



## STRANGERS IN A STRANGE LAND

### *Advertising As A Marketing Tool That Sometimes Works*

Advertising, in professional services, has a strange history. More words, and more dollars, have been wasted on it, and less seems to have been learned from its mistakes, than from any other marketing tool.

In the early days – the few years post-*Bates* (1977) -- advertising was still anathema to law and accounting firms. Arthur Young was probably the first to do it after *Bates*, which was an exercise in courage (I was there – I remember) and then came Deloitte's *Beyond the Bottom Line* campaign. The more likely scenario at the time was typified by the then-managing partner of Price Waterhouse, who said, about advertising, "Over my dead body." Now they spend millions. Marketing for professionals, as we know it today, didn't come easy. I'm not so sure it's much easier today. Certainly, getting it right in advertising is no slam dunk.

As more firms now advertise, it becomes increasingly important that the advertiser, as well as the advertising agency, understand the process. To be passive in the process, and to allow the agency to guide the decision, is as dangerous as eating unidentified mushrooms, simply because the process is so different for professionals than it is for products. Your agency may be a good one, but if they don't understand that difference, then your ad may be clever, and attractive, but irrelevant.

*Bates*, remember, was ostensibly about advertising, which dimmed the excitement because nobody in the professions advertised, or knew anything about it. (In fact, what *Bates* really meant was that now you can go after my clients and I can go after yours, which took a few years for the professionals to grasp.)

Certainly, the current crop of ads tends to be better than the earlier ones, although we still have such weirdies as *Accounting Is Our Passion*. (*Passion* is the current fad word). I thought passion to serve clients is more to be desired. There's so much wrong with that ad that one hardly knows where to begin. How many words will be wasted to explain the link between their passion and their ability to meet your need?

Then there's *Financial Restructuring Without The Bitter Aftertaste*, for a law firm. The copy's ok, but the illustration of three executive with faces screwed up (presumably from the bitter aftertaste), looks as if they've been drinking doctored Kool-Aid. Pretty inviting, isn't it? A good rule is don't try to be funny in public until at least six strangers, none of whom is related to you, laugh at what you've written. Nothing sours an ad more than unfunny attempts at humor.

Another law firm has a picture of a maze on one side of the ad, with the title *Legalese* beneath it, and in the other side, a picture of a bright young lawyer (a real partner), and the caption, *Practical Advice*. The message is that you'll understand what the firm is trying to tell you. Surely, the firm has greater and more valuable expertise than that? Isn't being understood by clients a basic in the practice of law?

A more elegant and effective ad shows a large picture of a Go board, with both white and black stones. The caption says, *Finding The Right Balance Between Risk And Reward Isn't Easy. Working With Your Law Firm Should Be*. Good ad, but when they say, *At Winston & Strawn our focus is results* (huh?), they move right back into the realm of obvious, lazy and wasteful copy writing. Do they expect you to

believe that other firms don't focus on results? That's missing the point. It also comes under the rubric of JD SUPRA telling the reader what to think, without crafting the path that leads the reader to arrive at your intended conclusion. It comes under the rubric of "Sez you," which means, essentially, don't say it unless you can prove it. Complex, but more of that in a moment.

An ad for an accounting and consulting firm shows a New Yorker Magazine-type cartoon in which three men are standing in front of a desk, apparently being interviewed. One is very tall and gangly. One is a button-down business type. One is a bald little man, barely able to see above the desk. The caption reads, *Secretly, Dave suspected that only one of the consultants would really fit in with his team.* But which one? And the copy, which is headed *Need Deeper Understanding?*, gives no clue – nor does it in any obvious way link to the cartoon. Strange.

But aha! There is one Midwestern ad agency that knows how to do it. They do the ads for Jefferson Wells, a finance and accounting firm. A big picture of a real person – full page. A caption -- *Pragmatism shows.* The copy then goes on to describe the fact that the woman in the picture has tackled multiple Sarbanes-Oxley engagements in the past two years, and has had fifteen years of audit experience before that. This is a woman who obviously knows. The implication is clear -- she brings experience and expertise and a pragmatic approach to your problems. Best of show.

A classic example of a rare corporate style ad that works for a law firm is seen in a recent ad for Zuckerman Spaeder, a litigation boutique. The illustration shows a lion looking at a bird in a bird cage. The headline reads, *"There's a fine line in litigation between safe and sorry."* The copy reads *"The world's business leaders strengthen their defense with the litigators at Zuckerman Spaeder."* Beautiful. It doesn't say, *"We're better silver tongued devils in a court room than the other guys."* It makes no promises, other than by implication. And it has the endorsement, strongly implied, of "the world's business leaders." Its impact resides in its subtlety – in what the reader is led to believe, without being told what to believe.

Generally, ads for professional services fall into two categories –the story, and the boast.

