



HOW TO STAND OUT FROM THE CROWD

BY ARI KAPLAN

The language is clear: "An advertisement or solicitation shall not depict the use of a courtroom or courthouse." While using a courthouse in an ad for your law firm may be cliché — and fail to set you apart from the competition — it hardly seems intuitive that doing so would violate advertising guidelines. That will be the case in New York if the proposed rule goes into effect in November. Across the country, advertising rules continue to evolve, so pinpointing how to best spend your marketing dollars can be challenging.

Dave & Les Jacobs/Blend Images

Firms should start with the [marketing] strategies that have the potential to give the highest return on investment, that are the least expensive, easy to measure, give them great marketing penetration, and that they have some knowledge in implementing," says Boca Raton, Fla.-based legal marketing consultant Nader Anise of Nader Anise Lawyer Marketing. These strategies include focusing on a niche, enhancing visibility, leveraging your online presence, cultivating a referral network, being patient, and measuring the return.

To maximize a marketing budget, concentration is key. Along those lines, identifying her niche was so important to Kathleen Hopkins that she and the cofounders of Seattle-based Real Property Law Group decided against using any individual names when establishing the firm five years ago. Instead, they opted for a firm designation that described their practice. "We market who we are by our firm name," she says of the five lawyers at the firm adding that ethics rules in Washington prohibit lawyers from describing themselves as specialists in a particular practice area.

Real Property Law Group, which only handles large commercial real estate transactions, also has partners who target their marketing at commercial real estate brokers, and who are members of the local Business and Owners Management Association. Partner Stephen Day is an architect who serves as a member of Seattle's historic preservation board, which promotes his historic rehabilitation tax credit practice.

While being an architect has its advantages, being a former postal worker has created a thriving niche practice for William Brawner of Ventura, Calif.

His five year-old firm represents federal employees in disputes with the government and 70 to 75 percent of Brawner's clients are with the U.S. Postal Service. His Web site, www.federaladvocate.com, is his sole form of marketing because his legal work is so specialized. "[Prospective clients] come looking for me," he says. "More people find me than I can possibly represent."

station WWRL 1600 AM tells anyone who is listening. "I use the advertising to boost my name recognition in the event someone refers a client to me," says Steven Goldstein, founding partner of the two-lawyer personal injury and criminal defense firm, which does not have a Web site. They may say, "oh yeah, I've heard their ads on the radio," he notes. From its investment of \$1,000 per

1 Get On the Tube

Beverly Hills attorney Ryan Lapidus wanted to increase awareness of Lapidus & Lapidus, the IP litigation, entertainment, and corporate law firm where he practices with his brother. Ultimately, he chose to work with Spot Runner, Inc., a Los Angeles-based start-up that customizes pre-produced television commercials via its Web site, www.spotrunner.com. For about \$3,000, the firm received a professional custom ad, which ran 96 times over a period of two months, and was targeted at Los Angeles viewers of the Golf Channel, ESPN, CNBC, the History Channel, FoxNews, CourtTV, and CNN Headline News. "We are pleased with the name recognition and brand awareness this campaign has generated," says Lapidus.

Law firms interested in customizing a Spot Runner advertisement choose from 17 pre-produced ads in the legal services category. All of the 'spots' run for 30 seconds and incorporate strong visual imagery. The company provides a self-serve platform for commercial production, media planning, and media buying. Firms provide information about themselves to Spot Runner, and the company provides a new custom voiceover to accompany the pre-produced commercial. At a flat fee of \$499 for the commercial and a recommended minimum purchase of \$1,000 in air time, the cost of a Spot Runner campaign is often less than running a single ad in a daily law journal, highlights Lapidus.

"Depending on the market, you are reaching at least tens of thousands of people at any given time," says Rosabel Tao, Spot Runner's vice president of communications. While TV marketing may seem like an expensive and complex strategy, it can be extremely effective if tailored to your target audience. "It puts our name on the desks of our referral sources and helps us to be more well-known among some of our colleagues and in our local market," says Lapidus. — A.K.

