
Getting Published: The Foundation for Business Development

By Ari L. Kaplan

Business development in the legal community is a science, but it requires the creativity of an artist. That artistry can be demonstrated most powerfully through the written word, a tool of great lawyers for centuries. Encapsulating an interesting case or complex transaction into 500 or 1000 words for the benefit of colleagues and the business community at large is the single best way to demonstrate expertise on a macro scale. It is at the very core of client generation.

A published article is like currency for building a network, developing a reputation for excellence, and gaining exposure to unanticipated opportunities. It sets the foundation for success in the law, professionally and personally, by reminding you of the most satisfying aspects of the work and conveying that satisfaction in a compelling narrative.

Despite late night feelings to the contrary, lawyers focus on fascinating issues. Those that can distance themselves from an individual matter and select a fine point that is particularly engaging can easily create the premise of a well-received article. For those that cannot, great ideas are only a mouse click away. Technology lawyers, for example, can find them

Ari Kaplan, a member of this newsletter's Board of Editors, teaches a CLE course at law firms and bar associations nationwide on the mechanics of getting published. He has written over 100 articles and has appeared on CNN as a legal expert.

Do You Know?

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Counsel survey indicated that 59% of responding General Counsel would soon be firing at least one of their outside law firms. If your firm is terminated, do you know why? Is it:

- Budget pressures?
- Consolidation of firms?
- Tightening of supervision and management of outside support?

on GigaLaw.com, consumer protection attorneys can visit FTC.gov and there are many others. With no shortage of resources, the only hindrance to great commentary is one's imagination.

BRAINSTORMING

Perhaps the most overlooked, but incredibly valuable, brainstorming opportunities come from colleagues and clients. Not only does communication about story ideas give one the chance to develop a deeper relationship with another attorney or contact, it makes the process much more enjoyable. Writing is, after all, a creative pursuit that carries with it the added benefit of personal satisfaction. Notoriety just happens to be the great reward for your effort.

Finding the right home for that effort can be a challenge. While it is exciting for a popular magazine or newspaper to print your ideas, there may be more valuable publications that reach your target audience. As such, consider who makes up that population and compile a list of the periodicals that they read. Then narrow down that list to those that cover the subject matter over which you are an authority (or are attempting to demonstrate your knowledge).

While legal publications are often the first considered for placement, do not feel limited to bar association magazines and law-related newspapers. Instead, research possible homes for your work on Google or FindLaw. If you are drafting an article on marketing, for example, it may be that a narrowly tailored newsletter aimed at music professionals offers you much greater exposure to your potential client base than a column in *Rolling Stone*.

For promotional purposes, it should not matter whether the publication offers you exposure in print or solely online because you will most likely be distributing your article to your network

- Desire for fresh strategies and new approaches?
- Turnover of counsel, either outside or inside or both?

Another study, this one conducted by the jury and trial consulting firm DecisionQuest, showed that GCs expected a 20% yearly turnover in their own top in-house ranks. In light of that instability, how do you build long-term relationships that yield future business? Are today's decision-

makers going to be there long enough to support your firm? Will non-lawyer executives be able to exert greater impact on the decision-making process? If so, which ones in particular? How did they attain this position of influence? What could you have done to get to know them earlier?

PITCHING AN ARTICLE

When pitching an article, describe what you would like to write, who you are and why you are ideally suited to author this piece. Be brief, but potent. Bear in mind that one of the most critical facts to convey to an editor is what makes your topic relevant. If there is no time-hook for your story, it is unlikely to be selected.

If possible, attach writing samples to your pitch. If you do not have clips, there are always opportunities to obtain some by penning a book review or an editorial for a local or regional journal. In addition, consider co-authoring with another attorney or professional connection whose skill you respect. It is an ideal opportunity to collaborate on a non-work-related project, but in an inventive specialized context. Activities like this one also lead to new and unexpected opportunities such as client referrals, new billable work and even friendships that transcend the law.

The law should, however, always remain central to the process, especially since your priority is to your firm. Your message and tone should be consistent and maintain dedication to a single formula: exposure enhances your reputation and as that reputation grows so too do your prospects for developing business. That is the science. The art is distinguishing yourself with a unique voice and style.



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DO YOU KNOW?

Do you know the decision-makers' own strengths and weaknesses? Are

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