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LEADERSHIP TRAINING
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fear it.

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Law Firm Inc.

THE BUSINESS MAGAZINE FOR LAW FIRM EXECUTIVES

Marketing With Moxie

THREE LAWS FIRMS WITH CUTTING-EDGE PLANS

By Karen Dean



MARK BEESE
Holland & Hart's
marketing director
and the creator of
in-flight, client-centric
commercials on
Frontier Airlines

The New Breed

Three law firms that truly *get* marketing.

By Karen Dean

Slicing, swooping, and spinning, the adrenaline-fueled Alpine skier rockets down the snowy slopes, leaning deeply into turns and cutting a sharp path until he crosses the finish line, triumphantly pumping his fists in the air and plowing to a stop. End of commercial.

Cue the tag line: "Holland & Hart—The Law Out West."

This 30-second in-flight ad, seen by the nearly 875,000 passengers who fly Frontier Airlines each month, sponsors a four-minute business program on the CEO of Spyder Active Sports, Inc., a Holland & Hart client. The commercial and program are not your typical law firm marketing campaign. For Spyder CEO David Jacobs, the program is an opportunity to promote his company to an affluent, regional audience. For the Denver-based Holland & Hart, the ad and Spyder promo are part of an effective in-flight advertising campaign that 40 percent of passengers remember, according to Frontier's market research.

In the ads, "we're not spending advertising time talking about our firm history," says Holland & Hart marketing director Mark Beese. "We spend that time highlighting some very creative CEOs" who are also Holland & Hart clients.

Welcome to the new era of law firm marketing. It's been a long time coming. The profession didn't even allow formal advertising until the mid-1970s, and now the prospect of selling seems a bit distasteful to some law firm partners.

"I knew people in law school who said they were there because they didn't want to be salesmen," says Larry Bodine, an attorney and legal marketing consultant. "Then, after several years, somebody changed the rules."

What marketing there was in earlier days was generally left to gregarious senior partners, or rainmakers, and most of their colleagues were happy to let them generate leads and establish business connections. Formal marketing plans in law firms were virtually nonexistent.

But the number of lawyers competing for business grew steadily. In 1991 there were 805,872 lawyers in state bar associations, according to the American Bar Association. By 2006 the number had risen to 1,116,967.

Competition among top firms grew tighter. In 1995 Am Law 100 firms employed 4.4 percent of practicing lawyers in the United States. By 2004, that figure increased to approximately 6.3 percent.

Soon, requests for proposals began to replace handshake deals. Long-term attorney-client relationships were subject to stiff reviews. The increasingly competitive field grew larger, making a strong, focused business development program necessary for survival.

Newcomers

But as marketing professionals came into this mix, law firms often had no idea what to do with them. One marketing director recalls being told, "Don't get too creative, or you'll embarrass the firm."

In their inexperience, firm partners too often limited marketing directors to serving merely as tactical planners of seminars, client meetings, and conferences, rather than fully utilizing them as strategic partners. "For the first ten years, the pattern was that law firms hired marketing directors, ignored them for a few years, then fired them," says Bodine. "It wasn't the ideal job."

Soon the revolving doors of legal marketing departments were spinning fast enough to generate a steady breeze. In the nineties the average tenure of a law firm marketing director was less than two years, according to Elizabeth Tursi, editor of *Marketing The Law Firm*, a *Law Firm Inc.* sibling publication.

But lately there are signs that some law firms are starting to truly understand the value of marketing and are empowering their CMOs. In the case of Holland & Hart, the marketing director himself can legitimately claim credit for a key initiative. In others, such as Foley Hoag and Thompson Hine (discussed below), the partners of the law firm came up with the initiative and then left it to the marketing director to implement.

Whatever the case, some managing partners seem to be recognizing the value that a skilled marketer can bring to a law firm. "Lawyers have a tendency to think marketing is just another thing they could do if they applied themselves," says Larry Wolfe, the managing partner at Holland & Hart. "But marketing managers are trained professionals with skills in areas we don't have. It makes no sense to hire them and then manage them so closely that they become a reflection of risk-averse lawyers."

Have marketing professionals finally proven their value? Or have law firms been driven to take marketing seriously by increased competitive pressure? A combination of the two seems to be the answer. Some fortunate marketing and business development directors are included in executive meetings and are deemed by the partners to be instrumental in strategic planning for the firm.

