

MAXIMIZE YOUR MARKETING:

Turn Basic Business Cards, Letterhead & Websites
Into Ethical Marketing Statements

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Agenda

- Target
 - Define your niche
 - Create a target persona
 - Craft marketing messages that speak to them
- Turn business basics into effective & ethical marketing statements
 - Firm names
 - Letterhead, business cards
 - Website
- Networking
 - Messages
 - Groups
- Attorney advertising & NYS Rules of Professional Conduct
- Use social media effectively & ethically
 - LinkedIn & lawyer directories

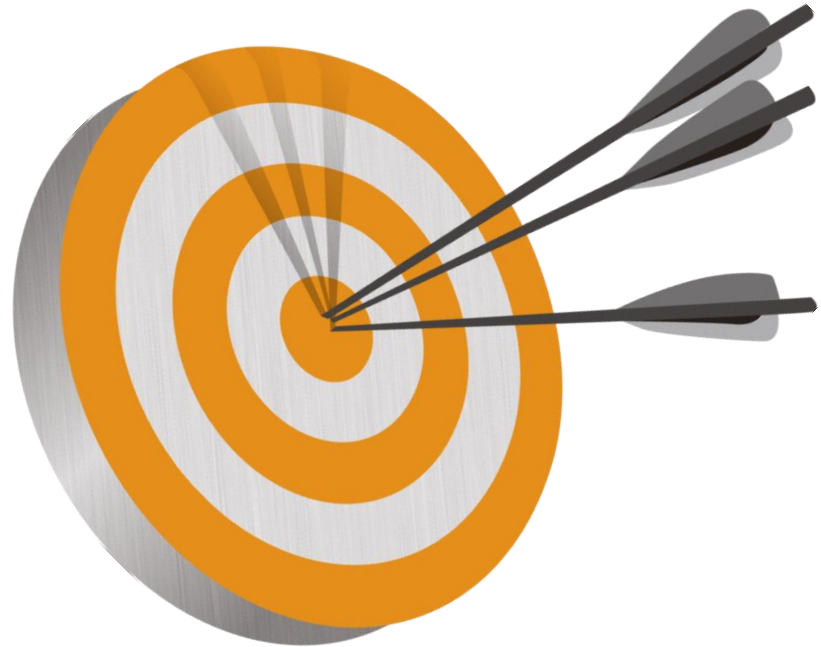


TARGETING & TARGET PERSONA



Why Target?

- The raspberry jam rule
- Niches are nice.
- Effective, efficient, save time and money



Define Your Target: Someone You Want to Know and Would Like Working With

- Begin with yourself
 - What do you like about the practice of law?
 - Think where you want to be in 5 years?
 - 10 years?
- Analyze your client base
 - “80/20” clients
 - Favorite client characteristics



Create a Target Persona

Create someone you want to know and work with

- What does she look like?
- What does she do for a living?
 - What does she need to ace her job?
- What does she want?
 - Need?
 - Wish for?
- Favorite activities?
- Where can you find her?
- Where does she go for credible information?
- How does she select professional advisors?



Create a strategy around your persona



Keep learning about her world until you are as comfortable in it as she is.

- Target = your ideal client
 - Your persona is your guide
- Marketing plan
 - How will you become part of her world?
 - What benefits will you offer?
 - To find her, where will you go/ what will you join?
 - How will you meet her?
- Outline a strategy for meeting and wooing her
 - Networking
 - Online, in person
 - Expert, Thought leader



MARKETING MESSAGES: What's in a name?

