

## Grow Your Practice Series:

April 2007

### 101 Ways to Effectively Market Your Law Firm

#### No. 6: Use a Tagline to Build Your Brand

A key success factor in building a brand for your law firm is a memorable line that describes brilliantly, eloquently and succinctly exactly what you do and why a someone would want you to be their advocate in court.

**Why Build a “Brand” for Your Practice?** If you did not read the March 2005 **Attorney@law** (or you do not remember the key elements in that issue’s lead article, “Are You Building a Brand? And Should You?”), locate that article and read it. If you agree that building a brand for your practice will make all of your marketing efforts more productive, this article picks up with the next step in the process: Create a tagline for your brand.

**What a Tagline Does:** The concept of a tagline evolved over the last few decades of the 19th Century as America industrialized and it become more and more common for companies to advertise their products, mostly in newspaper ads, but also in leaflets and via billboards. Companies realized that creating a short sentence or phrase that summarized the key benefits of their product made the entire advertising campaign more effective. And repeating the tagline on the product’s packaging reinforced the ad campaign.

Today taglines are common. In fact, consumer products and services providers spend millions developing just the right tagline. They test them with focus groups, and in a flat-world global economy, they make sure they translate into other languages.

**Do Taglines Really Work?** To answer that question yourself, here are some recent and current taglines: For how many can you guess the product or service they promote?

- ◆ Don’t leave home without it.
- ◆ We try harder.
- ◆ Tastes great, less filling.
- ◆ It’s the real thing.
- ◆ Melts in your mouth, not in your hand.
- ◆ You deserve a break today.
- ◆ Think brown.
- ◆ Be an army of one.
- ◆ Save up to 15% on car insurance.
- ◆ Just do it.
- ◆ When it absolutely, positively has to be there overnight.
- ◆ Just say no.
- ◆ Like a rock.
- ◆ Fly the friendly skies.
- ◆ Invent.
- ◆ Good to the last drop.

*For the company or product associated with each tagline, see the bottom of Page 2.*

**Taglines Reinforce the Brand:** As you can see for yourself, an effective tagline reinforces the brand. It gives the brand meaning, depth and value. Seeing the tagline brings back the image of the advertising, making the advertising campaign more effective.

**A Tagline for a Law Firm?** This is cutting-edge approach, but if you want to grow your practice—and do so in a time-efficient and cost-effective manner—reinforcing your brand and advertising message with a tagline is the smart way to go.

**Tagline Development Don’ts and Dos:** There are several areas you want to avoid, and several important considerations you do not want to overlook.

**- Don’t Be Negative:** Remember Oldsmobile? Back in the 1970s and 1980s, Oldsmobile had a great tagline: “Let us build one for you.” It grew the Oldsmobile brand to the point that in one year Oldsmobile actually outsold Chevrolet among all GM brands. But GM got tired of the brand, switched ad agencies, and came up with “It’s not your father’s Oldsmobile.” The

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problem with that tagline is that it convinced younger buyers that Oldsmobiles were for the older folks, and it scared away the older buyers. Most advertising professionals will agree that "It's not your father's Oldsmobile." tanked the brand.

**- Don't Be Funny:** For some products, humor certainly works, but for a law firm serious is best.

**+ Promote Benefits:** Why will someone benefit from engaging your law practice?

**+ Be Memorable:** Try to come up with a tagline that is easy to remember. It should have no hard-to-pronounce or easy-to-misspell words.

**+ Be Concise:** The most effective taglines are from just two or three to six or seven words. At nine words, "When it absolutely, positively has to be there overnight." is at the long end of effective taglines.

**+ It's Okay to Include the Brand:** Some taglines include the company or brand, and that's okay. "Nobody doesn't like Sara Lee." and "There's Hertz and then there's everyone else." both work for those companies.

### Will It Be Easy to Develop an Effective and Memorable Tagline for Your Practice?

Absolutely not! In fact, the word "easy" never has and never does appear in this newsletter except when we point out that what we propose will not be "easy"! This undertaking will involve considerable time, and you may need help, such as hiring a local ad agency to help you develop a tagline and an ad campaign to support it.

### Our Free, No Charge, No Obligation Gift for Readers of Attorney@law

We put our marketing heads together and came up with several taglines for a personal injury law firm. Anyone receiving this newsletter is free to appropriate any of them. Be aware, however, that it is possible that another equally brilliant group of marketers came up with a similar or even identical tag line for another law firm, so before you become too enamored with one of these, make sure no other law firm in your marketing area is using something similar or identical. You will also notice that several of these taglines are similar as they take slightly different approaches to the same concept.

- ◆ And justice for all.
- ◆ Justice for the little guy.
- ◆ You deserve your day in court.
- ◆ Your day in court.
- ◆ Your legal advocate.
- ◆ Aggressive pursuit of justice.
- ◆ The relentless pursuit of justice.
- ◆ Because you deserve the best legal representation.
- ◆ Fair compensation for your loss.
- ◆ Put (name of law firm) on your side.
- ◆ See you in court.
- ◆ Go to court prepared to win.
- ◆ Your advocate in court.
- ◆ Fighting the good fight.
- ◆ Fighting for you.
- ◆ Professional prosecution of your claim.

