

## WHY CAN'T WE ALL JUST GET ALONG?

### *Culture Clash In The Hallowed Halls Of The Professions*

Do you realize that the professions are the only trade, business, occupation that asks each of its professionals -- lawyers and accountants -- to learn and perform marketing, and particularly selling?

And therein hangs a tale.

Do you realize that although manufacturers knew how to market hundreds of years ago, lawyers and accountants couldn't hardly spell the word until 1977? Nor the word *competition*, nor its practice (as marketers understand competition).

Another tale of consequence.

The famous physicist and computer engineer, Jonathan Marcus, during the early days of computer science, once described to me a process that took a client of his two months to do. He said that if he took more than two weeks to do the same thing, he would have been fired. I asked him why they didn't hire some Jonathans.

"If you had to hire a nuclear physicist for some reason," he said, "and ten resumes crossed your desk, how would you know how to choose?"

One more pertinent tale, if you realize that before 1977 professionals could not have hired a professional marketer.

Then there's my favorite story about the centipede whose feet were killing him. A hundred feet. Excruciating. He goes to the owl for help. The owl thinks for a moment and says, "Do you know, if you were a sparrow you'd have only two feet -- that's 98% less pain."

The centipede is overjoyed. "Wonderful," he says. "But tell me -- how do I become a sparrow?"

"Don't ask me," said the owl. "I just make policy."

That owl -- there's a consultant for you.

Four tales, to make one point. Lawyers and accountants have a culture that's rooted in the middle ages and beyond. Maybe no more wigs and gowns and M'luds, but the basic culture remains unchanged. Insular. Superior. Omnipotent. Prestige sometimes earned, more often, not -- but always engendered by tradition, and worn, it would seem, like a cloak. Then there's all that formal education, and bar exams, and certifications, and the long road from apprentice to partner. Being a lawyer or an accountant is a virtue unto itself.

Marketers have a culture that's rooted in practices begun as well in the middle ages, but because marketing is often reactive to the demands of a changing target, the practice and culture have changed with the times. Laws may change, but the attitudes of the purveyors of the law hardly ever do. And that includes accountants. Much of contemporary marketing is rooted in few decades before the turn of the century, and

have changed to respond to the growth of the nation and the media, and to the most sophisticated uses of technology. No degree needed, brief apprenticeships, a broad experience base. There may be differences between a real estate and bankruptcy lawyer, but they're both lawyers residing in the same lawyerly culture. But a marketer trained in selling soap is not the same as a professional services marketer, or even a realtor. For a marketer, a B.A. is often sufficient, and the ease of entry, particularly when you're likely to be hired by someone to whom marketing is opaque, is astonishing.

Lawyers and accountants tend to think of marketing as a lightweight thing that anybody can do. A lawyer once told me that if you're smart enough to be a lawyer, you're smart enough to do your own advertising. To which I replied, "True, and if you're smart enough to be a lawyer you're smart enough to be a nuclear physicist – but it doesn't make you one." Marketers know how to do things professionals don't know how to do. Marketers know *why* doing those things are important, particularly in 2006, when a great deal about commerce and communication and competition has changed. Professionals are only now beginning to realize that they must know these things, but except for the more extroverted of the group, really wish they didn't have to know them.

***In other words, well, in fewer words, professionals and marketers reside in two different cultures – and the cultures clash. To know and understand this is to understand the difficult conflict that must be resolved in professional services marketing is to succeed.***

Many professionals and marketers know this on one level or another, but tend to see it in emotional terms. "They don't understand me," is a frequently heard marketer's complaint. And as one professional once told me, in response to a sophisticated direct mail proposal, "Why do we have to pay you to write letters? I've been writing letters all my life."

What brings this to mind now is that I recently attended a conference on marketing for lawyers. With few exceptions, it was sad, because so many marketers and so many lawyers seem not to know this basic fact of this culture clash. Certainly, the marketing academic who spoke was so wrapped up in the certainty of her subject that she droned utter nonsense for a whole hour – with obtuse PowerPoint slides. Candide's Dr. Pangloss couldn't have done it better.

Those of us who have labored in this vineyard for decades may not have seen the culture difference in quite this way, but we know, for example, that lawyers and accountants, during the first post-*Bates* decades, fought us every step of the way. Thirty years later, many still do. The traditions of the professions allow for no hospitality for non-lawyers in law firms or non-accountants in accounting firms. The old line – too often heard in earnestness – was, "If my mother wanted me to become a salesman, she wouldn't have sent me to law school."

And so, at this conference, assembled by well-meaning conference professionals, we heard speaker after speaker telling lawyers that the answer is to become sparrows. We heard marketers and lawyers speaking past each other, like a surrealist movie. We heard pontification galore, and very little, "OK, this is what you do Monday, and this is what you can expect on Tuesday."

