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Grow Your Practice Series: 101 Ways to Effectively Market Your Law Firm

No. 11: Know the Pros and Cons of Each Advertising Outlet You Might Use to Promote Your Practice

We've addressed many advertising outlets in this e-letter, from television and radio to newspaper and the Yellow Pages. Faithful readers of **Attorney@law** have been exposed to each of these outlets individually, so we are now offering side-by-side comparisons so you can make some determinations about what advertising outlets you might want to try and which might best meet the particular marketing needs of your practice.

Here is a chart summarizing are the relative advantages and drawbacks of the advertising channels most attorneys are using.



Outlet	Advantages	Drawbacks
Television	<ul style="list-style-type: none">▲ High impact. Television is very impressive▲ Message can be highly visual▲ Unique. Most attorneys are NOT on TV▲ Buying off-prime time makes sense▲ Creates very high profile for practice!	<ul style="list-style-type: none">▼ Expensive. Both production and media▼ Poorly produced ad can be dreadful▼ Can come across as pushy, hard sell▼ In some markets, TV time is sold out▼ Long lead time. Hard to tweak message.
Radio	<ul style="list-style-type: none">▲ Medium impact. Radio can be effective.▲ Production costs are very low▲ Depending on market, can be affordable▲ Time is available in most markets▲ Short lead time. Can tweak message	<ul style="list-style-type: none">▼ Just audio, so limited capabilities▼ Need memorable response mechanism▼ Can come across as pushy, hard sell
Newspaper	<ul style="list-style-type: none">▲ Medium impact. Creates visual message▲ Message can be detailed and specific▲ Do not need to remember number or website▲ Space is almost always available▲ Short lead time. Can tweak message.	<ul style="list-style-type: none">▼ Costs include both production and space▼ Need to find the right section▼ Can come across as pushy, hard sell▼ Can get lost among other advertisers
Yellow Pages	<ul style="list-style-type: none">▲ Medium impact. Message can be visual▲ Moderate costs spread out over year▲ Attracts prospects looking for representation▲ Space is always available▲ Tends to not appear to be too pushy▲ Can add value to TV, Radio and other media	<ul style="list-style-type: none">▼ Long lead time. Wait for next book▼ Fixed message for one year▼ Cannot respond or tweak message▼ Being replaced by search engines

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- Outdoor**
- ▲ High impact. Cannot avoid your message!
 - ▲ Can be tied into other media
 - ▲ Creates very high profile for the practice!
 - ▲ Space is almost always available
 - ▼ Both production and space costs
 - ▼ Fixed message for at least six months
 - ▼ Can come across as VERY commercial

No Ideal Advertising Outlet: As you can see, no one outlet has it locked up. Here is supporting details to the information on the chart.

Television: Television works very well for many attorneys, especially those in mid-size cities where it is not too expensive.

- **Advantages:** Television is high profile and highly visual. It can put a very powerful message in front of thousands—maybe even tens of thousands—of prospective clients!
- **Downsides:** Television is expensive on both the production and media costs sides. In some markets, the stations are sold out, and it is difficult to react quickly to a current event. If not well produced, TV ads can come across as a hard sell. You also need a response mechanism like a website (detroitlaw.com, for example) or a telephone number (**800-KCMO-LAW**, for example) that is easy to remember.

Radio: Radio also works very well for many attorneys, especially those in mid-size to large cities where television and newspaper may be too expensive.

- **Advantages:** Radio often reaches a captive audience, people in their cars where there is really nothing else to do but listen to the radio if they are not listening to a CD. Radio is also affordable, especially on the production side, and radio ads can be adjusted just a few hours before they run to reflect a current event, such as a hurricane, flood or major accident that is on people's minds.
- **Downsides:** No pictures, so everything has to be communicated audibly. And you need a response mechanism—like a website with an easy-to-remember address or a vanity phone number with an easy-to-remember number—which listeners can remember without having to write it down!

Newspaper: This can be an effective and affordable medium, especially in mid-size to smaller cities.

- **Advantages:** The message can be visual, and no one has to remember your phone number or website since it is right in the ad. Readers will, in fact, often just rip out the ad and walk over to the phone with it. Ad space is rarely sold out, production costs are moderate, and you can have your ad running in a few days. Some periodicals will even design the ad for you.
- **Downsides:** Determining where to run the paper (news, sports or lifestyles, even classified) is a challenge since no two papers and no two markets are alike.



Yellow Pages: People in need of local services still let their “fingers do the walking,” so many attorneys do very well in the Yellow Pages (or Yellow Book or other iteration of the concept).