Business Card

Letterhead

Website Domain Name

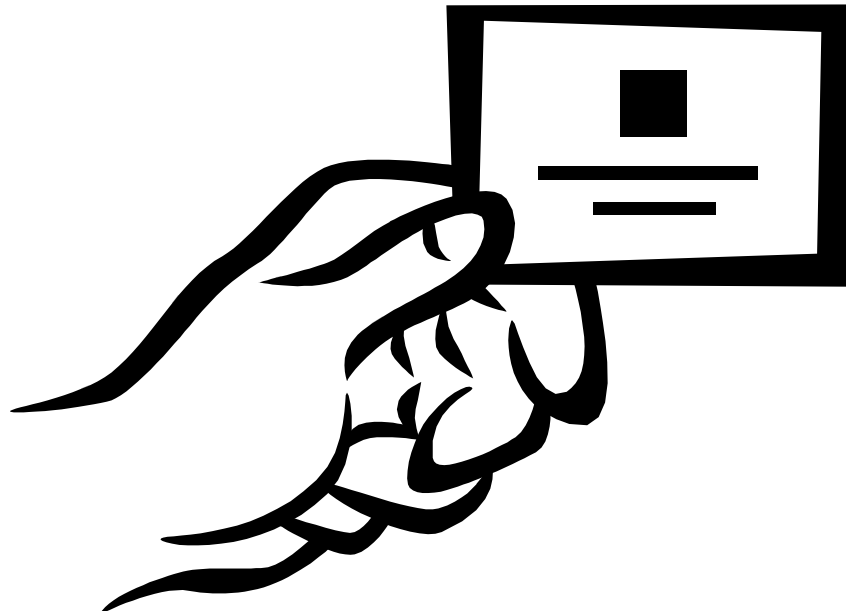


Firm Name: Q&A [Rule 7.1, 7.5(b)3]

- Are these names legit for solos?
 - Law Offices of Peter Pan
 - Law Office of Peter Pan & Associates
- Can firm names include dead people?
- Can firm name use initials or a made up combined name?
- Can one firm list another as affiliated?
- Can an out-of-state lawyer have an “of counsel” relationship with a NY law firm?
- Can a website use a trade name?

Business Card [Rule 7.5(a)(i)]

- Primary marketing piece: make it memorable
- Required
 - Contact information
- Useful
 - Legible
 - Type of practice
 - Tagline
- Visuals
 - Color
 - Good paper stock
 - Your photo
 - Pictures related to your practice/results



Letterhead [Rule 7.5(a)(4)]

- Letterhead content
 - Name of firm, address, telephone number
 - Identify as a lawyer
 - States you are licensed in
 - Contact information
 - Relationships:
 - Partner, Associate,
 - Of counsel, Affiliated firm

21st century: keep letterhead template in the computer and use only your own name and contact information

Office Address

- All these address locations are legal sometimes.
 - Commercial mailbox service
 - Your own office space in a building
 - P.O. box
 - Executive suite



Permissible office locations

- Home office
- Virtual office
- Law firm office
- Mobile law office
- Shared office space
- Office shared with non-legal professionals

Website

- URL can be trade name, descriptive
- Purposes of website:
 - Eliminate buyer's remorse
 - Create a call to action
- Site requirements:
 - Responsive design
 - 's' in https://
 - Put "*attorney advertising*" on home page
- Protections:
 - Add a disclaimer/privacy statement
 - "*Prior results do not guarantee a similar outcome.*"
 - Keep content back-up for 3 years



PREPARE NETWORKING MESSAGES THAT SAY WHO YOU ARE



Professionalism

“The relative autonomy of the legal profession carries with it special responsibilities of self-governance.

“Every lawyer is responsible for observance of the Rules of Professional Conduct and also should aid in securing their observance by other lawyers.

“Neglect of these responsibilities compromises the independence of the profession and the public interest that it serves.

“Compliance with the Rules depends primarily upon the lawyer’s understanding of the Rules and desire to comply with the professional norms they embody for the benefit of clients and the legal system, . . .

“So long as its practitioners are guided by these principles, the law will continue to be a noble profession.”

Preamble, (5) The New York Rules of Professional Conduct

Networking Messages: Intangibles



- Body language
- Value proposition
 - Stories
- Elevator speech

Join Groups To Grow Your Network

In Person

Types

- Mixed
 - Local
- One profession
 - Professional associations
 - Honorary
- Trade/industry associations
- Peer advisor [mastermind]
- Personal
 - Social, civic, education, religious
- Philanthropic