Enhance Your Visibility

Because most lawyers do not have Brawner's luck, they are exploring other ways to enhance their visibility. For example, in your time of need, Goldstein & McGowan will be your "lawyer friend indeed." That is, at least, what the advertisement on New York City talk radio

month for the ads, Goldstein says the firm has received some name recognition as well as five cases per year in the last three years — two of which he says are cases involving exposure to lead paint that could potentially settle for \$400,000 each.

Like Goldstein, Stacey Gray has some

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creative ideas about marketing and they include panel discussions on hot topics. "If you line up a stellar panel, people are going to come to hear those panels and you," says Gray, a periodic CourtTV

commentator and the founder of a seven-year-old, three-attorney employment and commercial litigation boutique in Manhattan. In January, she hosted 100 people for "A Call to Action: Diversity

Includes Retaining Minority and Women-Owned Law Firms" at the Sheraton New York Hotel & Towers in midtown Manhattan. Her panelists included: Joaquin Carbonell, GC of Cingular; Jason Brown, in-house counsel at Pepsi Americas; and Andrea Clark, in-house employment counsel at American Airlines. "I have made back the time I put in four- or five-fold," she says of the extensive amount of lost billable time that she invested.

Associates should participate in business development activities and be encouraged to contribute to the firm's visibility. "If associates are to be successful at a small firm, they need to learn how to develop business," says Wendy Werner of Werner Associates, a career and organization development firm in St. Louis.

2 Be Creative

In an effort to market her personality, as well as her law firm, Julie Pearl decided to write a book. Her *Pearls of Wit & Wisdom: Julie's Favorite Quotes & Quips* contains sayings on topics ranging from politics to relationships made by speakers such as John F. Kennedy and Jerry Seinfeld. Each quote, such as Julius Erving's "goals determine what you are going to be," conveys a message about the firm. Pearl compiled the material over a number of years and published the book in 2002 to promote the San Francisco-based Pearl Law Group, a five-lawyer immigration practice she cofounded in 1994. The hardcover book is sent periodically to contacts as a complimentary gift along with a box of candy. The initial printing of the book cost \$2,000 for the first 400 copies.

"We've had so many prospective and actual clients request the book that we're now in our third printing," says Pearl. One on occasion, *Pearls of Wit & Wisdom* sparked a conversation at an HR event that over time led to a client relationship that generates about \$60,000 in billings each year.

Angelo Paparelli also aims to make an impact. In June, the founder of Paparelli & Partners, a 15-lawyer corporate immigration boutique with offices in New York City and Irvine, Calif., made a presentation at the American Immigration Lawyers Association annual conference about the complexities of immigration law in the form of a three-act play (*Good Lawyer and Less So: A Morality Tale for Every Immigration Lawyer*). Two hundred lawyers attended the evening performance, which was significant because it followed 12 hours of programming and competed with five other presentations. The show even included a playbill highlighting mock-bios of the 'actors' and URLs to their professional backgrounds.

At the same conference, his firm used an exhibit to market its expertise, which he says was unprecedented because typically, only vendors of legal support services occupy the exhibition hall. "We were marketing ourselves as lawyers who can help other lawyers solve their complex immigration problems," Paparelli says. Over the course of three days, the firm displayed a different theme. On day one, Paparelli, a black belt, wore his Tae Kwon Do Gi (uniform) to convey the point — "We can help you break through your hardest immigration problems." On day two, he and his team wore yoga gear ("We can help you stretch your immigration career"), and on day three they wore baseball jerseys ("We can help you hit an immigration home run."). While he spent approximately \$7,500 on his efforts (including bottles of spring water branded with the firm's name and logo), Paparelli has already been retained to be an expert witness in litigation involving immigration at an anticipated fee of about \$8,500. He was also approached to become a paid mentor to a lawyer learning the practice. — A.K.

*Pearl and Paparelli are members of the SFB Editorial Advisory Board



Julie Pearl



Angelo Paparelli

Mining the Internet

Small firms should develop a focused program to target potential referral sources, advises Sally Schmidt, president of St. Paul-based Schmidt Marketing, Inc. To do so, more practitioners are turning to the Internet and finding success by taking calculated steps to promote their practices.

