

## PR AND MARKETING

# The vision thing

*In a competitive market, how can you differentiate your family practice from others? Hugh Venables highlights the key points of successful PR and marketing*



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**'You should be striving not merely to get more clients but to get better clients, and better clients are those that best fit the profile you have defined for your business.'**

If only life for family lawyers was so easy. When Renault wants to sell cars, it doesn't talk about engine sizes and fuel consumption, or how many wheels each car has, or where you can get your new Renault from. It doesn't even allude to the price. They get some international footballer to talk about something called *va va voom*, and we all fall for it.

As a seasoned marketing man, I always used to take the Wall's sausage ad as the paradigm of what people need to do to give their promotion the right approach. Do you recall – no music, just the sausages, plump, golden brown, deliciously clucking and sizzling, sliding gracefully around the lightly oiled frying pan like ballroom dancers? Wall's didn't sell the sausage: they sold the sizzle. And that, I would have said, is what marketing should be all about: selling the sizzle.

Now, I'm not so sure.

The frustrating thing about family law is this: actually going out to get new business is really, really tough. If you didn't already realise this, I'll explain why.

But first, there is a conundrum.

I am asked so many times to help 'market' a firm's family law team. The request is often accompanied by the explanation that the team is simply too busy to do it for themselves. That throws up two more questions. Is it necessary to 'do marketing' if you already have more fee-paying work than you can cope with? And is it realistic to expect someone who is trained as a family lawyer to do their own thing when it comes to marketing? Look at it another way – would you seriously ask me, as a marketing man, to do my own cohabitation agreement?

Actually, I have already committed the cardinal sin, because I am starting

from the wrong place. Advertising, which is what the Renault and Wall's examples really are, is all about creating a desire – and we should be talking about marketing, not merely advertising.

So, just one more question, then we'll start looking for answers: do we really believe that it is possible, or right, to create a desire for family law services?

Right – now let's wrestle some answers out of it all, but understand first that, whatever anyone tries to tell you, marketing is as much an art as it is a science, and there may not be any single right answers at all. First, let's try to define some terms.

Whether you are selling a product or a service, marketing is, in essence, quite straightforward. It is about having the right product in the right place at the right time, at the right price, packaged correctly and, ideally, differentiated in some way from others.

The right place is easy to define – it is in front of the people who want to buy it at the time they are likely to need it. That's fine if you are selling school uniforms. You run a 'back to school' campaign every August, in your local paper, and in your High Street shop window. (You know the ones. They feature a blackboard and the letter 's' is always reversed!) The punters flock in, grateful for the reminder and eager to spend their money on a 'must have' commodity.

It is not so easy though, if you are a family law practitioner. Much of what you do involves selling what marketing folk describe as a 'distress purchase'. People don't spend happy Saturday afternoons in eager anticipation, looking round legal practices for the right divorce lawyer, in the way that they might spend time browsing car showrooms.

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Thankfully there isn't yet a family law equivalent of *Top Gear* magazine, where people browse the small ads for the best pre-owned, and maybe even cherished lawyer!

Selling your services tastefully, without looking as if you are an ambulance chaser, is really tough, but you can do it.

It is not hard to identify your universal target audience for divorce – it is married people. Which ones? Well, in

you could focus better on those who will.

Despite anecdotal evidence about divorce lawyers' waiting rooms bulging in the New Year and after the summer holidays, it is hard to identify genuinely when any one of your potential clients is likely to call on the services of someone like you.

The fact is that, because you don't know exactly who wants to buy your services and you don't know exactly

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the saying most often attributed to American supermarket pioneer John Wanamaker – half of your advertising budget is wasted; you just can't identify which half. Half of the people you target will never require your divorce services, ever. If you knew which half,

when they will need you, you have to strive to maintain a constant brand presence, using as broad a range of techniques as you know how, so that when the decision to purchase arises, you are amongst the first of the names they think to approach.

### Know your brand

Solicitors tend not to like the idea that what they are selling is a brand but, like it or not, it is. Take the time to think through exactly what it is you offer, and how what you do genuinely differs from what others sell. It's a tough task to complete, because everything you come up with has to pass the 'so-what?' test. That means considering not just what you think matters but asking why it matters to the people you want to sell it to. To claim to be your town's longest-established family law practice may make you feel good, but unless you can translate it into a benefit to those looking for a good firm to look after their stressful need, right now, it counts for nothing in marketing terms.

It may mean that you have to come up with 20 things you could describe your firm as, and then brutally ditch some of the sacred cows, paring the list down to the two or three things that really define who you are. Remember the Renault approach – four wheels, range of engine size options and such things are taken as read. Find your *va va vooms*. What you are looking for is where you 'add value'.

