

# Practice Management

Published by the Law Practice Management Section of the North Carolina Bar Association • Section Vol. 30, No. 1 • October 2012 • [www.ncbar.org](http://www.ncbar.org)

## Marketing/Business Development

# Overcome Fears of Asking for Business

By Kimberly Alford Rice

"I did not go to law school to be a sales person."

The last place most lawyers thought they would be in after law school was in the position of selling their services though the key to building a prosperous practice is to attract new clients and retain the ones you have. All of these transactions require lawyers to master some basic sales skills and closing the sale is a non-negotiable part of the process.

For ages now, those of us in legal services have debated whether lawyers should be expected to "sell" to grow their client base. For many, the very word "sales" is an untenable reference. That is why in many law firms today we use the semantical reference "business development". Call it what you will, but there's no getting around the fact that in order to grow a legal practice, lawyers must be retained by new clients.

Given the reality that law schools, for the most part, do not adequately prepare lawyers to engage in the business of law (including sales), it is no wonder why the fear of directly asking for new business is just a perceived obstacle for many lawyers.

Below are some of the most common concerns clients have shared in the business development and sales training workshops I have conducted over the years as to why they do not directly ask for business.

**1. Lawyers are uneasy with directly asking for business.** Given the lack of professional training (much less any practice) of how to actually ask for new business, most lawyers are very uncomfortable having those conversations. While you don't want to appear scripted, my clients have fared well when they have a practiced approach of "getting to 'yes'". One of the keys is to have statements, open-ended questions, and responses to obstacles at the ready. As important to becoming more comfortable with asking for business is to practice in front of a mirror observing your intonations, facial gestures and other non-verbal cues.

In the ultracompetitive legal services environment, it is essential to be prepared and proactive in seeking new business. Lawyers can scarcely afford to allow sales opportunities to get past them due to their level of unease.

**2. Fear of Rejection.** This is exceedingly the top concern and fear of my lawyer clients in directly asking for new business. While under-

standing that no one enjoys hearing "no", I advise my law firm clients to separate a "no" from a personal rejection. Often, when a prospect says no, they actually mean "not now" or they do not understand how your services will help them solve and/or prevent a problem. It is the lawyers' task to proactively understand the prospects' needs and to clearly describe the value of his/her services to discern whether they are a good fit for the prospect.

That said, there are many aspects of a sales conversation that require being attentive to non-verbal behavior and other implied messages to help read a prospect's intentions.

**3. Lawyers Fear Prospects' Negative Perceptions.** How many times have we heard "I don't want to seem pushy", "I don't want to seem like an ambulance driver", from colleagues when speaking of sales situations? The fact is lawyers' fears of negative perceptions will be reduced proportionately to how much he/she professionally learns and practices/prepares for directly asking for new business. Directly asking for business is just not something a lawyer can easily "wing" and still present a professional approach.

Sure, a lawyer may have pals or family members who have small matters they can handle, but for the sought-after business, there needs to be a disciplined approach to fully understanding the issues and having a full understanding of your firm's range of services.

**4. They Are Unclear on How to Ask for Business.** This is a different fear than being uncomfortable with asking for new business in that literally clients don't know what to say to prospects to lead to a "close". One of the most important techniques I teach my sales training clients is the art of the sales conversation. The sales process becomes infinitely easier and more comfortable when clients can dissect and clearly understand what needs to happen to lead the prospect to "yes". When lawyers understand the process and how to logistically have the sales conversation, the fear usually dissipates.

Closing is an important part of the selling process just as presenting a final argument is in the courtroom. Any successful litigator knows that any argument will fail without careful and thoughtful preparation and the same applies in closing a sale. What lawyer can afford to misappropriate even one selling opportunity in this highly competitive legal services environment?

**5. Timing Concerns.** It is a sign of a professional salesperson to clarify upfront the time required for a sales conversation as well as to understand the prospects' decision-making process and the key influencers who will be involved in authorizing the release of funds.

While you do not want to "spring" the final "let's do business" question on the prospect, the most productive sales conversations

*Continued next page*

will include a series of open-ended questions (those which cannot be answered 'yes' or 'no') to understand the specific needs, the cost of doing nothing, and whether your services are the best fit. The "big close" is effectively avoided by asking for a number of little decisions, i.e., gaining confirmation as each point is established, similar to a litigator when questioning a witness.

When preparing for a sales conversation, many lawyers suffer a strategic and tactical lapse, abandoning preparation and focusing instead on closing. Professional salespeople know that if the preparation is done properly, the closing is almost a non-event. Successful rainmakers know that they can't rush the sale.

Equally, poor preparation guarantees failure in sales results just as in the courtroom regardless of how good the closing technique or argument. Rushing "the ask" often results in a negative response. Take your time to actively listen to your prospect, her needs, challenges, concerns, etc. so that you are in a stronger position to offer help with a more assured understanding of needs and expectations.

**6. Fear of Overcoming Obstacles.** When lawyers are prepared and have learned what prospects are willing to give up in time and money to get, it becomes easier to respond to objections. Objections are typically a sign that while a prospect may be interested in "buying" your services, you have yet to adequately describe how you can add enough value and/or help prevent or solve a problem.

Again, asking incremental questions to gain an assurance of what the prospect is seeking to resolve and the precise demand triggers places you in a stronger position to differentiate yourself by presenting a unique value add obtainable only from you and your firm.

I often advise my clients to incorporate questions such as "is there anything I haven't addressed that is of concern to you or your organization?" Or "explain where we are not in alignment." By presenting

only concrete examples of relevant situations and successful buying decisions by clients most like this buyer, making a buying decision will be much easier for the prospect, and selling will be easier for you.

At the end of the day, we are all buying and selling something every day. It is in the nuances of actively listening, asking appropriate open-ended questions to fully understand the underlying problems, the value of solving it, the cost of doing nothing, and guiding your prospect to the point of recognition that you are uniquely qualified and situated to best address the issue. Then, practice, practice, practice your delivery to convincingly communicate that your services are the best fit for your prospects' needs.

The great Vince Lombardi said it so eloquently, "The difference between a successful person and others is not a lack of strength, not a lack of knowledge, but rather a lack of will."

*Article appeared previously in The Legal Intelligencer.  
Reprinted with permission.*



***About Kimberly Alford Rice***

Kimberly is principal of KLA Marketing Associates, a consultancy that helps law firms and lawyers develop practical business development and marketing strategies. Additionally, she provides career management services to lawyers in transition. She can be reached at 609-458-0415 or [Kimberly@klamarketing.net](mailto:Kimberly@klamarketing.net).

For more information about the Law Practice Management Section or the North Carolina Bar Association, visit <http://lawpracticemanagement.ncbar.org> or [www.ncbar.org](http://www.ncbar.org).