

## Grow Your Practice Series:

May 2007

### 101 Ways to Effectively Market Your Law Firm

#### No. 51: Get Inside Your Clients' Heads (and Walk Around!)

In any type of marketing—but especially the marketing of professional services such as personal injury and trial law—understanding your client's thinking is critical to effectively marketing your services, and to turning the prospects your marketing program develops into new clients.

The old expressions "...walk a mile in my shoes..." and "...see me as others do..." are very relevant to marketing, especially the marketing of services, because once you recognize what motivates a prospective client to contact a particular law firm and subsequently engage that law firm, you are much better equipped to effectively market what your practice has to offer.

**Start with a Client Satisfaction Survey:** The logical first step in this process is to survey your current and former clients. Most hospitals, as just one example, do this today. Whether you receive outpatient care or were actually hospitalized, you will probably receive a questionnaire from that facility to complete and return that will address every aspect of your health care experience, from the competence of the personnel to the food you received. While many hospitals are not-for-profit organizations, they all realize that they compete everyday with all the other health care providers in their service area. It makes a lot of sense for a law firm to also survey its clients to gain a better understanding of their legal services experience.

**The Dynamics of Creating and Conducting a Client Satisfaction Survey:** What are the benefits and potential downsides of conducting a client satisfaction survey, and what are the costs of doing so? Glad you asked.

**Benefits of a Client Satisfaction Survey:** There are many benefits, and as you will see, they dramatically out-weigh any negatives.

- ◆ **Clients Are Flattered that You Asked Them Their Opinion:** As a starting point, a client (or a patient or customer) is immediately impressed and flattered that the company, organization or professional practice that just took his money actually cares about the level of service he received. Even if the client does not return the survey, you made points with that client by taking the time and effort to give him the opportunity to provide feedback.
- ◆ **It Puts Your Name in Front of the Client One More Time:** Again, even if the client tosses your survey in the trash, you still puts your firm name in front of her one more time. When she finds herself in a position to recommend an attorney to a friend, neighbor, co-worker, relative or other acquaintance, it will be easier to remember your name, and she will make that recommendation with greater confidence. In addition to the valuable data they generate, client satisfaction surveys generate more word-of-mouth referrals!
- ◆ **In a Client Survey, a Client Will Really Open Up:** A client who had a negative experience with your firm or one of your associates or employees may not bring it up and just let it slide. However, that former client will never engage your firm again, and he will never recommend you to a friend, neighbor, relative or other acquaintance. In a survey, however, a client will bring up any negative experiences he had, and having gotten that problem off his chest, will be far more likely to return to you for legal services and recommend your practice to others.
- ◆ **The Data You Gain Is Valuable. Make That Invaluable!** It is impossible as a principal or associate in a law firm to understand what a client goes through dealing with your firm. Are your people informed or do they give out incorrect or confusing information? Are they courteous and professional, or rude and inconsiderate? Sure, they are polite and respectful to you, but how do they treat your clients? Only direct feedback from a client will provide that valuable data!



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- ◆ **Effectiveness of Your Marketing Program?** Let's say you are spending a lot of money in the Yellow Pages. Is that expenditure paying off in new clients? A survey of your clients will provide that data.
- ◆ **Improving Your Services:** You may think you and your staff do a good job of serving your clients' needs. And maybe you do. But the only way to learn how to improve on your current level of service is to use feedback from real, live clients!
- ◆ **It Is Very Affordable:** We are talking about a few hundred dollars to print a Client Satisfaction Survey, and then a few cents to mail each one out. They should be in a self-mailer format so the client can just drop the completed survey in the mail, and to do that is not very costly. For less than any of your current marketing or advertising programs, you can get first-hand, real-world direct feedback that tells you exactly what you need to do to attract new clients.



**Downsides of a Client Satisfaction Survey:** Almost everything we recommend to attorneys in terms of marketing has both positives and negatives that need to be weighed against each other, but in the case of a client satisfaction survey, there are simply no downsides. The client who was thrilled with your law firm is even more impressed when she receives a client satisfaction survey. The client who was totally disappointed with your practice feels a little better about your firm when he receives a client satisfaction survey, and he maybe provides you with the input you need to avoid such experiences in the future with other clients. No downsides. Not too many programs about which we can absolutely state that there are only positives and NO negatives!

**The Process:** Putting together a client satisfaction survey is not terribly labor-intensive, and not expensive. Here is how you make it happen.

1. **Design the Survey:** You need to first determine what you want to know from your former clients. You should ask from 10 to 15 questions. Any more and the process becomes too laborious for the recipient. And ask both closed and open questions to make the survey more interesting for the client to complete.
2. **Get a Post Office Permit:** You want the recipient to be able to just drop the completed survey in the mail, so you need to sign up for a permit at your local Post Office that enables you to receive mail for which you pay the postage. Once you've paid for the permit, you just pay for every piece of mail that comes back to you.
3. **Print the Survey:** You need to have the survey typeset (most local full-service printers can do that) and printed. It needs to be designed so it can be mailed out, and once it is completed, it can be mailed back to you without the need to put it in an envelope or put a stamp on it. A survey that is easy to respond to will generate many, many more responses, and responses are what you want.
4. **Periodically Mail Out Surveys to Your Former Clients:** Based on the size of your practice, you need to regularly mail surveys out to every former client. You want the client to receive the survey within a few days of the conclusion of his relationship with you. Even a week or so is okay. But if she receives the survey too far out, she has forgotten about her experiences with your firm and moved on to other things.
5. **Take Time to Analyze the Results:** Our marketing director tells the story of a client he had years ago. He designed a world-class customer satisfaction survey for a client, the client mailed it out every two weeks to all of their customers, and the client got back hundreds of responses. They were all dumped into a box in the copier room and never read! Take time every few weeks to read through all the surveys that come back to you. Believe us: You will be amazed at what your clients have to say about you, your practice and your personnel!

