

Legal marketing “survivors” Share their best practices

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For those considering a long-term professional career in the field of legal marketing, there is both good news and bad news.

The good news is that the demand for experienced, strategic law firm marketers is higher than it's ever been in the young profession's 30-year history. The first law marketing positions were staff level. Marketing managers started to appear 20 years ago and marketing directors 10 years ago. Today, business-savvy law firms are hiring c-level marketers – chief marketing officers – and paying them c-level salaries.

The bad news is that there is still a *very* high rate of turnover among practitioners. Although tenure is starting to creep upward, the average tenure of a marketing professional in a law firm has long been less than two years. Fifty-five percent of all law firm marketers have been in their current positions just three years or less.

Some turnover is positive -- the result of the most experienced professionals taking advantage of a competitive environment to voluntarily “move up” to bigger law firms that offer greater opportunity, a better title and a higher salary.

Most turnover, however, is negative – for practitioners as well as law firms. “A law firm does not ‘get’ marketing as a business concept or a marketer does not ‘get’ working in a law firm environment – or both,” said Merrilyn Astin Tarlton.

Tarlton moderated a panel of Denver-based law firm marketing veterans who discussed how they “beat the odds” to achieve a sustainable career in a volatile field – each by a different path. Tarlton has been a legal marketer and consultant (www.astintarlton.typepad.com) for 25 years and is a member of the LMA Hall of Fame.

The presentation was part of a monthly educational series sponsored by the Rocky Mountain Chapter of the Legal Marketing Association (www.legalmarketing.org/rockymountain). It took place Sept. 9 at Maggiano's Little Italy in downtown Denver.

Panelists included:

Sara Kraeski of Davis, Graham & Stubbs (www.dgslaw.com), who switched gears at the same law firm to move from partner to director of business development – a position that she’s held for six years (after 10 as a lawyer);

Connie Proulx of Wheeler Trigg Kennedy (www.wtklaw.com), who started her career 31 years ago as a law librarian before becoming a legal administrator and currently a marketing director; and

Lorri Salyards of Moye White (www.moyewhite.com), who started as a staff person and has been an administrator (with responsibility for marketing) for the past 23 years.

Each panelist agreed that setting clear expectations right up front – what the law firm expects of a marketer and what a marketer expects of the law firm – is essential. When interviewing for a position, ask “What would success in the position look like?” Be very concerned if the law firm cannot provide a clear answer.

Panelists also emphasized the importance of understanding the legal personality – agreeing that the best thing about working with lawyers is that they very smart people who work very hard. Often, however, they are adversarial, risk-averse, used to being right and not very good followers. Legal marketing is no field for a sensitive person.

“Even though I am a lawyer myself, I sometimes need to step back and remind myself that my former colleagues’ billable hours pay my salary,” said Kraeski. “Even with a law degree, as a marketing director my role is to serve the lawyers as my clients. If you want to be happy at a law firm, you must understand and accept this fact.”

Proulx credits some of her longevity in the legal sphere to good advice she and her husband received in pre-marital counseling. “Our counselor told us to prepare to deal with inevitable conflict in four areas – money, in-laws, roles and values,” said Proulx. “I’ve found this same advice very useful in a law firm environment. Conflict in the marketer/lawyer relationship is inevitable. It helps to anticipate and be prepared.

“In the area of money, conflict between lawyers and marketers can arise over salaries, budgets and lawyer compensation,” said Proulx. “In the area of in-laws, conflict comes because you do not choose, but ‘inherit’ the people with whom you work. In the area of roles, conflict can occur in the course of determining who is responsible for which aspects of marketing and business development. In the area of values, conflict inevitably arises over the value that the firm places on non-billable activities like business development.

“In a good marriage and a good law firm career, communication is the key to dealing with conflict,” said Proulx.

Salyards also emphasized the importance of constant communication between marketers and producers – including individual face-to-face time and attendance at all group

meetings. “Be a ‘make it happen’ person – not a ‘roadblock’ person,” said Salyards, “and lawyers will learn to come to you with their questions.

“Be creative and willing to take risks, but understand that your lawyers are – by nature -- critical and risk-averse,” said Salyards. “Don’t let this get you down. Listen carefully to criticism, learn from it and don’t take it personally. Tone down your expectations so that you are satisfied with each baby step that moves you closer to your ideal long-term goal.”

Proulx recommended *The Four Agreements* by Don Miguel Angel Ruiz as a guide for those who seek a sustainable career in legal marketing.

“According to this popular text, all human problems can be resolved by great communication,” said Proulx. “Although the four agreements are deceptively simple, it takes a lot of personal discipline to implement them consistently.”

- Be impeccable with your word (speak with integrity; say only what you mean);
- Don’t take anything personally (individuals, including lawyers, do what they do for their own reasons);
- Don’t make assumptions about what people want (find the courage to ask questions); and
- Always do your best (which will vary day-to-day, year-to-year, depending upon circumstances in your life; do not get too attached to “how things should be”).

After 30 years, law firms and lawyers are starting to understand the full range of value that marketing can bring to the legal profession. Practitioners who appreciate both the positives and the challenges of the law firm environment and the legal personality – and can act accordingly -- are well positioned for a sustainable and rewarding career.