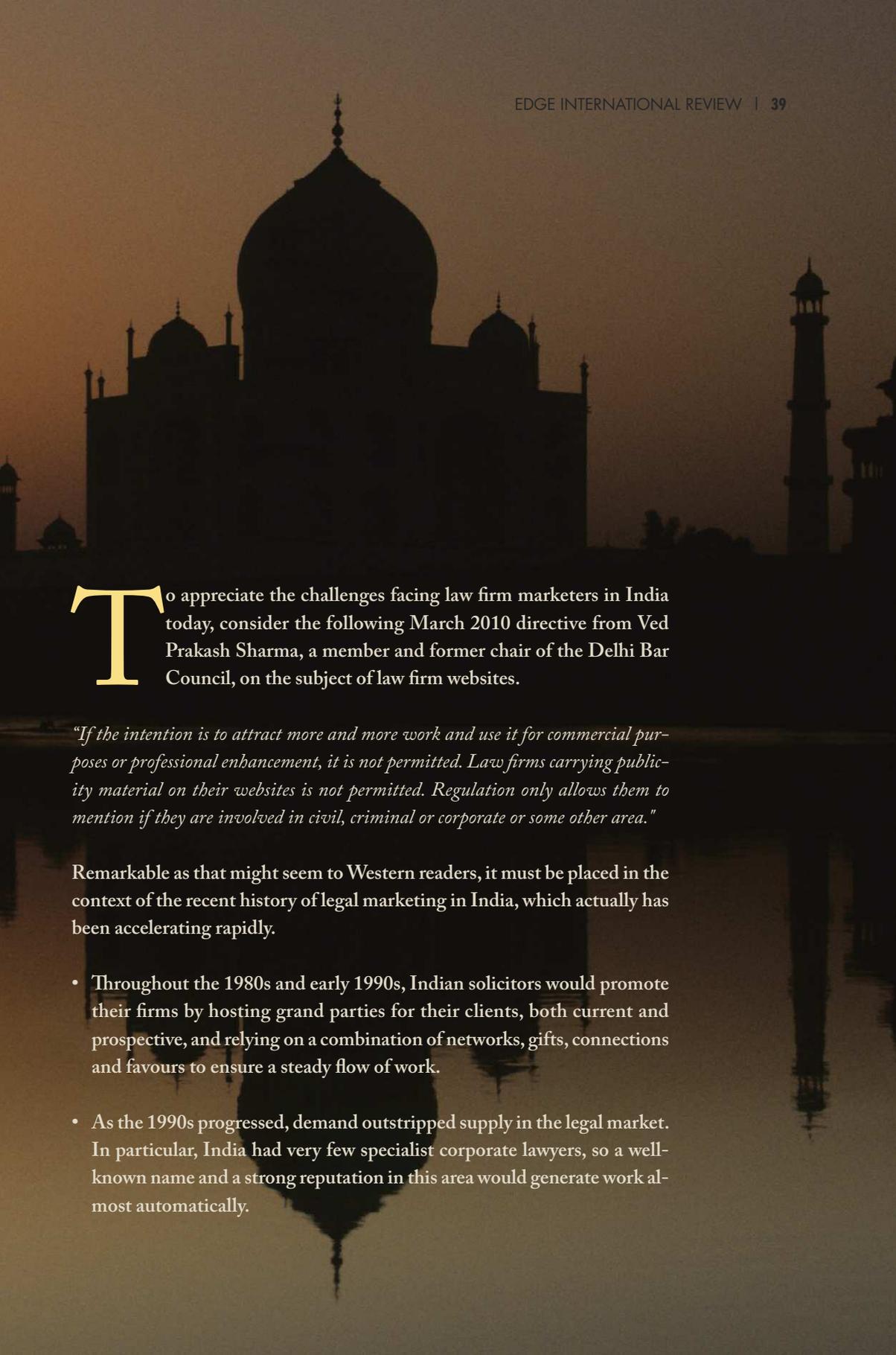


Marketing and Branding a Law Firm

# The Indian Perspective

**Lawyers in India must grapple with regulations that greatly restrict their ability to market their services. Accordingly, business development in India must rely on longstanding marketing and branding principles that also apply equally well to non-Indian lawyers.**

By Juhi Garg & Gerry Riskin



**T**o appreciate the challenges facing law firm marketers in India today, consider the following March 2010 directive from Ved Prakash Sharma, a member and former chair of the Delhi Bar Council, on the subject of law firm websites.

*"If the intention is to attract more and more work and use it for commercial purposes or professional enhancement, it is not permitted. Law firms carrying publicity material on their websites is not permitted. Regulation only allows them to mention if they are involved in civil, criminal or corporate or some other area."*

Remarkable as that might seem to Western readers, it must be placed in the context of the recent history of legal marketing in India, which actually has been accelerating rapidly.