For others, the battle for credibility and cooperation rages on. Ten years ago, the tenure of the average marketing director was a scant 18



months, says Tursi. Today it's increased to three years, a modest improvement, though not exactly earth-shaking.

Today, most law firms are increasing their marketing budgets. A recent survey by BTI Consulting Group, Inc., found that marketing expenditures in 2006 rose nearly 30 percent from the previous year. Am Law 100 firms budgeted an average of \$9 million; Am Law 200 firms allocated almost \$3 million. Staffing levels in marketing departments increased by nearly 15 percent.

The purse strings may still be tight, but experts think law firms are beginning to strategize their marketing goals more clearly. "What we're seeing now is an increased focus on differentiation," says Silvia Coulter, managing partner of Manchester, Massachusetts-based law firm marketing consultants Coulter Cranston (and a member of

the *Law Firm Inc.* board of advisers). "Firms are looking to capitalize on their ability to deliver top-shelf service and realize the need to demonstrate an ability to outperform others."

Creative Spotlight

When Holland & Hart's Beese suggested television advertising to the firm's management committee in November 2005, they were less than enthusiastic. But Beese persevered. The 350-lawyer firm has 13 offices in seven states. It doesn't claim to be an international firm, or even national, but strives to be considered the "go-to" firm of the Rocky Mountain West.

During his six years with Holland & Hart, Beese has impressed the firm's decision makers with his marketing strategies. "Mark is quite creative and has shown us in the past that taking different approaches can be successful," says

managing partner Wolfe. "So we tend to give him a measure of latitude that we may not have given in other situations."

One of the firm's major clients, Frontier Airlines, is a primary carrier in the Rocky Mountain area. Like many travelers, Beese often finds himself in a Frontier seat headed for meetings in nearby cities, staring at the small television screen in front of him.

The demographics are excellent. The airline flies 10 million passengers annually. An estimated 40 percent of those are business travelers. Ninety percent of passengers watch the in-flight network rather than pay extra for alternate programming, according to Frontier. Beese thought it was a regional advertiser's dream: a captive, affluent audience with little business programming to watch.

Holland & Hart had already designed a print ad campaign based around some of its more innovative clients. It wasn't a big leap to bring those same clients to the small screen in front of Frontier's passengers.

"What tipped the scale in favor of the project was the focus on clients," says Beese. "That goes back to our key messages—client focus and service." The firm produced several six-minute profiles, bookended by a 30-second Holland & Hart tag line. These profiles focus on successful CEOs, ranging from a leading sportswear company founder to a physician who developed a lifesaving device to treat for congestive heart failure, the condition that caused his father's death.

The profiles started airing in June 2006, and were each shown for a three-month period, with an identical print ad featured in the in-flight magazine. The firm also features the videos on its Web site.

In an online survey of Frontier's frequent fliers, conducted by the airline, over 40 percent of 800 respondents remembered the Holland & Hart ads.

The ads also made an impact with Spyder's clients. "I think it positioned both our company and Holland & Hart in a very unique way," says Kathy Carroll, director of marketing for Spyder Active Sports. "And we certainly wouldn't complain about the increased exposure we received."

Frontier recently offered more channel options for passengers, aside from its in-flight programming, so Holland & Hart will soon end the campaign. But the print ads in regional and trade magazines will continue and, in fact, have proven so popular that clients ask to be included.

"When you can get name recognition and also support a client, that's a good return," says Beese.

Inventive Partnering

In Boston, bioscience is big business. The city is packed with leading research universities and hospitals. More than 300 biopharmaceutical companies are headquartered in the state, many of them along fabled Route 128. When Boston-based Foley Hoag, with over 240 lawyers, considered opening a satellite office in the technology corridor,



RAY NG



Holland & Hart marketing director Mark Beese dreamed up an innovative in-flight ad campaign.

the nearby city of Waltham off Route 128 looked like an ideal site.

The result is the Emerging Enterprise Center (EEC), which opened in September of 2006. Located on the edge of a wooded parcel overlooking the waters of the 580-acre Hobbs Brooks Reservoir in Waltham, the gleaming glass walls of the center enclose over 11,000 square feet of office and conference space. "From a marketing perspective, there's obviously some affinity branding going on," says Foley Hoag chief marketing officer Mark Young. "But we also felt it was a logical next step for the firm in our role as a business leader in Boston."

