

Securing the ongoing health of your practice

*Turei Mackey,
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“When I was a lawyer I admit to having had a general negative attitude to salesmanship and salespeople. It was only after getting into a selling role for a legal publisher that I realised I needed to challenge my perceptions,” says Law Tune-Up founder and director Paul Steele.

Law Tune-Up provides consultancy services on selling, customer service, and marketing to legal businesses, and also on law libraries and legal research systems.

“There is a lot of commentary about change in the profession, and I think it’s really happening at an ever increasing pace now. Attitudes often need to be shaken up if the ongoing health of a practice is to be secured.

“Looking back at my own experiences as a lawyer, I realised that a mistake I often made was to preempt the discussion. Good selling is about putting the client or prospect at their ease and then ‘opening them up’ with great open questions.

“This makes it much more likely that the outcome is really in the other person’s interests, and may mean a quite different process than either lawyer or client may have first envisaged. By ‘selling’ in this context, I mean the soft and technical skills that are employed totally within the profession’s ethical standards and rules of conduct.”

Customer service for the client

Mr Steele says many legal businesses don’t profile their clients into groups beginning with the most valued, instead opting to treat every client the same.

“Anyone who has been involved in marketing or business will know this is not the best way to operate.

“You need to classify your clients from A to E with the As’ being the highest profitable users of your services or who are otherwise strategically important, especially those who refer other people to you. In return you treat these as your top clients because in some cases they will represent 100% or more of your profitability.

“In other words, clients in the D or E areas may be loss makers. Some practices may be surprised when things aren’t so profitable even though everyone is flat out with work and the client list appears high.”

He says it is also important that every staff member, from receptionist to other lawyers, knows who the top clients are when they walk through the doors.

“If you have had a good experience you are more likely to return to a restaurant and you would be expecting a high level of customer service from front of house to the actual meal. To me that is no different to walking into a law firm.

“You’re hoping to be treated well and even that you feel you’re the only person the lawyer is seeing on that date. If you’re still in the waiting room beyond the actual meeting time appointed, you should be regularly communicated with by staff. And from when the client meets the lawyer to the finish, there should be zero surprises, which includes the bill.

“No surprises, all expectations realised or exceeded, everything is understood by the client.”

The personal touch

“It is important to make sure there isn’t a huge imbalance of power between lawyer and client. As soon as that occurs, the communication flow may falter between both sides.”

While digital communication is common practice for most professions, Mr Steele says, adding personal touches when possible can improve business/client relationships.

“It sounds so basic but in today’s world people are generally blown away if you call them or send a letter or personal note, because it says that you actually view them as more than just a client. And don’t get me started on the use and abuse of email.”

He recommends keeping a record of key clients’ birthdays and interests like fishing or rugby to improve the personal factor.



If the client is a group or company, Mr Steele says the approach is to develop multi layered relationships.

“Apart from opening up opportunities to cross-sell other services the firm may offer, the advantage is it becomes very hard for the group or company to switch legal providers because of the number and depth of relationships between people in both organisations,” he says.

“I am often asked about how to talk price with prospects or clients. Many lawyers are nervous about this and this is often because they haven’t appreciated how selling skills include the ability to establish rapport and value first.

“To try to encapsulate why all of this is important I think it’s about the broader picture where the client is at ease, the communication flows better and therefore it is more likely lawyer and client will have a better

expectation about the value and the outcome.”

Online presence

“It is essential for a law firm to have a website. Barristers are the only type of lawyer who possibly could get away with only a social media presence.”

Mr Steele says a professional website shouldn’t resemble a mere digital form of a lawyer’s business card, it must be kept up to date with current content and be seen as delivering valuable information, not just as self-promotional.

“It needs to be an effective communication of your brand as you would like people to be talking about you if you were not in the room,” he says.

“A number of firms see their website as just a digital business card and claim that they receive all their clients via word of mouth. While that basic premise may be true much of the time, there is an increasing number of customers who are now seeking validation online and will not pander solely to the voices of friends, family and colleagues as to who they should seek out for professional advice.”

If done properly the website can also provide an internal perspective for the firm. Mr Steele says it helps a firm address internal issues and overall culture.

“Your website must be in sync with your brand, values and culture, or your reputation will likely take a hit.”

When it comes to social media, LinkedIn is the most common with New Zealand lawyers and is arguably the best tool for networking with fellow lawyers and business/organisations, but most will stay away from social media when it comes to marketing.

“Apart from the big law firms, I see very few examples of law firms embracing social media although

there are some fine examples of lawyers who are doing it very well. But most firms find it hard to keep their websites up to date with new content so struggle to see how they could operate a Twitter or Facebook presence.

“This is a whole subject in itself but it’s my belief that law firms need to take the development of social media seriously and work out plans to embrace it.”

Reviews and complaints

“There are positives to be gained through providing the client a short questionnaire at the end of a matter to get their response as to whether expectations were met or not.

“Specific client surveys should also be run on an irregular basis,” he says.

Mr Steele identifies a problem with many online surveys. There are often only four or five options, with three being either “satisfied” or better and only one “not satisfied”.

“Which is fine, but the reality is a ‘satisfied’ customer can easily move to another lawyer or firm.”

When dealing with complaints about customer service the firm needs to be supportive of any complaints or suggestions for improvement.

“If the complaint isn’t responded to quickly or transparently the client will simply view the firm as not genuinely interested.”

Once a complaint is received it needs to be handled by someone other than the lawyers and staff involved.

“The most important thing is an apology is issued immediately. Even if the apology is not in regards to a lawyer’s performance or the fee, the fact a complaint was made means there must have been a communication breakdown.” ●

