

Give Marketing a Seat at the Table

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By Adrian Dayton



More than 1,000 in-house legal marketers and at least as many vendors converged in Dallas recently for the 2012 Legal Marketing Association Annual Conference.

The excitement and positive vibe at this event is always something to behold. Why are the legal marketers so thrilled to get together? In a word, acceptance. Their peers treat them like the experts they are, while in their own firms they often are left out of major decisions.

Legal marketers tend to have a thankless job. As nonlawyers, they are denied credit for their firms' successes, but are quickly blamed for any missteps. Not all firms take this attitude but, in my experience, it is far too common. Since legal marketers can never become full partners in the firm, they too often are relegated to second-class status. Unfortunately, far too many of them simply grin and bear it.

How to explain this? Many of the chief marketing officers and legal marketers I know are extremely intelligent and capable, but are not as good at one key component: negotiation. Trained lawyers will win the argument every single time. First, because they generally have strong personalities; second, because they are the owners of the law firms and have the final say.

This presents a major business problem. Let me explain why through an example. A large law firm I recently worked with decided to get into blogging. The head of marketing was behind it, and the lawyers were behind it, but the managing partner killed the initiative. He personally was not a fan of blogging, and that trumped the expertise of his marketing director.

So how can firms overcome irrational business decisions that are based on the prejudices of the poorly informed?

First, give CMOs a true seat at the table. They may not need full voting rights, but they must hold substantial authority. For some firms, this is already happening. “Traditionally, the partners run the ships,” said Chrissie Lightfoot, author of *The Naked Lawyer*. “But this seems to be changing. Firms are seeing that, with the increase in competition globally, they can’t afford to ignore their marketing talent and those with other soft skills such as PR and digital marketing.” Firms would often be well advised to simply get out of the way of their CMOs and let them make things happen.

On the marketers’ end, “part of being appreciated comes through valuing yourself highly,” said consultant Jan Anne Dubin. “This includes adopting an attitude that instills confidence. Does the firm lack confidence in the marketer, or do the individuals lack confidence in themselves?”

She continued: “You must come to the table with your A-game every time you go to bat. You get tested in the fire every day.” Marketing professionals who can withstand tough cross-examinations from trial lawyers will always

be fine, but the point isn't who can win the argument, it's who can provide the best marketing solutions.

A truly entrepreneurial attitude that fosters innovation requires a far less contentious environment. This means allowing your marketing director to take calculated risks. Chicago firm Levinfeld Pearlstein won the Best in Show Award from the Midwest Chapter of the Legal Marketing recently for creating video bios for lawyers at the firm. "For legal marketers to prove they deserve a seat at the table, they have to earn it," said Andrea Crews, the firm's marketing director. "Executing on holiday cards and pamphlets is not enough. They need to prove themselves by pushing the envelope."

Don't just declare that your firm is entrepreneurial — truly be entrepreneurial. That means taking risks and allowing your marketing director to take risks. I know "risk" is a bad word for lawyers, but true entrepreneurship does not exist in a risk-free world. Obviously, the risks need to be managed, but managing risks is what lawyers should be good at. Far too often, marketing directors walk on eggshells to avoid blow-back over their marketing strategies. "Legal marketers need to be given the opportunity to leave a legacy," Crews said.

Finally, ditch titles like "nonlawyer." In fact, even "staff" is not as good as "team member" or "talent." Your firm likely hires some very talented legal secretaries, paralegals and marketing professionals and could benefit from dropping the dismissive titles.

The marketers gathered in Dallas were surrounded by peers who respect and appreciate their expertise and insights. Let's hope their employers



come to respect and value them enough to allow them to put into practice
what they have learned.

Adrian Dayton is an attorney, social media consultant and co-author with Amy Knapp of [LinkedIn & Blogs for Lawyers: Building High Value Relationships in a Digital Age](#) (West Publishing 2012). Download the first chapter for FREE using the form [here](#).