The story ad describes a situation that demonstrates a distinguishing factor about a firm, or – without blatantly saying it – leads the reader to a point of understanding and the conclusion that's responsive to the important question, "What do you want the reader to know, think, or feel after reading the ad?" When this is accomplished, the ad is most likely to be successful. A good example of this is the Jefferson Wells ad. It's impossible to not be drawn into the ad's story, and to not grasp the firm's expertise.

The boast is the self serving ad that demands that you accept their claim, without offering proof. The *"... we focus on results"* is an example. Similar ads in this category are those that talk of a firm virtue as if it was exclusive to the firm. There has been a rash of ads that boast of speaking plain English instead of lawyerese, or practical advice, as if these were exclusive virtues. The problem with boast ads is that they tend to be seen as empty promises. They tell no credible story, and in fact, the firms may do better to simply advertise, *"We are lawyers (or accountants). We do good work. (Sez you.)"*

There are, I think, some very clear points that seem to escape the advertising folk, so many of whom, I believe, simply don't understand the professions. Nor do most of them seem to understand the difference between selling a professional service and selling a product, and why that difference matters.

Some things to consider, then. Not rules – advertising is an art form, and frequently, the best advertising (and art) comes from breaking rules. But artists know that to effectively break the rules, you have to know what the rules are. Just some basics to clear the way for originality, relevance, and effective advertising to function.

Fairness dictates noting that, through some anomaly or another, bad ads sometimes seem to pull (or sting) readers) better than good ads.

- Understand that with great advertising you can sell a product to somebody who hadn't known that product existed, but you can't persuade somebody to litigate or write a contract or have an audit unless the need for these services already exists. This is a major point. It dictates that the purpose of professional services advertising is primarily to get somebody who needs a lawyer or accountant to choose your firm rather than another one. Are there exceptions? Sure. If you're part of a class and didn't know it. If you didn't know that your financial statements can be used to help you plan for your business. But these exceptions are the smallest part of the marketing for accounting or law firms.
- Remember that the nature of professional services marketing makes it difficult to judge the effectiveness of an ad or ad campaign in the near term. If I advertise toothpaste for sale, I know how effective the ad is by the number of tubes of toothpaste I sell. If I advertise, for example, a matrimonial practice, there is no such direct cause and effect relationship. I can persuade you to buy my brand of toothpaste with sound advertising, but with the best of advertising, I can't persuade a happily married individual to get a divorce. A significant difference between the two types of advertising,
- In product marketing, company counts, as well as the product. There may be a thousand people behind the manufacture of a tube of toothpaste, but the interface between that thousand people and the consumer is the tube of toothpaste. The interface between a law or accounting firm and the client is the individual lawyer or accountant serving the client. Thus, the expertise you're selling resides in individuals, not firms.
- You can't say "We write better briefs," or "We do better audits." Not because of any bar association rules, but because it isn't credible. You can't prove it. And in any firm of more than two accountants or lawyers, some will be better than others. Here, again, is the "Sez you" factor. Absolute parallel consistency in legal or accounting skills is not likely – if not impossible. You can have consistency and quality control in a toothpaste factory, but not in a professional firm.
- It's pointless to announce that you do the very things you're supposed to do. "Quality is important here." "Client service is paramount to us.: "The client comes first." These are gratuitous statements and a waste of literary breath. They lack credibility, and do nothing to distinguish you from your competitors. Besides, they are the kind of factors that are presumably inherent in the professional practice. A cardinal mistake is trying to tell the reader what to think, or how the reader should think about you. Give me the facts that lead me to the conclusion you want me to reach, and if I can easily draw the conclusion you want me to reach, you've won.
- Don't misrepresent. The acoustics of the marketplace call catch you. And lose the concept of image, because, as the old saying goes, what you are speaks so loud I can't hear what you say you are. You don't change the way you are perceived by manipulating symbols. They will be overwhelmed by truth.
- Differentiation isn't easy – but it's necessary, even if it's just implied. But unlike product advertising, in which you can delineate points of a product's uniqueness or superiority, the best way to do it in professional services advertising and still be credible is to focus on the experience and expertise of individuals, like the Jefferson Wells ads. There are exceptions, but that's a good starting point. There are no easy ways to credibly differentiate one professional firm from another. The best you can credibly do is to demonstrate the realm of a firm's experience and expertise. Not differentiation in the same degree as in product advertising, this approach does something better – it distinguishes a firm, and that's better than tortured attempts at differentiation.
- In professional services advertising, or in any of its collateral publications, illustration is particularly difficult. You can't show a product, nor a factory. What seems to be left is an irrelevant stock photo of people at desks (yawn), or characters walking up or down courtroom steps. But then, there's ingenuity. Real people from your firm (see the Jefferson Wells ads) or metaphorical illustration (see the Winston and Strawn ad). As the noted legal advertising expert, Janet Stanton, points out, it's not just that the illustration should draw you into the ad, but that there should be relevance to the message and thrust of the ad.