**You Know We Would Not Leave You Hanging:** We are out of time and out of space. The June **Attorney@law** will pick up from here and address two important issues.

- ◆ **What Do You Want to Ask in Your Survey?** We will provide you with a sample client satisfaction survey you can edit and adjust to your specific needs.
- ◆ **What Do You Do with the Results of Your Survey?** We will show you what to do with the intelligence you have gleaned from your clients.

## Managing Your Practice: More Tips for Dealing with Troublesome Employees

It's easy to fire the troublesome or under-performing employee. The problem, however, is that the employee you hire to replace who you just fired good be better, but he or she could be even worse. It is almost always better to first try to turn around the under-performer than simply fire that person and try to recruit and hire a new employee.

This article is a continuation of an article in the April **Attorney@law**, so if you missed that issue or that article, please locate that issue and re-read that article so you can bring yourself up to date. Simply firing an unsatisfactory employee should never be your first option. It should always be your last option.

**The Cost of Employee Turnover:** Firing an employee and hiring a replacement is, like so many things in life and business, easier said than done.

- ◆ In a full economy and a tight labor market, good help is hard to get. You might not be able to immediately find a replacement.
- ◆ The new employee you hire is just as likely to be better than the employee you fired as be even worse.
- ◆ Firing an employee puts a strain on your other employees who have to take up the slack while you search for a replacement.
- ◆ Any employee getting fired—unless he is such a total jerk that everyone is thrilled to see him go— is unsettling and discomfoting to the rest of the staff, and will have a negative effect on morale.

**Grandma's Law:** You get better results with a smile and a whip than just a smile. Or just a whip. Our point is that taking a positive approach to an otherwise negative situation will often produce results. Focus on your employee's positive characteristics, and you will end up with a more productive and, therefore, more valuable employee.

**Catch Your Employee Doing Something Right:** Anyone can catch an employee doing something wrong. Wait until that problem employee does something right, and call the employee aside and tell her what a great job she did. "Thanks for getting that out on time." or "Nice job dealing with that new client." Once you've complemented an employee once or twice for doing a good job, it is much easier to call that employee aside to correct substandard performance or inappropriate behavior. Your calling him aside is not a threat.



**Give Your Problem Employee a Special Task or Project:** Sometimes problem employees are frustrated. They haven't found their place, or they are unsure of themselves. Giving an under-performing employee a special task gives that person a chance to be special, to succeed and to gain praise. And sometimes that's all an employee needs to be turned around.

**Do NOT Ignore Your Performers:** Do not, however, begin praising your problem employee to the point that your better employees wonder what's happening. You need to find a reason to provide positive feedback to everyone on your staff. Employees who look forward to coming to work are a joy to work with. The attitude of your staff is a direct result of the tone you set for your business.

**Your Most Valuable Asset:** Should your building burn to the ground, you can always find new office space. Should your employees disappear, you would be hard pressed to get your practice back up to speed any time soon.

**Next Month:** How to hire the right employee the first time.

## **Legal Finance: NO Credit Check, NO Employment Verification and NO Monthly Payments. NO Kidding!**

It is not just the non-recourse nature of legal finance that makes it different from conventional financial transactions. Applicants for a lawsuit advance are often people who have already been turned down for a conventional loan, so they expect the company they apply to for funding to check their credit and verify their employment. In fact, our practice of not running credit checks or asking for employment verification is too good to be true for some lawsuit plaintiffs in need of immediate cash!

**Already Turned Down a Few Times:** It is not uncommon for an applicant for lawsuit funding from **LawMax** to have already been turned down elsewhere for money. We are often approached by applicants who've maxed out their credit cards and cannot get an increase in their credit lines. Or the applicant tried to re-finance his mortgage or get a line of credit and was turned down. In fact, many of the people who come to us for funding have already been turned down elsewhere, maybe by several sources, so they do not hold out hope for getting cash. As a result they are both surprised and pleased to learn that they qualify for an immediate cash advance.

**Confusion Over the Term "Cash Advance":** We often use the term "cash advance" or "lawsuit cash advance" to describe what we offer. As a result, we often have to help your client understand the difference between a lawsuit advance and a traditional cash advance such as one against his credit card or a cash advance like a payday loan. They are very, very different.



**To Good to Be True?** The no-credit-check, no-employment-verification, no-application-fee and no-monthly-payment aspects of lawsuit funding make it appear to be too good to be true, especially to the applicant facing foreclosure or eviction. So we make sure we educate your clients to the unique aspects of legal finance.

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**Disclaimer: The Marketing Advice We Offer May NOT Be Applicable in Your State!**

We try to provide practical marketing advice as part of this e-letter, but please be aware that everything we recommend may not be permissible in every state. Each state Bar Association has slightly different guidelines as to what is and is not ethical for an attorney to do in terms of advertising and promotion, and each state has different laws covering exactly how attorneys can promote their practices. We recommend that you make sure what we promote in **Attorney@law** is both ethical and legal in the jurisdictions in which you practice.