**When and Where Do You Use a Tagline?** Other than on the documents you file with the court, your tagline should appear everywhere since every time someone reads it, it reinforces the last time that person read it and further reinforces the next time he reads it. Once you select the right tagline for your practice, it should appear wherever a former, current or prospective client will see it.

- ◆ Business cards of all law firm personnel
- ◆ All law firm stationery
- ◆ Yellow Pages listing
- ◆ Newspaper and other print ads
- ◆ Television and radio ads
- ◆ All other advertising
- ◆ Your law firm description in all directories, hard-copy and on-line
- ◆ All hard copy documents produced by your law firm
- ◆ Every page of your website

**Using Your Tagline:** To show you how a tagline should appear on your letterhead, we took the three stylizations we created last month for the fictitious **Anders Law** and added one of our taglines.

**And Finally:** If you do decide to appropriate one of our taglines, please let us know you are doing so, and please send us samples of your new tagline in use.

**Anders**, Beckerstein and  
**Law** Callahan, PC  
Attorneys-at-Law  
*Go to Court Prepared to Win!*

**AndersLaw**  
Anders, Beckerstein  
and Callahan, PC  
The relentless pursuit of justice.

#### Taglines and Their Sponsors

- Don't leave home without it. [American Express Card](#)
- We try harder. [Avis](#)
- Tastes great, less filling. [Miller Lite](#)
- It's the real thing. [Coke](#)
- Melts in your mouth, not in your hand. [M&M](#)
- You deserve a break today. [McDonald's](#)
- Think brown. [UPS](#)
- Be an army of one. [US Army](#)
- Save up to 15% on car insurance. [Geico](#)
- Just do it. [Nike](#)
- When it absolutely, positively has to be there overnight. [Federal Express](#)
- Just say no. [Anti-Drug Campaign](#)
- Like a rock. [Chevy Trucks](#)
- Fly the friendly skies. [United Airlines](#)
- Invent. [Hewlett-Packard](#)
- Good to the last drop. [Maxwell House](#)

## Managing Your Practice: Troublesome Employees Can Be Turned Around!

When you have a troublesome employee—he shows up late too often, does not work well with others, makes too many mistakes or spends too much time on the phone making personal calls—you really have just three options. In a full economy and a diminishing pool of potential employees, your best first option is to try to turn that employee around.

**Three Options to Consider:** When you have an employee who is just not cutting it, here are your options.

- ◆ **Ignore It:** You can always just ignore the unsatisfactory behavior or bad habits of the employee. For example, Joanne is the best paralegal you've ever had on staff, but she is sometimes late. Yet she stays late a few days a week, she always gets everything done that you assign to her, and she works well with the other employees. You may just want to let it go.
- ◆ **Confront the Employee:** Let's stay with the late scenario. Mark is always late, but he always has wonderful reasons why he is late. He also leaves early for lunch and is always out the door at 4:59 p.m. on the dot. Mark is often late getting work done, or he has to be asked repeatedly about where projects are. Here is an employee who needs to be confronted about his tardiness.
- ◆ **Fire the Employee:** If an employee does something that is illegal or unethical—she has been stealing office supplies or he loses his temper and screams obscenities at a client—immediately dismissing that employee is certainly called for.

### Confronting the Employee Is Almost Always the Preferred Approach:

Except in the case of a grievous act on the part of the employee that calls for immediate dismissal, confronting the employee is almost always the preferred approach. However, confronting the employee should never be a confrontational event.

**The Problem with Ignoring Unsatisfactory Behavior:** While an employee who is occasionally a few minutes late, but otherwise gets all of her work done on time, may not need to be approached, the problem with ignoring such behavior is that it sends a message to every other employee that it is all right. For the receptionist or anyone who takes client calls, being at work on time is important because if your office opens at 8:30 a.m., a client who calls at 8:35 a.m. should have his call answered. On the other hand, if getting the work assigned to that employee completed on a timely basis, and done so accurately, is more important, the employee can essentially show up and leave whenever he wants.

**The Problem with Firing an Employee:** Simply letting an employee go is a crapshoot. The replacement employee could be better. But it is equally likely that the replacement employee is even worse! In a full economy, and with the demographics working against us, keeping and re-directing the work habits of an under-performing employee may be smarter and less expensive than trying to find a new employee. To borrow an old express, you may be better with the devil you know.

**Correcting Unsatisfactory Behavior:** There are several traps to avoid when confronting an employee about unsatisfactory behavior or performance. There are two **Don'ts** you need to avoid.