- Corporate –type advertising rarely works , although ads like the Zuckerman Spaeder advertisement<sup>1</sup> is an exception. Generally, corporate advertising is when IBM says “Computing is good for you, and IBM is in the computing business.” The difficulty with corporate advertising in professional services firms is that firms don’t serve clients – individual lawyers or accountants or specialized teams do. But if Smith and Dale advertises that accounting is important for your business and they’re in the accounting business, it helps with name recognition, but it doesn’t say much about why Smith and Dale is a firm that does accounting better than the firm you’re now using. This kind of advertising is called branding, an unfortunate concept that confuses name recognition for branding’s promise of consistent, high-value service. In professional services, branding, like Coca-Cola or IBM, is a myth. A major consideration here is the role of the firm in serving clients and the role of the individual lawyer or accountant. A story for another time.
- Name recognition is important, and may be the most valid reason to advertise. You should get at least name recognition from your advertising, and the rest ins context for it. But if that’s your objective, know it at the start, so that it’s still sound advertising -- intriguing, informative, enticing, and not just gussied up with rampant cleverness for its own sake.
- *Positioning*, in all advertising, is important (But so is understanding what positioning really is.) Positioning says we understand your needs, and we know how to serve those needs successfully. Positioning is *not* saying this is who we are and what we can do, regardless of your needs. It stems not from the point you want to make, but from those of your market’s needs that you can serve. Proper positioning is crucial to successful and effective marketing, and especially advertising. Without a clear position as a foundation for any ad campaign, the only beneficiaries are the ad agency and the publication -- not the advertiser.
- The danger in all advertising is agency ego – the tendency of an agency to write ads that are clever and pretty, but that ignore some deeply ingrained experience of what works and doesn’t work. This is the kind of advertising described early on in this article. This is the kind of advertising that ignores the crucial question, “What do you want the reader to know, think, or feel after reading the ad?” It’s the kind of advertising that thinks that there’s no difference between selling a product and selling a professional service.

At the same time, There are some basic advertising principles that are indigenous to all advertising.

• Know your market. Not only who your prospect is, but what kind of service your market really wants and needs and is willing to buy, and what kind of problems they’ll look to you to resolve.

• Know your service, in terms of what the prospective client is willing to buy, not simply what you’re offering to sell.

• Every ad campaign should begin with a stated objective. Again, “What do you want the reader to know, think, or feel after reading the ad?” The objectives are not general, they are specific to each firm, each campaign, each ad. They dictate that the copy, and all other elements of the ad, are focused and relevant..

• Obviously, truth is basic. You don’t promise what you can’t deliver. That, as the British say, is a mug’s game.

• The purpose of a *headline* is to attract attention and to bring the reader to the ad. A headline that offers nothing to the reader in terms of either benefit or interest may effectively mask the cleverest ad, and one that’s offering the most useful service.

- The *text* should spring from the headline, and follow through the promise it offers. It should explain and clarify the facts and claims. It should be a logical progression of ideas, covering all of the points you mean to cover, even if it's done only with an illustration.
- Copy can appeal to the intellect and reason, or it can appeal to the emotions, or it can do both.
- Writing is not the manipulation of words -- it's the expression of ideas. Words, grammar and punctuation, are merely the tools and devices we use to express ideas most clearly. To think of copy as a configuration of words is the same as thinking of a symphony as a configuration of notes.

Why do ads that seem well written sometimes not work? Because they miss these points of advertising. Because they attempt to merely translate somebody's idea of persuasive talk into the ad medium, which can sometimes be like wearing a tuxedo to the gym.

An interesting caveat. Advertising, as I've said, is not a science, it's an art form, and sometimes the best advertising in the world comes from ignoring the rules or the conventional wisdom. One day, a client showed me two ads they had been running for a product. He asked me which I preferred – *A* or *B*. I said *B*. He said, “I agree with you. But *A* is substantially outselling *B*.” In other words, don't get carried away with cleverness. Look to the basics. You may still be surprised, but not as often.

But a product ad, to use the jargon of the ad business, *pulls*. A professional service ad *informs*. It will be rare, and perhaps serendipitous, that somebody calls you and says “*I saw your ad and want to hire you.*” It happens, but you can't build much of a practice on serendipity. Another significant difference. How, then, do you measure results of a law or accounting firm ad campaign?

- If the campaign is part of a larger marketing program, which it should be, you'll ultimately see the effects in talking to prospective clients.

- Existing clients will also tell you, as either a complement or a criticism, whether or not the ads square with their experience. (Pay attention to clients.)

- Your staff – those people who are responsible for delivering on the promise the campaign makes -- will tell you, loud and clear.

- Ultimately, if the campaign is a good one, it will be because your marketing people understand the process, and will carry it through to other aspects of your marketing. This means your practice will grow, even though you may not be able to specifically credit any part of the program.

Advertising is an humbling experience.

**HOME**