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Branding Essentials for Solos and Small Firms

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BRANDING ESSENTIALS FOR SOLOS AND SMALL FIRMS

By Cynthia Sharp, The Sharper Lawyer

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“A brand is the set of expectations, memories, stories and relationships that, taken together, account for a consumer’s decision to choose one product or service over another.”

—Seth Godin

All lawyers have a brand whether or not they know it. Some have adopted a proactive approach through strategic creation and distribution of an authentic and consistent message about their services. Others have left this critical function to chance and are therefore missing opportunities by failing to put their best foot forward. Differentiating a law firm by building a brand that communicates the firm’s uniqueness to the outside world is even more important now than ever in light of the competitive climate in the legal services field.

While many modern entrepreneurial practitioners have adopted a progressive mindset with respect to marketing, they lack both the expertise and the time to spearhead a formal branding initiative. As a consequence, most lawyers will enjoy quicker and more significant results by retaining a professional legal marketer to handle or at least assist with the project.

This article provides a fundamental explanation of the elements of branding and describes the range of services and fees that a lawyer can expect when choosing to work with a professional.

Components of an Effective Brand

Many assume that branding consists of creation of a logo and other artwork when the reality is that these tasks are simply physical manifestations. A thorough initiative will include the elements described below.

Brand purpose and promise. Effective branding begins with discovering and developing your brand purpose and promise. Most branding consultants and coaches have proprietary processes and questionnaires designed to guide entrepreneurial attorneys through this stage. Areas of inquiry include: Who do you represent? What services do you deliver? What was the driving force behind your choice of practice area?

This phase of the process should involve a critical look at how others currently perceive various aspects of your law firm. Both formal and informal surveys of clients and referral sources will lead you to see yourself as others already do. This is the time to outline a specific vision of the image that you *want* to project. At this juncture, great thought is given to the firm's purpose, mission, and culture.

Falling into the common trap of skipping this facet of the project is unwise as its completion provides the cornerstone to the next two phases: verbal identity and visual identity.

Verbal identity. Every communication, whether written or oral, distributed by your firm implicitly carries its brand message. Special attention should be given early on to taking control of your message by crafting a powerful tagline, elevator speech, and firm narrative. Keep in mind that professional copywriters are schooled in intricacies of client psychology and are thus trained to choose words and tone designed to make you memorable in the minds of your target audience. After all, before we can capture market share, we must capture mind share.

Tagline. In 1982 my former spouse and I founded a consumer bankruptcy firm, adopting a tagline that captured our essence: "Let our family help your family." It worked because it is short, memorable, and uniquely relevant to our service. Our reason for being was to provide emotional as well as financial relief to clients in distress. Decades later, the phrase is still used by the firm even though I moved on long ago.

Investing in a strong tagline will pay dividends for years to come. Many lawyers are cavalier in creating this aspect of verbal identity and settle for timeworn phrases such as “unprecedented service” or “focused expertise” used by a multitude of firms. Because these tired clichés fail to provide differentiation, they are indeed dispensable.

Elevator speech. When asked the question “What do you do?” many fumble for an answer, coming across as uninspired and lacking confidence. The alternative is to make an impactful first impression by preparing and practicing your response (often referred to as an elevator speech) with the same dedication as you would prepare for oral argument. Space restrictions prohibit a full discussion of this topic. Readers interested in receiving an elevator speech template designed specifically for attorneys can e-mail me at cindy@thesharperlady.com.

Firm narrative/brand story. An elder law attorney may have been drawn to that field after his grandmother suffered financial devastation as the result of being ill-prepared when his grandfather was diagnosed with Alzheimer’s disease. This narrative is a powerful part of the firm’s brand story.

Visual identity. Not surprisingly, visual identity is composed of the concrete attributes that represent your brand persona, including logo, fonts, and color palette. Photographs and videos are included in this category. For example, if your personal photo is unprofessional and dated, the public’s impression of your firm will be the same.

Of course, the brand components ultimately will be expressed in print form (letterhead and business cards) and digitally (website and social media) and will be distributed through press releases, newsletter brochures, and other collateral marketing pieces.

To ensure brand consistency, the elements of visual and verbal identity should become part of your firm’s brand guideline manual and used in all firm communications. Failure to do so compromises your brand integrity, thereby squandering the investment that you made.

Financial/Time Investment

While a major marketing agency would be prohibitively expensive in the small firm setting, a small boutique consultant can provide top-level service at a reasonable price. Valuable

perspective will be gained by interviewing two or three consultants to verify whether a relationship would be a good fit and to discuss fee structure. Hopefully, your colleagues can provide quality referrals to a consultant experienced in the legal industry.

Asking a marketing professional how much branding services will cost is tantamount to asking a matrimonial attorney the same question about their services prior to an initial consultation. The obvious answer is: “It depends.”