Online

- Off shoots of in person groups
- LinkedIn
- Facebook
- Private

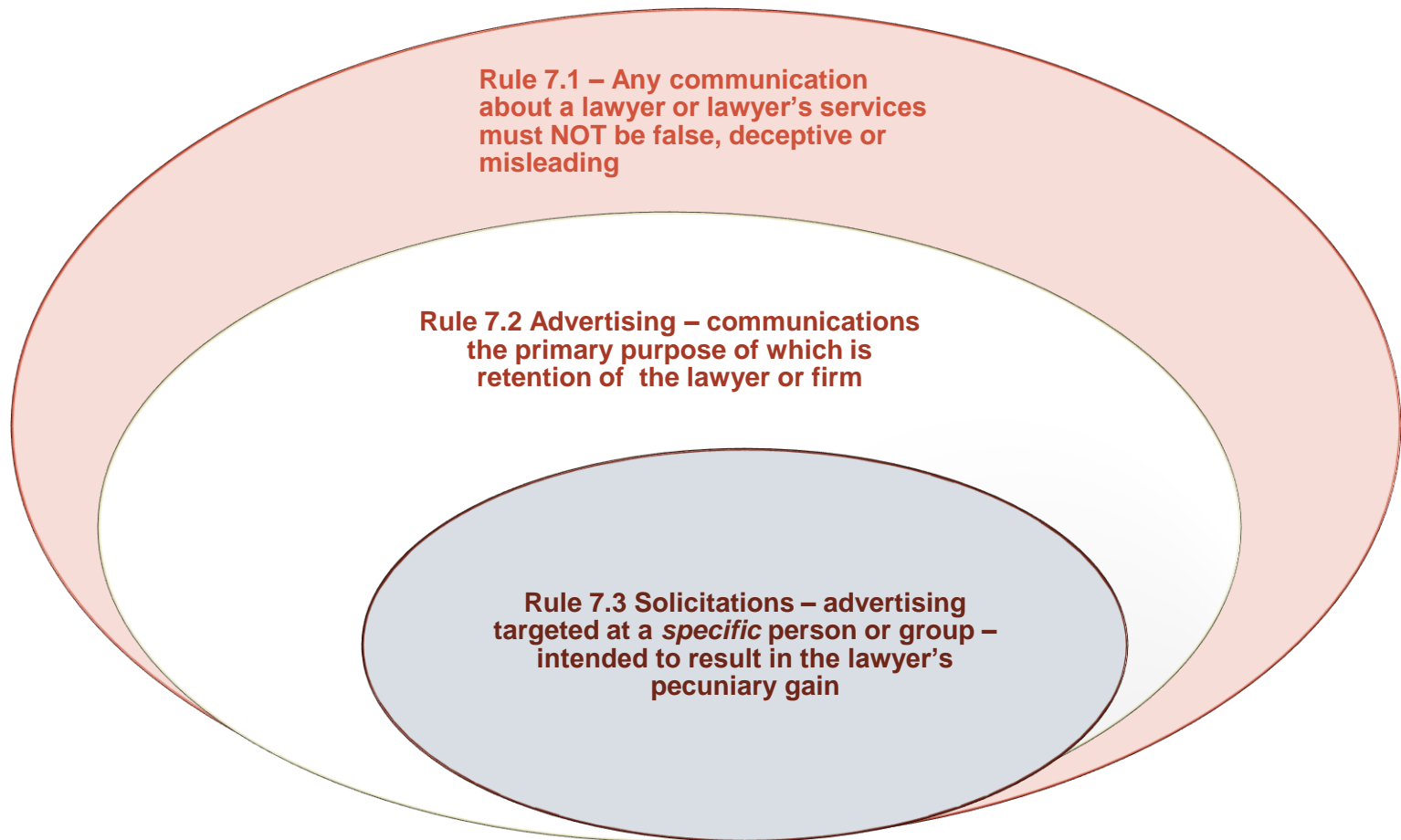


SOCIAL MEDIA MINEFIELDS



Market Yourself Within The Rules of Professional Conduct

NYS Rules of Professional Responsibility: The logic of Rule 7

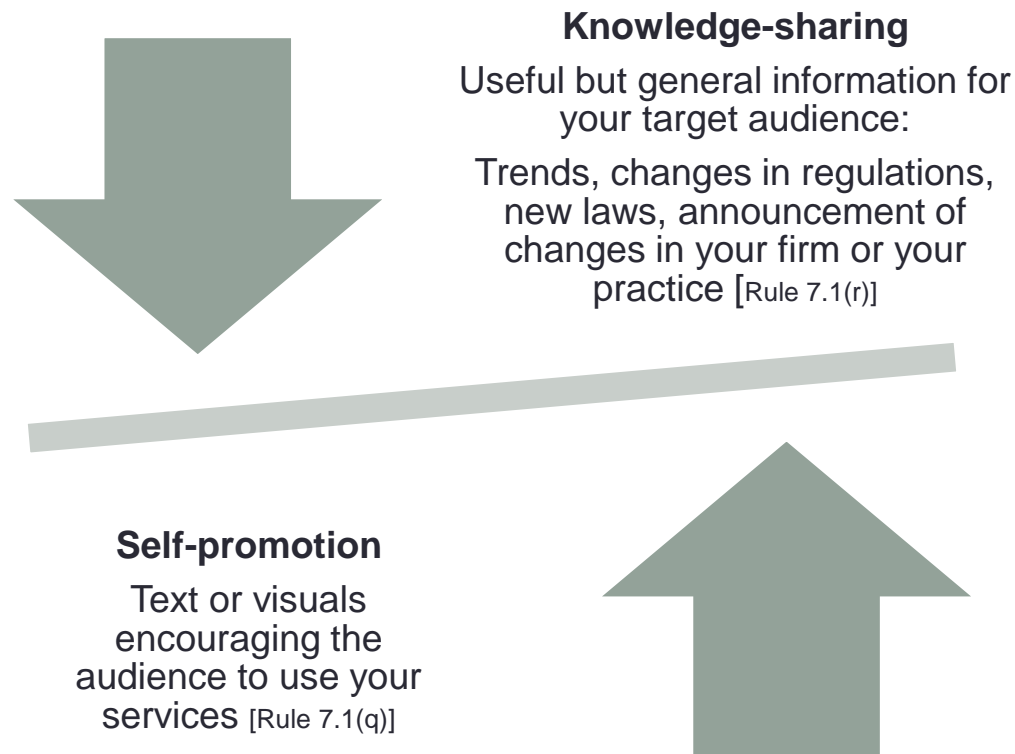


Communications Concerning a Lawyer's Services Rule 7.1

- **Key Phrase:** No false, deceptive or misleading communications
 - Contains a material misrepresentation of fact or law
 - Omits a necessary fact
 - Leads to an unjustified expectation
 - Implies the ability to influence government officials [Rule 8.4(e)]

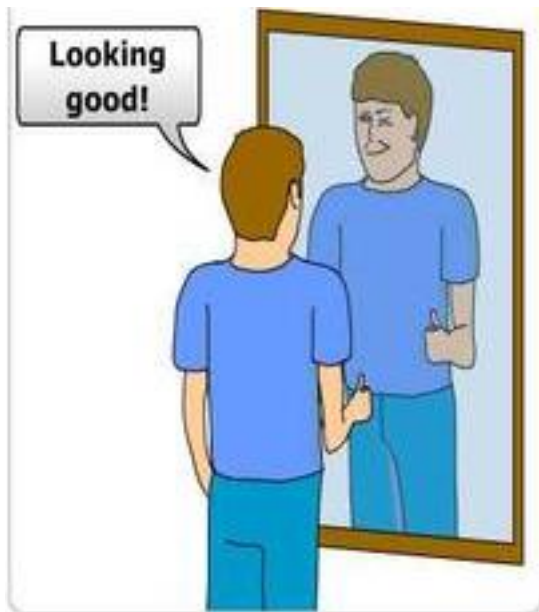


Knowledge-sharing vs. Self-promotion



Your Linked-In Profile

- It's about connections.
- Your headline is your main ad
 - Add the state you are admitted to in your headline
 - Details
- Use a reasonably current photo



- Show your personal side in the summary
 - Use business English, not legal jargon
 - Write content of interest to the reader
- Join groups that include your target market

Ethics & LinkedIn: Dueling Opinions

NYC Bar Assn. Formal Opinion 2015-7

- LI profile is only advertising if it meets **ALL** of the following **five** criteria:
 - Communication by or on behalf of a lawyer
 - Primary purpose is to attract new clients for paid work
 - LI content relates to legal services offered by the lawyer
 - LI content is intended to be viewed by prospects
 - LI content doesn't fall within recognized exceptions to the definition of attorney advertising

NYCLA Formal Opinion 748