- Throughout the 1980s and early 1990s, Indian solicitors would promote their firms by hosting grand parties for their clients, both current and prospective, and relying on a combination of networks, gifts, connections and favours to ensure a steady flow of work.
- As the 1990s progressed, demand outstripped supply in the legal market. In particular, India had very few specialist corporate lawyers, so a well-known name and a strong reputation in this area would generate work almost automatically.

- During this past decade, things really caught fire. Managing partners and senior solicitors went all-out attracting international clients, making regular foreign visits and speaking at international conferences and forums.
- Today, the evolution continues: sophisticated law firms have come to realize they need specialized help, and they are hiring experts and consultants to help them with their marketing.

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These specialists are helping develop formal marketing strategies and execute plans in the areas of business development, client management and brand building.

Law firm leaders' perspectives on legal marketing are changing; they are now prepared to take, accept and embrace the necessary steps. But the rules and restrictions referenced earlier still leave little room to maneuver. India continues to be a closed legal market, not only in terms of foreign

lawyers' entry but also in terms of business development. Indian lawyers cannot officially solicit work; accordingly, they must adopt innovative techniques to reach out to clients. They must develop the legal market while remaining completely legal!

Here are three areas critical to the development of law firm marketing strategies for Indian law firms — but these insights and advisories apply equally well to lawyers in any jurisdiction.

### THE IMPORTANCE OF STRATEGY

Our partner in Edge International, Ed Wesemann, has this to say about strategy: “In its simplest form, strategic planning is really the function of identifying a vision of what you want to be — in as clear terms as possible — and then figuring out what you have to do to get from where you are now to that desired objective.”

So the first step in focusing your marketing effort is to define the vision or objective — perhaps one of these:

- growing your domestic practice
- growing a particular practice group (*e.g.*, tax, IP)
- entering a new city or state (*e.g.* Gujarat, Bangalore)

- evolving from a full-service firm to a boutique (or vice versa)
- cross-selling to existing clients
- ensuring more repeat business

A common theme in our writings at Edge International is that you must reduce your objectives to concrete actions, and then relentlessly monitor, measure and encourage those actions. This will facilitate organized, synchronized, methodical progress, while also ensuring a high success rate for the identified expectations. The plan should also leave room for innovation, encouraging fresh ideas and experimentation to keep the firm ahead of more cautious competitors.

### THE FIRST ELEMENT: BUSINESS DEVELOPMENT

Rainmaking is the responsibility of the firm's lawyers and it always will be. But we must shift away from the notion that the business-development burden is primarily to be shouldered by the managing partner and equity partners. Until a few years ago, good lawyering and legal expertise were more than enough for a lawyer to survive and grow in an Indian firm. They are still the oxygen required to survive. But to ascend to the heights of the mountain, business development strategies and skills are also now mandatory. It is law firm leaders' duty to enable senior associates to attract mandates. Specifically, leaders must:

- allow them to take the plunge into business development by representing the firm at conferences or forums or in courting prospective clients;
- train them with professional business development and rainmaking skills;
- provide marketing infrastructure like research support to identify opportunities, create accessible client databases, and prepare marketing materials; and
- motivate them with encouragement and acknowledgement of their marketing efforts, and/or with appropriately designed compensation structures commensurate with their business development achievements.

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Motivate lawyers with encouragement and acknowledgement of their marketing efforts, and/or with appropriately designed compensation structures.

### THE SECOND ELEMENT: CLIENT RELATIONSHIP MANAGEMENT

When the supply-and-demand curve in India was more skewed towards demand, clients behaved differently and were treated differently. This has all

## Social Media:

### Another Tool in a Law Firm's Marketing Toolbox.

By **Jordan Furlong**

**I**N terms of what it is and what it can deliver to law firms, social media is neither magical nor mysterious. It's not magical, in the sense that it could summon clients out of thin air or produce new business through no visible means of propulsion. Nor is it mysterious, in the sense that only a few people (the very young and the very tech-savvy, in particular) can understand and use it.

Social media is no more than another tool in a law firm's marketing, communications and business development toolbox — another fund in its portfolio of time and attention investments. Not every lawyer and law firm either needs to use it or will want to use it. But almost every lawyer and law firm, I believe, *can* use it.

Here's one way to look at social media. Years ago, in order to communicate its products and promote its profile, a company

would advertise — but to reach the widest possible audience, it had to advertise in multiple media. So, the company might place ads in print media (newspapers and magazines), audio media (radio), visual media (billboards, bus ads), audio-visual media (TV), and in the public square (event sponsorships) — assuming it had the money and market to justify these tactics.

