

# 18 Marketing Mistakes Lawyers Must Avoid

By Stephen E. Seckler

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I grew up in a household where my father was a math professor and my mother was a school psychologist. They valued academic achievement. My father didn't think much of people in business. He referred to them as *operators*.

Like many law school students, business school was not in the cards for me. Getting a law degree was a way to become a professional and do impactful work. As a lawyer, I would be respected for my intellect.

What I've come to realize over the years is that selling professional services is something that can be done with integrity. You don't build a law practice with high-pressured sales tactics. It is very different than transactional selling (think: used cars). I often joke that someday I'll write an autobiography called *Birth of a Salesman*.



I've also come to understand that the ability to sell legal services can greatly enhance career satisfaction for attorneys. If you are in private practice, generating your own work gives you autonomy and more opportunity to choose the kinds of clients you want to serve.

## Growing a Law Practice Is about Relationship Building

Fundamentally, growing a law practice is about relationship building. If you build your reputation in a well-defined niche and cultivate strong relationships with existing clients, prospective clients, and referral sources, your practice will grow over time.

While this may sound pretty straightforward, if you are like a "typical" attorney, there are a number of obstacles to overcome if you want to be successful.

Career identity is a large barrier. Most lawyers don't see selling as an honorable activity.

Beyond this, lawyers are a risk-averse bunch. While selling and entrepreneurship are about "what are the opportunities," practicing law is about predicting "what might go wrong." In addition, according to [Dr. Larry Richard](#), who has studied lawyer personalities extensively, lawyers generally score low on the personality trait of resilience. Because any kind of selling involves a lot of failure (you have to kiss a lot of frogs to find your prince), in order to succeed at legal marketing, you have to be able to move past rejection.

By observing many successful attorneys with large practices, I have come to appreciate that selling legal services is actually fun and something that most attorneys can get better at. If you like getting to know people and if you have a service mentality, you can be successful.

In the 25-plus years I've been helping lawyers to achieve greater marketing success, I've noticed that there were some common mistakes that lawyers make in trying to grow their practices. Here is my list of 18 of those mistakes and what to do about them.



- 1 **Saving marketing for a rainy day.** In legal marketing, slow and steady wins the race. Because you can't predict when someone will need the services you are selling (or hear of someone who might have that need), it is important to be in front of your network on a regular basis, even when you are busy with client work. Doing *some* marketing all the time is much more effective than waiting until your workload slows down.
- 2 **Analysis paralysis.** It is impossible to know which marketing activities will bear fruit. Don't overanalyze whether any one activity will produce results.
- 3 **Dividing your time into billable hours and non-billable time.** Billable hours are the economic engine that drives most firms, but don't undervalue your investment hours (e.g., professional development, marketing, firm management, and self-care).
- 4 **Doing something once and expecting immediate results.** A single presentation before a professional association may generate work. But don't count on it.
- 5 **Choosing activities that you don't enjoy.** If you don't like golf, don't play golf.
- 6 **Choosing a niche you don't like.** If you are doing what you like, you will be more successful at it, and you will want more of it.
- 7 **Only telling clients what can go wrong.** One of the things that in-house lawyers quickly learn is that clients want to know what they *can* do, not just what they *can't* do. Outside counsel should develop the same mentality. You are hired to manage risk. But you shouldn't be a deal killer.
- 8 **Spending all of your time on marketing and none of it on relationship building.** When lawyers are starting out, writing articles, posting on social media, and giving presentations may feel more comfortable. But as your career progresses, it is the relationships you build that will lead to paying work. This is less true for plaintiffs' personal injury lawyers and attorneys who do other types of business-to-consumer work. The clients who hire those lawyers may be more likely to turn to Google as they are less likely to have a professional network.
- 9 **Failing to focus.** You can't be remembered for everything. Choose a niche and focus on that (focus can be on type of client, industry, or type of legal work.)
- 10 **Talking about what you do rather than the types of problems you solve.** Clients are looking for an attorney who has experience addressing the issues that they have. For example, rather than saying "I am a trusts and estates lawyer who works with individuals who have between \$500,000 and \$5 million in assets," say "I help middle-class families protect their wealth and pass on their estate while minimizing their tax burden."
- 11 **Doing it all yourself.** Get help. You may think you know how to build a website, but is that a good use of your time when you are billing hundreds of dollars an hour? Sure, you can research the latest changes to the Google algorithm, but isn't it smarter to hire a digital marketing firm to advise you?
- 12 **Forgetting to thank referral sources.** It is so easy to send a quick email thanking your referral sources for thinking of you. It doesn't matter if the referral did not turn into a paying client. If there is a referral source who has been particularly helpful in sending you good matters, think about sending a small gift, especially at holiday time. If the matter was really not in your wheel house, thank them anyway and explain what types of cases are a good fit.
- 13 **Giving up too easily.** How many times have you tried setting up coffee with good referral sources? Maybe they were busy when you sent the first email. Maybe it got caught in their spam filter.
- 14 **Talking too much.** God gave you two ears and one mouth. People will be more impressed if you are a great listener. Also, listening is the only way to find out how you can be helpful to someone.
- 15 **Hiding your successes.** Clients want to hire lawyers who have experience and success in dealing with their issues. Tell stories that illustrate these successes.
- 16 **Spreading yourself too thin.** It is better to go deep with fewer activities than to have superficial involvement with a lot of organizations.
- 17 **Failure to follow up.** If you speak to a prospect, make sure to mark a date on your calendar when you will follow up with him or her.
- 18 **Joining organizations but not really getting involved.** It's nice to be able to say that you are a member of various trade associations, community groups, and nonprofit organizations. It's better to get to know



individuals in these groups.

Most of us didn't go to law school to build our own law practice. But building your own practice will greatly enhance your career satisfaction. It is also something that most lawyers can learn to do in a comfortable way. And it can be an enjoyable way to spend your time if you find activities that resonate with you.

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