well include a schedule by which:

- firstly, each day for say 10 or 15 minutes, have a conversation with a client on a subject which is not matter-related, should you be acting for that client at that time; and
- secondly, on a weekly basis, undertake one client-related activity, again which is not matter-related.

That conversation or activity could be offering a piece of information, a “heads up” or an observation on a developing issue relevant to that client’s sector of the industry, each being undertaken by you with no necessary expectation of getting work from that client as a result of that conversation or that activity.

Stay in touch with the clients. There should be regular direct communications with them. Face to face meetings are important. After those meetings you should follow up with them in respect of a topic which has been raised at the meetings, maybe in which they have expressed interest and about which they may have sought further clarification. In developing those communications you will encourage those clients to feel able to contact you to discuss, or as their opening line normally is “Can I pick your brains?”, an issue with which they are currently dealing, and that they can do so without fear or suggestion that you will be billing them for your time engaged in that discussion.

It has been my experience that in those conversations I have invariably learnt something myself, whether that be about the clients, their operations or some industry practice or intelligence. So it is often a win-win situation.

These daily and weekly marketing activities, in which you engage with your clients, will become a habit for you and will form an integral part of your own practice.

Of course, assuming you are not a sole practitioner, you will need to coordinate your own marketing activities within those of your firm or practice group so that they can be conducted efficiently and effectively. This is most important.

In this presentation I am not going to discuss the array of available marketing communication tools, virtual and otherwise, which include websites, webinars, newsletters, information sheets and check lists, and the use of social media, for example Facebook and Twitter. The options are many and all have the potential to be effective forms of marketing. My only observation is that clients have limited time and limited attention spans to digest what can be an avalanche of the legally related material and commentary provided to them. Therefore I suggest that the basic message, which is at the core of the subject matter of any communication, must be able to be digested by the clients within a 60-second perusal span. Beyond that they will press the “delete” button on their IT device of choice.

How to understand the maritime industry?

Obtaining such understanding is the “hard yards” of the marketing task as it does take considerable time and effort and cannot be rushed. It is a process of self-education in which you will learn the industry jargon, the technical terms and how the different sectors of the industry operate and how those sectors interrelate to each other both within the

industry and within the overall domestic and international transport chain.

Various ways to develop this understanding include:

- reading regularly the industry press and publications (by which I mean newspapers, industry association newsletters, journals and daily wires) which in the case of the maritime industry is generated both domestically and internationally, and there is a lot of it;
- attending and presenting at industry workshops, seminars and conferences and writing articles for industry publications;
- taking every opportunity to attend and meet with participants from both the public and private sectors of the industry at what are the regular events in the industry calendar and keep attending and keep meeting them;
- asking those participants about their roles in the industry, asking them what their current issues of concern are and to explain aspects of particular topics which you do not understand or in respect of which you are seeking further information; and
- investigate the possibility of experiencing at first hand different environments in which participants in the various industry sectors work. Such an experience will give you an understanding of their role in that industry sector and how they perform it - whether that be by say, accompanying a

marine surveyor onto a vessel or to a terminal or warehouse and to observe how marine surveys are conducted; sitting with a marine insurance claims handler in an insurance agency or company seeing how cargo claims are adjusted, or spending time with a shipbroker to witness how fixture negotiations for the chartering of vessels take place.

These activities will not only develop your understanding of the industry but will also give you a positive profile within the industry, which will be very helpful in the on-going execution of your marketing plan.

The three issues test

A way in which you can measure your progress in what is a never-ending journey of understanding of the industry is to arrange a coffee meeting with an industry participant. You will know that you are progressing on the right track if during your conversation with that person you are able to discuss in general, but not necessarily in specific detail, three issues with which that person's sector of the industry is dealing at that particular time or which are on the horizon.

Conclusions

Effective marketing requires you:

- firstly, to understand the clients' needs and their industry;

- secondly, to plan and to execute the daily and weekly marketing activities in which you engage with the clients;
- thirdly, to have regular direct communications with the clients and to follow up with them on issues arising.

All that said, it should be kept in mind that the best marketing, which you will do as a lawyer, is to deliver to your clients high quality work which meets their expectations, and, in doing so avoid “surprises” or “disappointment” for them and also for you.

Doing this will result in your having “happy clients”, which is the cornerstone of a successful practice. In that respect, I wish you the best and of course “good marketing”!

Footnotes

- (1) MAANZ website – www.marketing.org.au
- (2) UKCIM website – www.cim.co.uk
- (3) AMA website – www.ama.org
- (4) Drucker, P.F. *Management: Tasks, Responsibilities, Practices* (New York, Harper & Row, 1973)