Kimberly Rice, president/chief strategist of KLA Marketing Associates based on the East Coast, generously agreed to be interviewed for this article and quoted a range of fees that a firm with fewer than five lawyers could anticipate. She explained that these figures are only estimates and as projects shift in scope, the financial commitment shifts as well. To become completely engaged with a professional legal marketing advisor in developing brand purpose and promise as well as verbal and visual identity as described above, the firm should budget in the range of \$5,000 to \$7,000. Of course, cost overruns can occur when a client requests services above and beyond the original contract.

Rice points out that costs for tangibles and services may also be incurred and are separately billed. Examples include printing letterhead, envelopes, and business cards; developing signage; running advertisements; and incorporating the visual and verbal aspects into the website.

After the initial “heavy lifting” outlined above, the attorney will have the option to continue on a monthly basis and will be billed in accordance with the level of service requested. Maintenance, expansion, and evolution of the brand is an ongoing process that requires regular attention, particularly in the digital world. A monthly, ongoing investment of \$1,000 to \$2,000 per month as a retainer would be a normal range for an experienced legal marketer. Specific services to be provided are unique to each engagement.

Hybrid Approach

Because solo and small firms often operate under a tight budget, it is understandable that many choose the DIY option. Unfortunately, the results produced by DIY campaigns are not always optimum as many attorneys have no training in the marketing arena.

One alternative approach is to ask a trusted legal marketing professional if he or she will enter into a partial services arrangement. Another option is to contract with freelancers to assist in the implementation of your branding initiative. Low-cost resources are listed below. Of course, you or someone on your staff will be responsible for all other aspects of the ongoing project. Keep in mind that a successful marketing plan constantly evolves along with your brand persona.

If you adopt this hybrid approach, make sure that you don't neglect to: (1) develop a strategic, business, and marketing plan; (2) create an accountability process to ensure that the initiative remains on track; (3) determine how you will measure success; and (4) check references of every freelancer that you hire to ensure top quality as well as fluency in the English language.

The hybrid approach worked for my law firm. A staff member was assigned administrative duties while I retained strategic responsibilities, hiring outside help where needed. Ultimately, we developed expertise in the marketing arena as we learned from the pros as well as from our successes and mistakes.

Low-Cost Resources

Local colleges. Contact the placement department of a local college for information on how to best find the type of talent you seek. One of my colleagues who used this strategy was introduced to a team of marketing students who received class credit for preparing a complimentary and comprehensive marketing plan for his business. He also received the benefit of the professor's critique.

Online sites. Once again, I caution you to thoroughly check references of any person you hire, especially online. Another word of advice is to start out with a small assignment as a tester before moving on to more substantial projects. That being said, many have had long-term positive

experiences with each of the following resources. Only a few of the numerous resources are listed owing to space limitations.

- *Craigslist* (craigslist.com). Five years ago, I placed an ad on Craigslist seeking the services of a virtual assistant with expertise as a graphic artist and proficiency in Mac. Fortunately, Kim Nork answered the ad, and we have worked together ever since—even though we have only met in person three times.
- *HireMyMom.com*. The business world can tap into the huge talent pool of stay-at-home moms and find temporary/part-time writers, editors, typists, and other service providers at reasonable rates.
- *Fiverr* (fiverr.com). Billing itself as the “Marketplace for Creative & Professional Services,” Fiverr “buyers” can find services including graphic design, copywriting, programming, and technology.

Potential Pitfalls

Ethical considerations. Even if an outside entity creates and distributes marketing materials, the attorney retains responsibility for ethical compliance and will be answerable before any ethics tribunal for violation of attorney advertising rules. ABA Model Rule of Professional Conduct 5.3 sets forth the supervisory duties of lawyers and law firms with respect to the conduct of nonlawyers who perform services on their behalf. Because a number of lawyers throughout the country have been called to task on this issue, it is advisable to become conversant with the appropriate ABA Model Rules of Professional Conduct and to review all marketing materials prior to distribution.

Brand damage. Strong brands are not built overnight but can be damaged quickly with reckless or negligent actions. Word of mouth travels fast, and social media posts go viral. The careful attorney will mind his or her manners in professional and social occasions and never make online posts when angry, hungry, tired, or drunk. Poor client service and sloppy work product will also undermine the brand.

The Way Forward

Through a successful branding initiative you can differentiate yourself from your competition and effectively become a “category of one.” By consistently connecting on an emotional and practical level with members of your target audience, you greatly increase the opportunity to obtain new clients and increase your bottom line. Whether you choose to retain the services of a professional or to implement an initiative on your own, be sure to measure your return on investment regularly so that you can make appropriate adjustments.

[Cynthia Sharp](#)

Business development leader and veteran attorney Cynthia Sharp, Esq., works with motivated lawyers seeking to generate additional revenue for their law firms. The business development strategies and skill sets that she shares were developed and tested over a period of 30 years in practice and are constantly refined to reflect modern marketing techniques. For additional information about business development issues, check out thesharperlady.com.