In the absence of unlimited funds, however, the company had to choose its advertising media carefully and strategically, focusing on those vehicles that had the best chance of having the greatest impact on a key consumer group. This was, to put it mildly, an inexact science, leading American department store magnate John Wanamaker to deliver one of the finest observations in advertising history: "I know I'm wasting half of my marketing budget. I just don't know which half."

The need for "traditional advertising," as we might call it, hasn't gone away, even if the specific media vehicles have changed (many companies today are likelier to advertise on blogs, on Google search results, or even inside video games than in

changed: clients have many more options today.

So now, it's all about a lawyer's service delivery and ability to bulletproof a client relationship. Clients' needs are much more advanced than today's law firms are used to, and we can expect this sophistication and expectation to escalate. Here are three examples of how lawyers should respond:

#### **1. Give client-centric advice**

The client wants solutions, not opinions that run to 50 pages filled with legal

newspapers). But advertising itself is a tool with limited use — all it can do is grab a viewer's fleeting attention and, in the space of no more than a few seconds, try to deliver a memorable message about a company or product. That approach has its uses and virtues, but what it can't do is tell a story: communicate valuable information, provide a deeper understanding, tell the viewer something important about herself, her world, and the people who are telling it.

That's what social media offers: the opportunity to tell a story that matters to people who matter to you, to initiate and continue a relationship of mutual value. Advertising, ultimately, is all about the company and its product; social media, at its heart, is about the relationship between a company and its customers, a product and its users. It's a conversation.

And, like advertising, the multiplicity of social media vehicles means you can

maintain a series of slightly different conversations, all interrelated but each talking about something different and showing a different side of you. So, whereas companies used to weigh TV vs. radio vs. newspapers vs. billboards, companies today weigh Facebook vs. Twitter vs. LinkedIn vs. blogs — with the enormous advantage that the cost of using these social media vehicles is a tiny fraction of what old media costs. Your choice of social media vehicles isn't nearly as limited by your financial resources; instead, it's framed by the energy and attention you can devote to them.

So, to summarize: social media tools are ways in which law firms can say something about themselves to clients, deliver valuable information to clients, and develop a conversation and relationship with and about clients. Every law firm will approach social media differently, depending on context, resources and needs.

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jargon and cases. Telling the client why it can or can't do something is only a partial answer: the client needs a business solution. Lawyers who can see the business point of view and advise accordingly can be assured of more work to come.

## **2. Use an innovative business model**

Corporations know the market is competitive and have various options for shopping around. As the West begins to answer the call to do away with

hourly rates and look to alternative fee arrangements and value pricing, so too the East will have to explore it soon.

### 3. Bulletproof your clients

Talk to the client about their needs. This is not a survey process or a selling opportunity — it's about a needs assessment that is conducted with the client at their place of work. This process transcends learning the clients' known needs into exploring latent needs that the client might not have considered.

Client relationship management requires extensive strategy and skill training. Firm leaders must be at the forefront of understanding the trends

Building a credible brand name and reputation in the market is an ongoing long-term initiative. PR is just one aspect of the entire brand-building exercise.



that are now inside or approaching their marketplace, and must sensitize all lawyers to not only attract work as and when appropriate, but to always enhance clients' satisfaction levels.

#### THE THIRD ELEMENT: BRAND DEVELOPMENT

Law as a service requires trust on all fronts: knowledge, delivery and client management. A strong brand presence reduces the need to pitch work and pre-instills a sense

of trust, confidence and quality assurance in the prospective client. Building a credible brand name and reputation in the market is an ongoing long-term initiative. While some law firms confuse brand-building with PR, it is important to understand that PR is just one aspect of the entire brand-building exercise.

The fact that clients and the firm's members feel proud to associate themselves with the firm translates into a stronger working culture, a happier environment, and better work. A consistently strong image helps the firm integrate new people into the firm's culture faster and more effectively.

Here are three key elements of brand-building.

#### 1. Brand awareness

This is about communicating what you are, who you are, what's different about your firm, what value you add, and your unique service proposition. It's about creating visibility for yourself and your key people. The key ingredient is a consistent firm message that has been instilled into all the firm's people.

## 2. Brand positioning

Positioning is all about strategically placing your firm at the right forums and places to build presence and noticeability in the sectors and practice areas you want to build. Networking with industry people to build presence in those sectors helps the firm come across as a player in that field, as does regularly portraying the firm as an expert in a practice area with speaking opportunities or articles.

## 3. Brand recall

“Out of sight, out of mind” — that adage applies very much to law firm branding. Branding is a continuous effort: a firm that stays out of the limelight for a length of time raises questions about its growth. Visibility, positioned well and developed regularly, is a critical part of building a brand.

It’s a brave new world for law firm marketing in India, as well as in many other jurisdictions. The good news is that few firms have yet realized what is required of them in this new world and begun to act on it. You have the opportunity to make that first move today.



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