We heard a marketer and a lawyer describe a planning process that started with "objectives," not markets. Business school gibberish. How do you do planning for a law or accounting firm in terms of anything but a defined market – unless you're planning the number of desks you're going to buy next year? We heard about using technology in a law practice in terms that would have been inadequate even five years ago. We heard a marketer with 16 years of experience whine because he wasn't brought into the picture at the beginning of a merger, instead of just after it was completed. So much for the philosopher in his own home town.

Most appalling was the presentation by the esteemed academic, who described a professional service as an *intangible*, and *perishable* – terms we heard 30 years ago, before we knew better. Give us not the *Four Ps*, that anachronistic old academic gibberish. Go tell a lawyer who's worked 72 straight hours on a *Red Herring* for a new issue that his work is intangible. Go tell a lawyer who's spent months crafting a corporate structure for a business that goes on to thrive that his work is perishable. Is there some strange academic curse -- some fairy tale come true – that causes toads and lizards to come from the open mouths of marketing academics? With rare exceptions, they are clueless and inexperienced in the very subjects they try to teach, and that makes them dangerous.

Yes, from time to time, like the angel Elijah coming through the door to sip wine at Passover, there were some moments of relevance and even wisdom. The estimable Iris Jones, Esq., of Akin Gump, and the magician of the working and effective client service team (she's created more than 50 of them) described how she does it in generous and meticulous detail. Richard Levick, probably that most effective and knowledgeable public relations professional since Bill Ruder and Richard Weiner, lucidly defined the successful public relations plan – not only what it is, but how to do it. After decades of doing the same things over and over again, Levick has redefined the process. Larry Bodine, as usual, spoke in concrete and realistic terms about the rules for selling success, and how to do it. Jim Durham spelled out, knowingly, what it takes to be an effective lawyer in a competitive environment. (There's hope for us yet.)

### ***And The Point Is...***

In the 30 years since the *Bates* decision authorized professional firms to compete in the classic sense, and with notable exceptions, we are still facing a culture clash. The professionals don't understand the marketers, and the marketers don't understand the professionals.

Why does it matter? Because the professions, once driven by the practice itself (*I am a lawyer or an accountant and you come to me with a problem which I, in my infinite wisdom, will deign to solve*), are now driven by the clients. The clients will tell you how to run your practice, and if you don't listen, the clients know they have options. You may not like their options.

Because unlike product marketing, in which the marketers have little to do with the engineers or the accountants, the professionals must participate in the marketing process. The interface between the thousand people who produce the tube of toothpaste and the consumer is the tube of toothpaste. The interface between the law or accounting firm is the lawyer or the accountant. Too bad the professionals didn't learn that in law or accounting school, but they should have. And everybody should understand that Peter Drucker was right about the purpose of an organization (to make a customer, in case you haven't been listening).

Because the best marketing begins not with the mechanics of marketing, but by designing services to meet the needs of the clients, not just to satisfy the practice of law or of accounting. The tools of marketing are simply the mechanics of communication.

Because while most non-professional marketing is designed to sell some thing, often to somebody who didn't know he or she wanted it in the first place, professional service marketing can't do that. Its job is to persuade people that when they need a lawyer, or an accountant, your firm is better than their firm -- even though you can't rationally and demonstrably say that.

Because marketing is now as integral to a practice as cash flow management, or sending out bills.

As for the marketers, our job is to understand the foregoing, and demonstrate the veracity of these points to the professionals we serve.

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Our job is to recognize, and to demonstrate that we recognize, that we bring no magic to the table, but that we do have our practices and our skills and our experience, and when we do it right, it's very profitable to the firm.

It is to demonstrate that we can't impose marketing on a firm, as we might on a firm that manufactures toothpaste, but that we must work in concert and partnership with the professionals.

It is to know that when we don't inspire, we fail, no matter how smart we are as marketers. Pontification may be great at home, but not in a professional office. We may all want to be partners, but it's not going to happen in the near future. We succeed for ourselves when we succeed for the firms we serve.

Ours is a craft, and we all have to understand its practices and skills. But because we all have access to the same skills, we have to know how to raise our skills to a level of artistry in order to compete successfully. Every marketing practices should be questioned for its contemporary relevance every day. The art in marketing is not simply remembering what somebody else did yesterday.

And what do we do next Monday? We think seriously about these things, and put our relationships each with the other's culture into perspective and practice. On both sides, we try to remember that we two cultures jointly serve each other in this competitive environment, and not just our own practices. We take the pains to articulate the cultural differences – both of us (I've done it – it works). We try to remember that the option to do it, and do it well, has long been lost -- because the competitors are doing it. Then we practice what we learned and remember. And then it works.

[HOME](#)