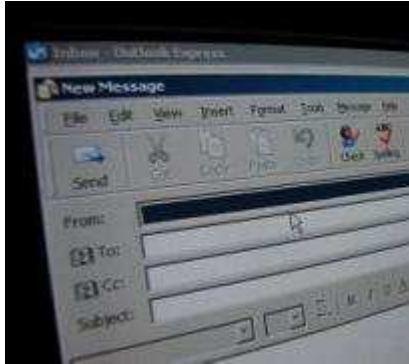


Email Marketing and the Power of Permission

By [Adrian Dayton](#)



In a classic Seinfeld episode, Jerry gets the phone number of a girl he is interested in from off of a list of people donating money for the AIDS Walk. Jerry does his best to keep this a secret from the girl, but eventually he lets it slip to George, who lets it slip to Susan, who tells her friend, who spills it to the girl. The girl ends things with Jerry, offended that he would use a charity list to pick her up.

Why did she care? Because the way people get our information and how they use it matter to us. People hold on to their contact info as if it were solid gold. You give up your phone number and email address too easily, and you will be forever harassed by spam.

People do give up their email addresses, though, especially in exchange for information that they really want, or to people they like. This allows for something called permission marketing, an extremely powerful tool for building a prospect list for your practice. List building is an essential aspect of business development that is far too often overlooked. Often lost in the debate over the viability of social media is an improper or ineffective utilization of existing contact lists....

Some firms are great at list building, but most are terrible at providing the follow up necessary to really make their list bring returns. A few months ago I spoke to an older partner from a large firm who told me, "I have over 1,000 emails in my list, but I don't do anything with them." I recommended that he start being more aggressive with his list — and he immediately started seeing new business, from his existing contacts, within a matter of weeks. It required work on his part, but it didn't even require him to leave his comfort zone.

There are two essential processes that must occur for you to take advantage of your list. First, you need to sort your list — in terms of industry, practice area, level of importance, or whatever makes the most sense for your practice. This may seem like a daunting task, but it must be done. The information is nearly useless if it just sits in your Outlook contacts file. Your list is one of the most valuable assets you have, so start treating it like that.

Second, create a schedule that assures that each of these groups is contacted on a regular basis. Monthly is an easy way to start. I send personalized emails to my “favorite” clients and prospects around the 20th of every month. I send an e-newsletter out to the rest of my lists just after that. Once I have submitted a proposal or presented to a potential client, I will follow up weekly or even more frequently, but it is important to have the systems and processes in place to create a routine for everyone else.

Does email marketing work?

This isn't really even a discussion topic anymore because email marketing has proven itself so thoroughly that you find some form of email marketing within almost every firm in the Am Law 100. “It will be the same way for social media,” Anthony Green explained to me. Green is the US President of Concep, and he provides email marketing and websites for some of the largest firms in the world. “It won't be referred to as social media anymore; it will just be a part of a firm's communications strategy, just like what has happened with e-mail marketing.”

How can you tell if your email marketing is working?

The answer is quite simple: look at the reports generated by your email marketing service. These are loaded with tons of data, including who is opening your newsletters, who is forwarding them on, who is clicking through to the links, and who is opening the message multiple times.

To see how your statistics compare to others, check out a new report released this week called, [“The State of Law Firm E-mail Marketing”](#). It provides benchmarks from a survey of about 6 million emails sent out over multiple years. Compare your open rates to those described in the report. Twenty to 30 percent is a decent range; anything above 40 percent is phenomenal.

Permission is yours to lose

If people get annoyed by your email campaign, they will unsubscribe from your list. Don't take this personally; in a way, it is a great process that helps cleanse your list on a regular basis. You make sure those who remain on the list are still engaged and interested in what you are sharing (because those who aren't can leave). The people that are more likely to hire you won't unsubscribe.

Keep it simple (stupid)

One of my favorite people to receive newsletters from is [Barry Moltz](#). Usually they are no more than a couple of sentences long, and they include a link to something interesting. E-newsletters don't need to be a novella; they just need to help you keep in touch and stay at the top of the minds of your clients. Be creative, be insightful, and be yourself. Nobody wants to read a long, drawn-out newsletter any more than you (or your marketing department) want to write it.

Just a final tip: if you are going to start sending out a regular e-newsletter, you should add some information about it in your signature. Studies have shown that a high percentage of email recipients will opt-in to a newsletter if given the chance in an email.

One last thing. Don't use the list from charity walks to pick up ladies or to find new clients. It didn't work for Jerry Seinfeld, and it could possibly get you disbarred.

CORRECTION: In the above mentioned Seinfeld episode, although the girl he is dating is shocked when she finds out he got her number from the AIDS walk list, she ends up being quite flattered by the lengths Jerry went to for her number. But when she finds out about him lying about his jean size — *that* is what causes the break-up, not Jerry stealing her phone number from the AIDS walk list. Thanks for the tip, [commenters](#).