Today the rooms in the center are frequently brimming with members of Foley Hoag's many collaborative partners: trade associations, such as the Massachusetts Biotechnology Council, The Technology Leadership Council, and The Interactive Technology Exchange, as well as venture capitalists and financiers. The center is regularly booked, with nearly 40 events held in the first quarter of 2007.

Planning the center took several years, at a cost that the firm declined to disclose. When Young joined the firm in 2006, he worked to finalize structural and marketing details. "Everything we do as a law firm can't be the introspective 'this is who we are,'" he says. "The shift is to let clients know we understand their business imperatives and industry realities. We felt this center was one way to convey that."

The Customer Quotient

When flat revenues led the nearly-400-lawyer Thompson Hine, based in Cleveland, to revise its strategic plan in 2003, the firm chose to focus on client satisfaction in hopes of boosting billings. One essential component of that strategy was suggested by director of business development Alvidas Jasin: client service teams.

"Assuring client satisfaction has different meanings for firms," says Jasin. "For some, the responsibility lies at the partner level; others have the individual attorney manage the client relationship. But since many levels of [our] firm interact with the client organization, from secretaries to partners, everyone needs to play a role in assuring the client's satisfaction."

To get the process started, Thompson Hine hired a consulting firm to conduct detailed client satisfaction surveys. The results were positive

overall. "There were only a few relationships that weren't as solid as we thought," Jasin says.

Before the reorganization, business development for Thompson Hine was primarily handled by the marketing director and managing partner of each office. Restructuring centralized the business development effort under Jasin's direction. As a result, the firm now places an equal focus on new business and client retention. One associate director focuses on sales; the other on the client service initiatives.

The firm also implemented the client service team concept. Each team shares the same formal structure:

- Teams are led by a single team leader and composed of attorneys and staff instrumental in serving the client in question. Teams choose to meet monthly or quarterly. All client service team leaders attend a quarterly videoconference to share problems, methods, and solutions.

- A library resource person is assigned to keep the team abreast of new developments involving the client or its business.

“Don't get too creative, or you'll embarrass the firm.”

— Advice given to one marketing director

- A manager from the business development department works with each team on strategies. Managers specialize in one or more practice groups, giving them better familiarity with those industries.

- An executive committee liaison acts as a conduit between each team leader and the firm's management. Each year, teams present formal plans to the executive committee outlining their strategy for managing each client relationship.

The firm now has 50 client service teams, and the process appears to be working well. In a 2006 survey conducted by BTI Consulting,

clients served by Thompson teams showed nearly twice the level of satisfaction as Thompson clients not served by client teams. In addition, fees billed by Thompson client teams grew significantly faster—at 50 percent—than fees billed for non-team-served clients, which came in at 20 percent. This helped boost overall revenue for the 2003–06 period to a respectable 32.3 percent.

"It's one of our strongest programs, and the clients respond well. It really makes an impact on getting to know our client's business better and understanding their goals, and helps us figure out how to meet those," Jasin says.

Thompson Hine attorneys can now use the concept with any client. The focus is not only on current client matters, but also on identifying new sources of revenue within the client's organization.

For example, Thompson Hine lawyers doing routine corporate work for Cleveland-based American Greetings Corporation spotted an import/export issue they felt needed addressing and suggested that company representatives speak with someone in Thompson's Washington, D.C., office with that expertise.

"They were right on, because those issues were on the horizon for us, but we were able to address them ahead of time," says Cathy Kilbane, senior vice president, general counsel, and secretary for American Greetings Corporation. "They are providing more creative options for problem solving. They get the big picture."

As corporate America discovered years ago, the good news about marketing is that it can make a huge, positive difference in revenue growth. The bad news is that once you start, you must never stop. "An occasional top-notch design or innovative campaign is good, but not all there is," says Coulter Cranston managing partner Silvia Coulter. "Firms need to be continually supportive of the marketing process and proposed initiatives in order for them to be truly successful. That's the point that you can truly start to see a difference."

At some law firms, at least, one can already see that difference. ■

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