1. **Don't Ask "Why?" or "How?":** One of the most common points at which managers begin this process is by asking the employee "why" he was late again, "why" he did not have the draft ready on time, or "why" or "how" she let this mistake slip through. Asking "why" or "how" just encourages the employee to come up with gloriously creative excuses, and each excuse becomes increasingly more absurd. Avoid Why and How. What's done is done. Move on.
2. **Don't Confront Employees in Public:** Never confront an employee in front of other employees. Call the employee into your office and have a private conversation about the problem. Better yet, go to a neutral corner. Meet with the employee in the conference room or lunch room. It is far less intimidating than your office.

**Three-Step Process:** Correcting poor performance or inappropriate behavior is a three-step process:

1. **Describe What You Want Changed:** Let's go back to the tardy employee scenario. Explain coolly and calmly exactly the change you want made. For example: "Sarah, our office opens at 8:30 a.m., and every employee who takes calls from clients—and that includes you—needs to be here by 8:30 every morning. We cannot have clients calling us at 8:35 and 8:40 and there is no one to take their calls."
2. **Provide Positive Feedback to the Employee:** Temper your corrective instruction with some positive comment on the employee's performance, such as "You are a valuable member of our team, Sarah, and we are very pleased with your on-the-job performance, but you cannot let down the rest of the team by not being here in time."



**3. End with Agreement on What Needs to Happen:** Give the employee a chance to say whatever she wants or ask any questions. She may want to apologize for being late or explain why she was late. Do not interrupt her. Let her talk. When she finishes, ask a question: "So we are clear that you and the other members of the support team need to be here at 8:30 every morning?" And wait for an answer.

**One Meeting with the Employee Doesn't Fix the Problem?** Confronting the problem and providing positive corrective instructions will almost always work. It will immediately fix or at least greatly diminish the problem. What do you do, however, if it does not work in a specific instance or with a specific employee? Out of time and out of space. More in the May issue.

## Legal Finance and the Attorney: Legal Finance Is Just One Element in a Total Package of Support Services a Personal Injury Law Firm Needs to Offer

"Full service" is an over-used and over-rated expression, but for attorneys and law firms that want to attract clients and generate positive word-of-mouth from former clients, providing a full range of services while they aggressively prosecute their client's case is absolutely mandatory!

The client who is suffering financially has a real problem, and one that cannot and should not be ignored. Referring a client in financial straits to **LawMax** makes a lot of sense on several levels:

- ◆ **No Cost for the Law Firm:** Referring a client to **LawMax** costs you nothing, but if **LawMax** can get that client cash to prevent him but being evicted from his home or prevent her from losing her car, you have provided a valuable—*make that invaluable*—service.
- ◆ **The Client Stops Calling You!** Many attorneys refer the client who is always calling and asking when he can expect to see some money from his lawsuit to **LawMax** for a very selfish reason. Once **LawMax** gets that client some cash, he stops calling!
- ◆ **You and Your Client Can Now Hang Tough:** Many clients are forced to accept embarrassingly low-ball offers from defendants—against the advice of their attorneys—simply because the bill collectors are calling and any money now is better than a larger payout at a later undetermined date in the future when they could be homeless.
- ◆ **The Plaintiff Has a Better Attitude:** A plaintiff who receives a cash advance against her lawsuit is a confident plaintiff who is far more likely to work with you rather than against you.
- ◆ **No Risk to You or Your Client!** Should the worst-case scenario occur—you take the case to trial and lose—neither you nor your client are on the hook for the advance the client took against the case. In fact, by recommending a client to **LawMax**, and then losing the case, you actually managed to actually get some compensation for your client!
- ◆ **A Minimal Interruption of Your Business:** Despite all the benefits, working with **LawMax** to get a cash advance for your client rarely involves more than 10 or 15 minutes on the phone with a **LawMax** underwriter.
- ◆ **Lawsuit Advances Pay for Themselves:** While they are not cheap, consider the alternative to not having a client in financial need not take advantage of legal finance? How easy is it to represent client who is homeless? What good is a client who gets so frustrated he abandons the case? How much more does it cost when a client is forced to accept a ridiculous low-ball initial offer from the defendant, leaving tens of thousands—maybe hundreds of thousands—of dollars on the table? Why should an attorney walk away from thousands of dollars in fees he worked hard to earn because the client is financially strapped and makes poor decisions?
- ◆ **A Fairer, Larger Settlement for Your Client:** Getting a plaintiff a cash advance enables you to negotiate from strength when dealing with well-financed defendants and their insurance companies, and that results in fairer, larger settlements for your clients!

**The Bottom Line:** Only clients who are in real financial need should consider applying for an advance against their lawsuits, and only if they do not have other sources of cash. But for the client in real need of cash, referring that client to **LawMax** is part and parcel of being a full-service law firm that really cares about its clients.



**Disclaimer: The Marketing Advice We Offer May NOT Be Applicable in Your State!**

We try to provide practical marketing advice as part of this e-letter, but please be aware that everything we recommend may not be permissible in every state. Each state Bar Association has slightly different rulings on what is and is not ethical for an attorney to do in terms of advertising and promotion, and each state has different laws covering exactly how attorneys can promote their practices. We recommend that you make sure what we promote in **Attorney@law** is both ethical and legal in the jurisdictions in which you practice.