### Be aspirational

So, you have defined yourself in brand terms. Now be aspirational. You know who you are now, but it is also important to know what or who you would like to be in the future. Describe the image you would like to have, and see how far the dream and the reality differ. And, if you are really serious about marketing, you will start to think about how you can move from your current reality to your aspiration, and what changes you need to make in terms of team, service provision, image and style to effect the gradual planned transition.

### Be brave – define your audience

It sounds like a clever aspiration to say 'we want to be the best law firm for everyone'. It is actually not clever at all. First, 'best' means so many different things to so many different people that to be best for everyone is nigh-on impossible. Secondly, the very idea of 'everyone' eliminates any notion of focus and makes effective marketing communications virtually impossible.

You can define your audience. To start with, unless you are so powerful a niche firm that you can meaningfully attract clients from across the world,


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there are geographical restrictions to the people you plan to sell to. Surprise yourself by doing some research. You have the data in front of you. Look back at your clients over the past three years and ascertain where they come from and what services you provided. Look at the range of fees across the client base. Map it out. You'll get to see the shape of your current business. It may reassure you or it may surprise you, but if you don't go through the exercise, you won't be able to do the kind of evidence-based marketing that you should be doing. You will go on hunches, and hunches are probably riddled with your own prejudices, and that is dangerous.

So, you have created something like your current business profile. You know what you sell, you know who your customers are, you know where they are based and you know how much they spend. Now you can review the expertise that you have and how well it is suited to what your current customers buy.

More importantly you can identify what skills and resources you have that are currently under-utilised. If you can formulate a plan to ascertain how much demand there might be for the resources you have in abundance, you can begin to focus your marketing effort on promoting that side of the business, rather than attracting more work you just can't handle.

### Snoop

If, as we believe, there is a finite market out there for your services, then you will have to be a little predatory in your approach. It may seem distasteful, but it is business. You will have to win work that otherwise would be done by your fellow professionals in other firms. Be tough – they have another name. They are your competitors.

So, think beyond your current client base. What kind of clients would you like that you don't currently have? What do you believe they are looking for that you would have to offer in order to attract them? What firms currently handle that kind of client? What image are they portraying that is proving attractive? How would you have to change in order to attract those clients?

It's not just about more business, it's equally about better business. That answers the question, 'If I'm really busy, do I need marketing?' Resoundingly,

yes, that is the time to really focus on marketing and marketing communications. You should be striving not merely to get more clients but to get better clients, and better clients are those that best fit the profile you have defined for your business.

### Where does my business come from?

You probably think you have the answer. How many times am I told '90% of my business comes via referrals'? But what do you know about the referral? Who made it? On what basis? What did they say about you? How far did what they say reflect the whole scope of your business? Because if you only get people who come to you, rather than people you go out and

actively seek, there is a risk that you end up with a client base you don't want, asking for a service you don't want to deliver. If you are to entrust your image and your reputation to others, you need to ensure that you firmly guide them in the right direction, in order to maintain control over your ultimate brand image and destiny.

Referrals are fantastic, and you have every right to be proud of them, but they are no excuse for not managing the referral process, and no excuse for not embracing other marketing communications routes.

### Who are your ambassadors?

When it comes to your image and your reputation, remember this – the people who are fronting it are your colleagues. And that means not just your fellow partners or senior practitioners, but the rest of the team too. Before anyone can hear you explain what a brilliant solicitor you are, they have to get past your reception, and that PA of yours who so zealously protects you from the world.

Try it – phone in some time on a busy day, so you know how it feels for a would-be client who may already be in distress.

So how well do your colleagues understand your mission as a business? Try this – ask them what makes your firm special, and how they would describe your business to people they meet. It is no good you having a clear picture of what you want the world at large to know about your business if you haven't ensured that the first line of ambassadors – your colleagues at every level – understand it too, and have bought into it wholeheartedly.

### Getting started

So that's what you need to do, before you even start considering those nice things you associate with marketing – the logo, the brochure, the networking, the events, décor in reception, the directory ads, the website, the editorial

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programme, all of which need co-ordinating into an integrated marketing communications strategy, which will help to create the brand awareness and the brand differentiation that will set you apart.

There has never been a better time to think about proactively marketing family law. Now, more than ever, there are positive aspects to the services you provide that mean you can really add value – whether it is promoting alternatives to the traditional adversarial approach, de-bunking the common law marriage myth, or encouraging people to consider pre-marital agreements, there really is potentially so much to hang your marketing hat on. It is right and proper to create a desire, in those who have a real need, for those kind of services.

To do it all, you will probably need some help, from your in-house marketing department or from a skilled external consultant. But getting help does not relieve you of the responsibility for marketing. Others can help you to lift your head above the daily grind of fee-earning client work, and assist you to formulate the bigger vision. But in the end, you own the vision, and it deserves your commitment. ■