

The Marketing Challenge for the Smaller Law Firm

By Peter Feldman



It's not news that conducting a law practice today isn't like it was years ago – and it's been years since it was. Oh for the days when an attorney could just set up shop, do great work, and have referrals and word-of-mouth keep the phones ringing with new and loyal clients eager to send work your way. I have worked with many attorneys who swear it used to be like that. And the air was clean. You could leave your door unlocked. Zoom didn't exist.

All you had to do is be a great lawyer and they would come. We all know those days are as gone as the \$2.00 double feature. In 2020 there were about 237 law schools in the United States graduating about 34,500 lawyers. It's estimated that there are now 1.3 million lawyers in the U.S. That's a lot of hungry, ambitious legal brainpower chasing a finite supply of work on any given day. Law firms large and small, understanding a landscape that changed long ago, have engaged marketing professionals to help the attorneys figure out how to get their fair share (or more). The [Legal Marketing Association](#) has grown from about 10 members 35 years ago to thousands of members today.

Today, it's easy for a smaller law firm with limited or no in-house marketing staff to engage an outside resource with law firm marketing and business development experience to assist with everything from creating effective web content to planning an entire marketing strategy. And it can be a smarter idea than hiring.

What the Big Dogs Have Got



The big firms have marketing and business development departments with perhaps dozens of bright, energetic marketing and business development staff stationed in their offices, fully up to speed on all the latest techniques and technologies to reach out to potential clients. They have chief marketing officers camped out next to the IT director and attending every practice group meeting. They use expensive client relationship management (CRM) systems for which they may pay \$100K a year or more. They have knowledge management systems, automated proposal systems, and database-driven websites that would make you cry. They have internet "microsites" just for recruiting, online "deal rooms" to make sure their client and their attorneys always have access to the same information on a given matter, and a half dozen blogs on specialized topics. They have sophisticated (and pricey) research systems to track their competitors' engagements and to target the clients they want. Advanced analytics and AI-driven decision help determine targeting and messaging. They likely even have a marketing person whose sole job is to make sure all their directory listings are in order (no small task these days).

The Hulk v Spiderman



This is about the big, hulking firm versus the smaller and perhaps more nimble as they compete for the same kinds of clients and the same types of work. If you're in Houston, you want to work for the same big energy companies that they do. If you're in New York, you want those mega financial services clients, too. If you're a litigation firm in Chicago, you want the same big cases they do. If you're an IP boutique in California, you're competing with IP departments larger than your whole firm, including the maintenance guy. And then let's just add in the fact that more and more companies are keeping more of their work within their own legal departments and even outsourcing lots of work, such as document review, overseas.

While you may not be an AmLaw 100 or 200 firm (or even want to become one) with all that firepower, the chances are your lawyers are every bit as smart, talented, and experienced as theirs. Maybe they have more Harvard and Yale law school grads because they can pay them more, but when you're in front of a judge, negotiating a deal, or in front of a client presenting your solution to his or her issue, it's all you, not your pedigree. I learned long ago that what you get out of any education, anywhere, is what you put in.

So here's the thing: there are lots of really good, really smart lawyers out there from every sort of legal background, and while big companies with a general counsel and a handful of assistant GCs may think the biggest (and often the most expensive) law firms – especially for a bet-the-company matter where CYA is the name of the game – are their only option, those of you at smaller but highly capable firms know better. Thus, you have to make your firm stand out in the crowd. Having a track record of great results is important, but just about all law firms can tout such a record. You have to stand out.

Look Outside

So, maybe you do not have 700 lawyers in a dozen offices globally. Maybe you have 5—25 lawyers in one or two offices. And you aren't sure you can justify spending the \$80 - \$150K annually that even a one-person marketing department would cost you. You have the same challenges the mega-firms have, just not the same resources to meet them. The fact is that having in-house dedicated marketing and business development resources is a great benefit to the firms that can afford them. These folks – and I have been one – can provide tremendous value. Firms that can do this, should.

But not every firm can afford that. In-house marketers will appreciate that I don't call them a luxury; they are not. But, for those firms without that resource or that have limited in-house marketing resources, the answer is — to me, anyway — fairly obvious. Find the right outside folks to assist you – find reasonably priced, experienced specialists to advise you on how to make your marketing efforts more effective, make a plan, and then execute. Today, it's easy for a smaller law firm with limited or no in-house marketing staff to engage an outside resource with law firm marketing and business development experience to assist with everything from creating effective web content to planning an entire marketing strategy. And it can be a smarter idea than hiring. Rent rather than buy.

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