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Wednesday, September 22, 2010

[Guest Post: The Solo and Small Firm Advantage: Assertive Communication Gets Marketing Results for Lawyers](#)

We are fortunate to welcome back [Stephen E. Seckler](#), principal of [Seckler Legal Coaching](#), for the fourth edition of his “The Solo and Small Firm Advantage” guest blog post series. Stephen is an attorney coach with twenty years of experience in consulting with lawyers. ([Stephen’s full profile](#) is available at his website.) Stephen’s own [Counsel to Counsel blog](#) has twice been named to the [ABA Journal’s Blawg 100 List](#). In this edition of “The Solo and Small Firm Advantage” Stephen advises assertive communication in law firm marketing. Notice the image of the very assertive angry dog, [as it passes by](#).

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Building a successful law practice requires a mastery of your subject matter. Nothing can substitute for professional competence if you want people to hire you. Beyond that, an effective marketing strategy and good relationship building skills both rank high in importance for anyone who wants to generate legal work.

Marketing (developing a reputation in a niche practice area and publicizing it to prospective clients and referral sources) is a good place to start. In particular, you should find a niche that truly distinguishes you from the “herd”. In [the most recent installment \(September 20\) of the LOMAP Marketing Group webinar series](#), [Alan Klevan](#) spoke to this point, when he addressed how attorneys might market by “*Becoming a Purple Cow*”.

But, [marketing is no substitute for having a strong network](#) of clients, prospective clients and referral sources. It merely supports your sales efforts.

There are many ways to build productive business relationships that lead to referrals. I’ve written about this subject several times and offered [a long list of inexpensive ways to do this](#). Lately, though, I’ve come to the conclusion that many lawyers miss opportunities to “sell” because they aren’t being assertive enough. In an effort to avoid coming across as a “salesman”, lawyers often fail to follow through on good opportunities to connect.

I’m not suggesting that being a fast-talking salesman is an effective way to sell legal services. It’s actually [good listening skills](#) that will get you the furthest. On the other hand, though, being a very passive listener is probably insufficient, as well. There has to be some balance in your communication.

To understand what I mean, it is useful to divide the world of communication into four categories: aggressive, assertive, passive-aggressive and passive. When we are aggressive, we assert our own needs and interests and ignore the concerns of the other individual (think “pit bull litigator”). Most buyers of legal services will find this approach to be a turnoff (unless of course they want to hire a lawyer who will take a “scorched earth” approach to their case). When we are passive, we listen without asking follow-up questions. We fail to dig deeper to find out more about the needs of the other individual.

If we are passive-aggressive, we try to do things behind the back of another individual, in hopes that we’ll get what we want (e.g.--we disparage an individual to their clients and coworkers, in hopes that we’ll get the work instead).

Being assertive, which is where we want to be, means looking out for the concerns of the other individual while communicating our own needs.

For example, if you meet someone at a networking function, and you want to follow up with them, do you:

- a. Tell them you'll be at their office at 9 am the next day for coffee, and wait for their reaction;
- b. Say it would be nice to get together some time to speak further and leave it at that;
- c. Wait a few days and then complain to the friend who introduced you that the individual never

contacted you; or,

d. Tell the individual that you would be very interested in learning more about her business, and ask if it would be okay to call her for coffee sometime in the next week.

Obviously, “d.” is the answer that I’m looking for: raise interest in getting together some time in the near future, but ask for “permission” to follow up with the individual.

Assertive communication has a number of benefits. For starters, if you are assertive about connecting with potential clients and referral sources, those networking meetings are much more likely to happen.

The other benefit of being assertive is that you are communicating a sense of confidence in yourself.

In [Alan Klevan](#)'s presentation on Monday, he spoke about the importance of making clients feel like you will be able to give them good guidance. Clients want to be led by their attorneys.

Being assertive and proactive (e.g. --by calling your clients periodically, even when you are not actively working on a matter for them) projects a sense of confidence that builds trust, and that can ultimately lead to additional legal business.

Being assertive about building business relationships is not easy for many lawyers. We all want to believe that, somehow, just doing good work will get us noticed and bring us the success we deserve.

Unfortunately, that is a paradigm for the “good old days” when there were far fewer lawyers and there was far more legal work. So, go forth and assert yourself. But, don’t forget to pay attention to the needs of your contacts. Everyone will be happier, and your practice will grow.