- **Advantages:** Your ad reaches people looking for an attorney, so it never appears pushy or commercial, and you can give a detailed message that includes your telephone, address, office hours, website and types of cases you handle.
- **Downsides:** You have to wait for the local Yellow Pages to close before you can place your ad, then wait for the next book to be published before your ad appears. Then you are locked into that ad for a year, maybe longer! Also, more and more people are turning to the Internet instead of using the local Yellow Pages.

Outdoor: Like radio and television, billboards are in your face and hard to avoid. In many parts of the country, the billboard industry runs billboard ads with the message “Who says no one reads bill boards?”

- **Advantages:** An attractive billboard is hard to miss, and since many people drive the same roads on a regular basis, there is lots of repetition, and that's an important factor in making any advertising more effective. You can also present a highly visual message.

- **Downsides:** Billboards are VERY commercial and in-your-face, and that may turn off some prospective clients. In some areas, you have to commit to a six-month or longer contract, but you can change your message.

THE Right Advertising Outlet for Your Law Firm: There is no single advertising outlet that is perfect for every law firm in every city, and you probably already figured that out. However, taking into account the advantages and relative drawbacks of each medium, we hope we've made the selection process easier.

Next Month: Integrating your website into your overall marketing program.

Legal Finance: Here Are Alternate Funding Sources You Can Recommend to Your Clients before You Refer them to LawMax

"Wait just a minute," you are probably saying to yourself. **LawMax** provides funding for lawsuit plaintiffs, and this article is about other places plaintiffs can go for cash to cover their living expenses? You read right. Lawsuit funding is not right for every client, and because it is expensive, we want plaintiffs to first explore other sources of less expensive funding. We know you want to be a resource to your clients, so helping them explore other, less costly sources of cash to cover their living expenses is a key element in that expanded package of services.



The \$64,000 Question: Every personal injury attorney has been asked the same question by many clients over the years: "When will I see some money from my case?" The reality is that civil law is slow. Blind, yes, but also slow. And until the emergence of legal finance a few years ago, the only answer an attorney had was to tell the client to be patient and hang tough. Today, of course, personal injury attorneys can refer a client to a litigation funding source like **LawMax**.

Sources of Funding: However, before we make an advance to a plaintiff, we want to make sure the plaintiff has not overlooked cheaper sources of funding. We also do not want the plaintiff to get himself or herself in deeper by borrowing from the wrong sources. So, to help you provide better advice to your clients, here is an analysis of the sources clients should consider (**GREEN** are recommended sources) – and should not consider (**RED** are NOT recommended) – when they need cash to cover living expenses while their cases wind their way through the legal system.

- **Friends and Relatives:** This is the most obvious place to go for most clients, and also the smartest and easiest. As a result, you will find that most clients who come to you asking about money have already tried this route with limited or no success.
- **Whole Life Insurance Policy:** Most whole life insurance policies have a cash value, and your client can borrow against that cash value at a very low interest rate. The advance can be paid back at any time at once or in increments. **Advantages:** The loan carries a modest interest rate and there are no monthly payments.
- **Term Life Insurance:** While a term policy only provides coverage, and carries no cash value, there are companies that will actually buy a term life insurance policy. They make a lump sum payment to the policy holder, then they become the beneficiary of the policy and take over payment of premiums. **Advantages:** The policyholder receives a lump sum payment that does not have to be paid back, and your client can buy more life insurance once his or her case is settled and things get back to normal.



- **401-K or IRA:** While an early withdrawal of funds from a 401-K or IRA carry a penalty and tax has to be paid on the withdrawal, that is a small price to pay to have cash to pay the mortgage or rent, car payment, utilities and other bills. **Advantages:** This is a cash infusion that does not have to be paid back, and if the case closes quickly and your client can replace the money in 60 days, there is no penalty. If he or she cannot replace the money in two months, your client can put the proceeds of his or her settlement into a tax-sheltered investment that will effectively replace the closed-out retirement accounts.
- **Legal Finance:** While this is an expensive option, the advance only has to be paid back should you and your client win the case or reach an out-of-court settlement. **Advantages:** Like a loan against a life insurance policy, proceeds from selling a policy, or funds from a retirement account, a legal advance does not create a new monthly obligation. In fact, if it is used wisely, it can carry a client for several months! The client can also come back and request subsequent advances when more cash is needed.
- **Credit Card Cash Advance:** If your client has room on a credit card, you really need to discourage him or her from getting a cash advance. Your client is better off keeping that credit line available should it be needed for an emergency. **Disadvantages:** Unlike the previous options, a cash advance creates yet another monthly obligation for the client, so it ends up increasing the client's monthly outgo of cash while he or she should be looking for ways to cut monthly expenses!
- **Personal Loan or Line of Credit:** While these may be cheaper than a cash advance, they are still NOT the wisest options for your client to consider. **Disadvantages:** A conventional loan or line of credit creates a new monthly obligation when the client should be trimming his or her monthly expenses. Worse yet, if your client takes out a home equity line of credit, and then cannot make the payments, he or she risks losing his home!
- **Mortgage Re-Finance:** Virtually every homeowner in America who has owned his or her home for more than just a few years has considerable equity in that property. If your client is a homeowner, he or she can probably take money out of the property, and refinance the new cash and the old balance into a new mortgage. Sounds like a good idea. However, unless your client can do this and also lower his or her monthly payment, this is NOT a smart move. **Disadvantages:** While a mortgage re-finance can provide a cash infusion, it also creates a larger monthly mortgage payment that will be increasingly tougher to make each month. And if your client falls behind on that larger mortgage payment, he or she risks losing his home!
- **PayDay Loans:** These are short-term (usually two weeks) advances that one can get against his or her next paycheck. **Disadvantages:** They are VERY expensive – running as high as a 200% to 300% APR – so they are illegal in many states. Also, they are a totally short-term fix to a longer-term problem!

