

From the Editors

Taylor's Perspective . . .

Field Guide Offers Lawyers Key Tips to Attracting, Grooming, and Retaining Clients

Bill Flannery has spent two decades sharing his unique perspective on marketing with lawyers. Lots of them. Some 10,000 lawyers. This is not to be confused with the late great band of the early 1990s, the 10,000 Maniacs.

It's not a far leap, however, to say that some of those lawyers may have driven Flannery maniacal, especially in the early days—the late 1980s into those early 1990s—when attorneys eschewed marketing like Dick Cheney shuns smiles. It's no secret that marketing directors and managing partners had to persuade, cajole, rope, chain, and drag many lawyers into marketing training programs. None better, perhaps, than those offered by Flannery and his Austin-based consultancy, WJF Institute.

Despite the rise of marketing directors to the C-Suite in the form of Chief Marketing Officers, despite the gallons of printing ink used to spread the Law Firm Marketing Gospel, despite the deluge of prosperous rain made as a direct result of successful marketing efforts, even today many lawyers continue to turn their noses up at the mere mention of the M-word.

Flannery addresses this sort of negative attitude, this denial of the virtues of marketing in the first chapter of his recently released book, *The Lawyers Field Guide to Effective Business Development*, published by the Law Practice Management Section of the ABA. Beginning on page 11 of this compact, 150-page guidebook, Flannery writes several passages of succinct prose that make the case for smart marketing.

He lists six myths about business development and debunks them quickly and effectively. Myth #5, for example, states, “Rainmakers are born,

not trained or created.” No, Flannery correctly asserts, the most productive revenue generators had to first acquire “learned skills” before they became the envy of the office. He implores lawyers to “reframe” their thinking on business development, that it truly is an integral part of being an attorney. Toward the end of the chapter, he gives readers some of “the right behaviors and the right skills,” which include “developing empathy to understand and relate to the clients’ or prospective clients’ pressures . . . and risks.”

Tightly Organized

Field Guide is organized into five sections—Plan, Interview, Design, Solutions, and Decision—all of which lead the reader through the various process steps required to motivate attorneys, identify prospects, and then learn about, hook, and retain them.

One of the more engaging passages falls in the Interview section under the subhead of “Identifying Styles of Processing Information.” Here, Flannery serves up a very clear, very concise overview of the complex theory and practice of Neuro-linguistic Programming, something lawyers would be wise to study and apply both during the beauty pageant and the trial or negotiation. While it's not necessary to summarize his summary of this social science, it's important to note that Flannery sagaciously encourages lawyers to understand the differences in the way that people take in information—visually, auditory, or kinesthetically—and adjust accordingly. He recommends books that explore this subject further.

Later in this chapter, the author-consultant provides practical, in-the-field guidance: a line

of questions for attorneys to use during the “needs-analysis interview” with the prospective client. Most of these are good, copy-them-down-and-actually-use-them questions. For example: “What kind of research and development do you see as necessary for you to meet your strategic objectives?” and “What do you like about what other firms do, and what do you wish they would do differently?” and “How much detail do you like to get from your lawyers?”

Just think about that last question, because it’s an important one. Some clients simply want an overview, others want to hear all the gritty details, and knowing this makes communication flow more smoothly. (Don’t we wish we could tell others, in social situations, how much information we want to hear from them!?) The question also says a lot about Flannery. He knows what makes effective communication.

Now, the book’s not perfect. It falls into the same trap as do other books on the legal profession, especially those on marketing. Notably, Flannery sometimes provides information that seems obvious, as if it’s doing no more than helping fill a page. For example, when he advises ways to research potential clients, he writes this sentence: “And, in the age of Google and other Internet search engines, you can often unearth useful personal information about your client contact simply by typing the contact’s name enclosed in quotation marks in the Search field and hitting Enter.” If you don’t know this, or know how to Google, you need more than *Field Guide*.

From Hemingway to Berra

The flaws are few and far between. Flannery is clearly a good writer with prose that’s straightforward, simple, yet still colorful (but not of the flowery, purple shade, thankfully). He spices up his text with quotes and references from Hemingway, La Rochefoucauld, JFK, and good old Yogi Berra—his classic line, “It ain’t over till it’s over.”

That quote fronts the last section of the book, Decision, which outlines what to do if the client

chooses you and your firm as his or her counsel and what to do if you’re rejected. In the former case, Flannery recommends that you not simply kick back, uncork the bubbly, and celebrate your successful sales pitch. Rather, he writes, “Engage the client in a frank discussion about the deciding factors in your hiring?” Smart thinking. Attorneys do need to know why they got the gig so that they can draw from that the next time around.

Naturally, the longer, and more important, advice covers ground about how to react when you didn’t generate the new work. Flannery states that, when possible, find out why you didn’t succeed, and whatever you do, “don’t despair” and “don’t burn bridges.” He ends this section and the body of the book (there are also some useful appendices) with a “Success Story,” one of the real-life examples that he’s seen from his years of experience that are sprinkled throughout *Field Guide*; each of these are very effective, by the way. This one recounts how a law firm didn’t burn bridges and later got more lucrative work than the work it first went after.

A note about the look and feel of this book: It’s small enough to easily hold in one hand and really resembles something that a bird watcher would tuck into a pocket for easy reference before entering the woods. It’s laid out in a way that’s visibly appealing, with bulleted items and charts and graphs. It has shaded boxes that highlight short rules or reminders to help lawyers in their marketing efforts: “To build lasting trust with clients, trust the process and trust yourself.”

All in all, *Field Guide* is well-worth the \$59.95 sticker price. It’s engaging and you can read in it one sitting. Although, if you’re a savvy business generator, you’ll come back to it time and time again, ideally just before you apply its contents. Consider a blurb on the book’s back cover by the inimitable Bruce McLean, chairman of Akin Gump Strauss Hauer & Feld: “. . . Flannery’s practical guide . . . is a must-read for every practicing lawyer.” We couldn’t agree more. ■

—Steven T. Taylor