

The Evolution of Legal Marketing

Article By:

Jaffe Consultants

Reflections from the past and top tips for the future

The close of each year naturally encourages reflection, evaluation and fresh perspective. As 2019 draws to an end, it's enlightening to look back on [developments and innovation in legal marketing](#) from not only the past year, but also over the past several decades.

After the 1977 decision in *Bates v. State Bar of Arizona*, in which the Supreme Court held that attorney advertising was a form of commercial speech protected by the First Amendment, restrictions on lawyer marketing diminished significantly. Today, according to the [Legal Marketing Association \(LMA\) – Bloomberg Law Joint Survey Report](#), 62% of law firm respondents said their firms were increasing emphasis on business development and marketing initiatives. Further, 41% of attorneys reported hiring or increasing marketing staff as one of the top new investments over the past two years, and 63% said the continued investment showed not just in headcount but also in budgets that are projected to increase in the coming years.

I recently had the pleasure of hearing [Sally J. Schmidt](#), an esteemed founder and first president of what is now the LMA (National Association of Law Firm Marketing Administrators, or NALFMA, at the time), speak about her legal marketing journey and about the organization's very first meeting in 1985. The event drew 15 marketing directors from across the country. Schmidt's audience laughed as she recalled that several of the early members were not permitted to disclose the firms they represented because, at the time, law firm partners felt legal marketing carried a stigma and was somehow frowned upon. Some were worried that firm secrets would be shared and others thought that a firm conducting proactive marketing might earn a scarlet badge of shame in the industry.

My, how times have changed! Today, the LMA has more than 4,000 members in 33 countries, and unites industry specialists from firms of every size. The community of consultants, vendors, lawyers, marketers from other professions and students encourages camaraderie, connectivity, support and sharing of knowledge.

Schmidt, who has published numerous books about legal business development and client relations, proceeded to guide her captivated audience through a variety of prompts that encouraged candid and even therapeutic dialogue about challenges, successes and epiphanies of individual legal marketers from their own professional journeys.

In her book [Marketing the Law Firm: Business Development Techniques](#), Schmidt writes:

If you mention the word “marketing” to attorneys, it conjures up a wide and disparate range of reactions. Marketing is related to such positive aspects of the practice as client satisfaction, client retention and lawyer training. At the same time, it is associated with activities considered distasteful by many attorneys, such as selling, television advertising or direct mail ... One of the great myths in the legal industry is that marketing is a new phenomenon. In its emerging formal and institutional state, perhaps so, but marketing activities have been performed in every successful law firm throughout the ages. Only the techniques and level of sophistication have changed. A close look reveals that the traditional marketing activities of corporate America are being performed in the law firm setting.

As the legal industry continues to evolve, so too must those who support the success of each law firm, both big and small. Here are some top tips that will ensure success and continued progress as you and your colleagues enter the new year.

1. **Listen and learn** — Take the time to listen attentively and glean insights from those around you. Listen to your colleagues, to your attorney clients and to their clients. Many of the smartest minds work in the legal industry, and a fresh perspective is invaluable. No matter how many years of experience your résumé boasts, seeking the input and opinion of respected colleagues and acquaintances is always worthwhile. Accept feedback with an open mind and make an effort to get to know, and genuinely connect with, those around you. Even individuals who don't work in your department will have something meaningful to share.
2. **Unlock your “Yes, and”** — Second City Works, the professional services arm of the world-famous comedy theater and improvisation school Second City, teaches the practice of “Yes, And.” They challenge professionals to designate time specifically for exchanging ideas and brainstorming freely, without judgment and without rejection. This practice can lead to great discoveries and a whole new mindset when it comes to tackling workplace challenges and driving innovation — in legal marketing, in client service and in life.
3. **Set goals** — Goals are truly the roadmap of your career. Getting lost is unavoidable if you don't take the time to identify and chart short- and long-term goals for yourself, your team, your practice and your firm. Further, it's affirming to look back and celebrate goals that you achieved and to renew or adjust goals that are still in progress.
4. **Ask “why?”** — All too often, we do what we do because it's what we've always been doing. The best legal professionals have the wherewithal to ask “why?” It's helpful to question your own habits and your routine. Why are you doing what you're doing? Where can you make changes that would be beneficial?
5. **Be positive** — Every occupation has highs and lows, as well as pros and cons, but those who maintain an unwavering positive outlook prove to be resilient, successful and immune to burnout. Embrace challenges and growing pains, and reframe anything negative as positive every chance you get.
6. **Keep the big picture in mind** — Sometimes we can get so bogged down in our day-to-day routines that it's hard to step back for an accurate perspective. Today's greatest legal visionaries strike a balance between the macro and micro components of this field. Preserve a big-picture outlook by using all resources available, delegating well and remaining abreast

of trends.

The legal world is fast-paced, fascinating and ever-changing, and the story of legal marketing is sure to continue with twists, turns, innovations and new heights. Whether you're a legal marketing veteran of 30 years or just stepping into your first legal marketing role, you are on a professional journey that's entirely unique to you. Whatever your piece in the legal puzzle, now is the opportune time to plot your own strategy for blazing a trail in the legal marketing evolution.

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National Law Review, Volumess X, Number 65

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