- **IS** advertising if LI profile contains:
 - Detailed description of areas of practice
 - Recommendations
 - Must not violate Rule 7.1(a)



LinkedIn & the Ethics Rules

- You own your content.
 - No one can post anything on your LI profile that you have not already written or approved.

NYS Prof. Rules 7.1(k)

Consider LinkedIn as advertising

- Make a copy of the profile at least once a year.
 - Required to hold onto it for a year.
- At the bottom of the summary section add:

NYS Prof. Rules 7.1(k)

“In some states LinkedIn content is considered advertising.

Prior results do not guarantee a similar outcome.

Online conversations do not create attorney-client privilege.”

Key steps to success

- Be clear as to your objectives
- Know who can help you achieve your goals
- Be committed - Do something daily
 - Have a plan and stick to it
- Focus
 - Define your niche
 - Create your persona to “sell” to
 - Target her
 - Market to her
- Create & maintain an integrated image
 - Branding: From your business card to your blog everything brands
 - Use techniques and activities that are comfortable for you



SHARE useful, proactive knowledge that is relevant and important to your target audience.

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Check out my new book,
Strategic Networking For Introverts, Extroverts And Everyone In Between,
American Bar Association, Law Practice Division, 2019
Available from shopABA.org [direct link: <http://bit.ly/2ReGgHJ>]

Visit the book's website: <https://www.StrategicNetworking4Everyone.com>