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Building a Practice: Early-Stage Rainmaking - Starting from Scratch

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BUILDING A PRACTICE: EARLY-STAGE RAINMAKING - STARTING FROM SCRATCH

By Cynthia Sharp, The Sharper Lawyer

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Let me take you back to August 1984, when I opened my own law firm having completed a two-year stint in Big Law. I had not yet developed requisite skills for running a successful business, was inexperienced in my chosen area of practice (consumer bankruptcy), and did not have a single client. Despite these apparent obstacles, I began attracting a steady stream of cases early on and ultimately built and sold a lucrative practice. In this article, I draw from my experience to provide suggestions to neophyte attorneys on how to attract your first legal matters without breaking the bank. Business development strategies that require significant financial investment (such as lead generating or advertising programs) are beyond the scope of this article. However, they may be appropriate when your practice has reached a more mature stage.

Establishing the Foundation

Stage 1: Evaluate and shift mind-set. If you haven't handled even your first case, you may wonder why on earth anyone would retain you. However, keep in mind that every single lawyer has been in this very circumstance. When your "little voice" tries to undermine you, remind yourself of your unique talents, training, and accomplishments, which will go far toward helping boost your self-confidence. A person is more likely to retain an attorney who carries him- or herself confidently.

Develop the habit right now of setting time aside each day for business development activities. As attorneys get busy with cases, the tendency is to shove marketing to the side. The attitude seems to be that working on legal matters is the "real work" and that marketing is something to do when there is time. Entrepreneurial lawyers serious about growing a substantial practice will

devote at least three to five hours per week on structured business development activities. Naturally, this shouldn't pose a problem for lawyers just starting out.

Stage 2: Become familiar with applicable rules of professional conduct. Before beginning a marketing initiative, become conversant with the ethical rules that govern attorney advertising so that you don't inadvertently find yourself the target of a complaint. An excellent place to begin is by examining the resources included in the online repository *Professionalism and Ethics in Lawyer Advertising*, curated and updated by the [ABA Center for Professional Responsibility](#). Links to pending cases, court rulings, and ethics opinions as well as a comprehensive outline of the differences between the pertinent ABA Model Rules of Professional Conduct and state rules are provided. An attorney must closely scrutinize the precepts of his or her own state in light of the wide variation in rules that exists among jurisdictions.

Stage 3: Make a plan. Ideally, you already will have narrowed down the types of matters that you will accept. With a niche practice, you are able to develop deep expertise. You also will have a greater opportunity to create focused marketing messages aimed at your target audience.

I recommend that you begin with a 90-day plan of action. Define what must happen over the next three months for the initiative to be declared a success. Ideally, revenue would be generated. However, at this stage, completing all the targeted activities outlined in your 90-day business development plan would be a success in and of itself. E-mail me at cindy@thesharperlawyer.com, and I will send a template of a plan created for this purpose.

Implementation

Step 1: Create, evolve, and control your visual as well as your personal professional brand.

Visual branding Even though funds may be short at this point, I recommend that you make the following strategic investments:

- Have a professional headshot taken.

- Print inexpensive business cards.
- Create a simple website. At a minimum, include contact information, headshot, attorney bio, and description of practice areas.
- Focus on enhancing your profile on at least one social media platform. I recommend either LinkedIn or Facebook, depending on the practice area.

Personal professional branding. Establishing yourself early as a thought leader in your field of practice will pay dividends for years to come. Attorneys have significant opportunities to both write and speak as a means of showcasing expertise.

Action step. Write a “Client Alert” on a hot topic in your chosen field of practice. A popular format for this Client Alert is one-page document giving answers to four or five “Frequently Asked Questions.” Post the document on your website. Send it to your contact list (see below). Post it on LinkedIn.

Step 2: Build a contact list. Begin by organizing the contacts that you already have into a system such as Excel. You can transfer the data into more sophisticated client relationship management systems when the time is ripe. Now is the optimum time to categorize each contact, which will enable you to easily customize future marketing campaigns. For example, a family counselor may not be interested in the same message as an accountant or attorney.

Action step. Organize a list of 100 contacts. Start with your family, friends, and law school classmates. Include attorneys in your locale who could be possible referral sources.

Step 3: Network, network, and then network some more. An entire article could be devoted to the advantages of networking. You meet potential clients and possible referral sources. You learn about opportunities that would otherwise escape your radar. Just make sure that you take proactive steps to develop relationships with the valuable contacts you make.

Action step. Attend two attorney networking functions and one non-attorney networking function. At each event make sure to obtain at least five business cards that will be added to your contact list. Follow up.

Step 4: Cultivate relationships. Many attorneys rely exclusively on referrals in obtaining new clients. Their success came about because they branded themselves as a category of one in their chosen field and then spent time building valuable relationships. I recommend building relationships with other attorneys as a means to jump-start your practice.

Action step. Send out an announcement of the opening of your law firm to the 100 contacts noted in Step 2.

Action step. Call all the lawyers on the list a week after you mail the announcement. Concisely explain that you have recently opened your practice and have identified them as successful practitioners. Ask if you could visit in their office for a half-hour. Whether or not you meet, explain that you would greatly appreciate it if they could send conflict cases or cases that are simply too small for them to accept at this point in their career. Don't forget to follow up.

Action step. Begin making a list of attorneys to whom you could refer cases if the opportunity presents itself. Making a referral is a great way to get a referral.

Conclusion

As an entrepreneur, you have taken the cap off your income but are responsible for generating the revenue to support the lifestyle to which you want to become accustomed. What marketing activities will you commit to accomplishing over the next 90 days? Don't look back in future years and wish that you would have done more. Get started today!

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.