Your Role as Advisor: We realize you are an attorney – and not a financial consultant – but when clients come to you with real money problems, you need to be able to provide practical advice. We hope this analysis is helpful in that regard.

Managing Your Practice: Make Your Marketing Plan a Living, Breathing Document, and the Management Tool It Is Supposed to Be!

As we concluded in the **Managing Your Practice** feature in the October issue of **Attorney@law**, a marketing plan is something you live by, not something you die by. Once you've developed your marketing plan, you certainly want to follow the plan, but you also need to be prepared to make mid-course corrections, as necessary. More importantly, however, do not fall into the trap of putting your marketing plan in your credenza and then forgetting about it. A marketing plan is a map that takes you from where you are now to where you want to go, so keep the map on your dashboard and refer to it often!

Structuring Your Marketing Plan: A solid marketing plan has five sections.

1. Goals and Objectives: You begin by listing the firm's goals (these are subjective issues such as your reputation and profile in the community) and objectives (quantitative issues such as number of clients and revenue).



2. Marketing Programs: List each of your marketing initiatives, from advertising and public relations to developing a new prospectus to updating your website.

3. Budget: What will you spend on each initiative?

4. Marketing Calendar: Plot each initiative out on a 12-month calendar. Update the website in February, begin the TV ad campaign in April, and so on.

5. Marketing Spreadsheet: Set up a grid that you use to record where you are against budget.

Marketing Spreadsheet: The last section of your marketing plan will be the living, breathing section of the document, and as it nears completion next October or November, it will be THE key document for developing next year's plan. It should look something like this.

	January		February		March		April	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Website	\$35	\$35	\$35	\$35	\$3,035	\$3,480	\$35	\$3
Inquiries	25	22	25	20	25	28	30	4
Yellow Pages	\$185	\$185	\$185	\$185	\$225	\$245	\$225	\$2
Inquiries	10	12	10	8	10	10	10	
Television	\$0	\$0	\$0	\$0	\$6,500	\$6,276	\$5,000	\$4,8
Inquiries	0	0	0	0	25	12	25	3
Radio	\$2,200	\$2,106	\$2,200	\$1,886	\$0	\$0	\$0	\$
Inquiries	10	22	10	16	0	0	0	
Billboard	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Inquiries	0	0	0	0	0	0	0	
Referrals	10	12	10	16	10	11	10	1
Other	0	2	0	0	0	3	0	
Postage	\$250	\$287	\$250	\$265	\$250	\$165	\$250	\$2
Printing	\$500	\$0	\$500	\$0	\$500	\$1,239	\$500	\$
Total Dollars	\$3,170	\$2,613	\$3,170	\$2,371	\$10,510	\$11,405	\$6,010	\$5,1
Total Inquiries	55	70	55	60	70	64	75	8

Beginning of the Year: As the year begins, only the **Budget** columns are completed on the Marketing Spreadsheet. Then, each month, the **Actual** numbers are added. Some marketers like to add year-to-date columns each quarter to smooth out the monthly variances that will inevitably occur.

Let's Take a Look: This law firm decided to upgrade their website in March, so that's why the website budget jumps up that month. Rates went up in their local Yellow Pages, and they accounted for that starting in March, but the rates went up a little more than expected. This firm decided to try a two-month radio campaign in January-February, then switched to a TV campaign in March-April. The TV budget for March was larger to include production costs.

How Are They Doing? No organization ever comes in 100% on budget. They are slightly under on both dollar expenditures and pretty close to budget on intakes. They had an unexpected increase in referral leads. If you think you know why that happened, e-mail us your theory.

Developing Next Year's Plan: This is a typical second-year marketing plan marketing spreadsheet. They have a pretty good handle on both expenses and leads, and the data they collect this year will make next year's plan even better!

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 guidelines 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.