If your firm doesn't have a Web site or is in the planning stage, you should be careful to select a domain name wisely. If you're thinking, "who doesn't have a Web site?" even today it would be wrong to assume that all small firms have a presence on the Web. In the 2006 *Legal Technology Survey Report* by the American Bar Association Legal Technology Resource Center, of the 276 firms with 2 to 9 lawyers surveyed, only 65 percent indicated that their firm had a Web site. Among the 200 firms of 10 to 49 attorneys surveyed, the percentage of firms with a Web site rose to 92 percent — notably still short of 100 percent.

While there are many options, selecting the best-fitting Web address can provide visitors with a sense of your practice before they visit your site. When Angelo Paparelli founded Paparelli & Partners, a 15-lawyer corporate immi-

gration boutique with offices in New York City and Irvine, Calif., he chose not to use his last name as the URL because most people misspell it. Instead of taking the risk of traffic going to www.papparazzi.com, he opted for the more creative designation of www.entertheusa.com. "Everyone remembers it pretty easily, and it often evokes a wry smile or even a chuckle," says Paparelli.

But if your firm is already established on the Web, it may be time to evaluate whether you are getting the most out of your Web site. For instance, Philadelphia lawyer Lenard Cohen had a generic Web site for five years that promoted his workers compensation and personal injury practice at a cost of \$500 per month. The problem was, he received little, if any, traffic.

In 2004, Cohen enlisted the help of Jason Lisi, a former tax lawyer and founder of seven year-old Legal Internet Solutions Incorporated, which helps law firms maximize their exposure online. Since redesigning his site two years ago, Cohen says that he has received 30 to 50 new cases per year, one of which just settled for \$70,000.

Cohen spends \$500 per month on the services of Legal Internet Solutions, which optimize his site to produce better results on Internet search engines, and manage his pay-per-click advertising campaign through Google, Yahoo, Kanoodle, and others. Those campaigns cost him an additional \$2,500 per month. Cohen's fee of \$24,000 from a recently settled case almost pays for an entire annual campaign.

Firms considering an Internet marketing campaign similar to the one Cohen has implemented should start with a trial and track results, says Barbara Lewis of Beverly Hills-based Centurion Consulting Group, which provides a range of law firm management guidance. For example, every two weeks Lisi and his team monitor Cohen's pay-per-click campaign and modify the search terms to increase the

3 Find a Niche

If you are looking for a niche, focusing on claims under Section 337 of the Tariff Act of 1930 definitely qualifies. Washington, D.C.-based Adduci, Mastriani & Schaumberg, has been handling these statutory patent infringement disputes over imported goods before the U.S. International Trade Commission (ITC) for more than two decades. In fact, as much as 70 percent of the 20-lawyer firm's practice involves this work. "We have probably been involved in at least 25 percent of the 583 Section 337 cases ever filed before the ITC," says partner Tom Schaumberg.

With this level of saturation, Adduci, Mastriani can simply refer clients to the list of Section 337 investigations that the attorneys of the firm have handled and let their experience speak for itself. In order to compete at this level, "you have to be visible," notes Schaumberg, who was the first president of the ITC Trial Lawyers Association in 1984 and has continued to serve on its executive committee. He is also the vice chair of the ITC Committee of the Intellectual Property Owners Association, a Washington, D.C.-based trade association.

Last year, Schaumberg and his partner Louis Mastriani spent \$15,000 to



Tom Schaumberg

\$20,000 on travel expenses for a three-city speaking tour in China, which was organized by several Chinese law firms. Schaumberg and Mastriani discussed U.S. patent protection and anti-dumping laws. The then vice chair of the ITC accompanied them on this trip. "As a result of interacting with a particular Chinese law firm during the speaking tour, we are now working actively on behalf of a major Chinese company in the animal feed additive industry on a section 337 case," says Schaumberg. Without providing figures, he would only say that the return on his firm's marketing investment "dwarfs the initial expense" of travel and lost billable time.

Adduci, Mastriani also spends \$10,000 per year on trade publication advertisements in *IP Law & Business* and the IP supplement to the *Legal Times* to enhance its name recognition (Both are sister publications of *SFB*). "We are lawyers' lawyers and need the legal community to recognize that we are available as an alternative to the large firms," says Schaumberg, explaining that many of the firm's referrals are from other attorneys with whom they then work jointly.

In marketing its size, the firm advises clients that its attorneys collaborate in small groups and shorten the learning curve by remaining on the case for its entire duration. To more effectively convey its message and — in a move that is generally reserved for the larger institutions with which it competes — Adduci, Mastriani recently elevated Marguerite Downey, one of its talented paralegals, to the position of director of communications & client service. "I'm sure that very few firms of our size would take that step," Schaumberg says. — A.K.

traffic from the most effective sources.

Lisi also suggests that law firms consider a campaign of reciprocal linking. For example, if you are a bankruptcy practitioner, your firm's Web site should be linked to other credible bankruptcy-related sites because the links will generally increase your Google PageRank — a

calculation that Google makes to determine the relative importance of Web pages. The higher your rank, the greater the assumption is that your site is an authority in the field.

From his experience, Cohen recommends that when designing a Web site,

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firms should include an option for current news that is updated regularly to encourage the search engine spiders to continuously visit your site. He also suggests including a contact form because "almost 99 percent of the people do not call, they fill out that form," he says.

Leav & Steinberg, a four-lawyer personal injury firm based in New York City has seen similar success in the four years that it has used the Lawinfo.com referral search engine. The firm spends \$7,500 per year for prominent placement on queries for wrongful death, medical malpractice, and automobile accident lawyers in Brooklyn and the Bronx. In response, partner Edward Steinberg says that the firm usually receives 6 to 10 calls per month, which ultimately yields 6 to 10 new cases per year.

Whether the firm takes the case or not, the lawyers follow up with callers every six months, if they remain unrepresented, and send each a holiday card. Steinberg says that the Lawinfo.com campaign yields \$96,000 to \$160,000 in total fees per year.

Consultant Lewis also suggests that firms research the results of other attorneys by asking non-competing attorneys about their level of satisfaction with various techniques. "Marketing is no longer a black hole that money goes into and no one knows what the results are," Lewis says, adding that, depending on the circumstance, elaborate client relationship management software isn't required. Firms can track client originations in Excel or in QuickBooks.

Consider Blogging

A blog is only effective if people can find it, so the same principles of selecting a name apply. For instance, Paparelli incorporated his signature creativity in selecting the name of his firm's blog — www.nationofimmigrants.com. He describes the site as a platform to discuss the dysfunctional

nature of the federal government with respect to immigration. "I try to write thoughtful pieces that are more in depth than quick blurbs, fired off daily, with a hyperlink to another article," he says.

While Paparelli's blog is used more for legislative advocacy than for brand enhancement and business generation, LexBlog founder, Kevin O'Keefe notes, "small and medium-sized firms are realizing substantial returns from their blogs." Those that are, however, are reluctant to share their success. "The big issue with blogs is that the lawyers who are having success are the last to shout from the rooftops about it, because of the competitive landscape," adds O'Keefe, whose company designs and maintains blogs for attorneys at more than 100 firms.

It's All Relative

Levels of success vary, so you need to periodically evaluate whether your efforts are bearing fruit. Rob Powley, co-founder of Powley & Gibson in lower Manhattan, a boutique that assists corporations, individuals, and organizations in all areas of intellectual property, entertainment law, and art, spends \$3,000 to be listed in Martindale-Hubbell, but does not know of any new business that resulted from that listing. On the other hand, Stacey Gray spends about \$1,900 for her Martindale listing and credits it with 11 new matters in the past seven months, based on feedback from new clients.

In the end, to help set marketing priorities, consultants recommend that lawyers remain — or become — diligent in tracking the ways in which their clients find them. At the same time, they should recognize that a certain amount of trial and error is inevitable. **SFB**

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