POSITIONING

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Get ahead. Stay ahead.
Serving the legal profession

Law Firm Marketing

The U.S. Supreme Courts Decision in Bates vs,\. State Bar of Arizona 1977 struck down Traditional Code of Ethics and Rules of Professional Conduct prohibiting “frank marketing”.

Enabled meaningful change beyond the decision itself.

Began a course of evolution that 34 years later brought us to the modern and progressive firms we see today.

Ability to accommodate a changing environment.

Change - Accelerated by the economic down-turn but not a result of it.

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Change

Change is not an event, it's an evolutionary process assaulted by random events that you can not control.

> shifts in the economy
> changing client needs
> disruptive technology
> innovative new law firm models

Legal professionals bound by tradition still view change as a threat to the integrity of the practice.

"When you get up in the morning remember there's a 26 year old out there inventing something that will destroy your business." JohnDoerr - KP > Bill Joy - Sun Microsystems

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Law Firm Marketing 2.0 → *Evolving*

We're still in it - techniques have been somewhat refined.

"Marketing" has evolved into a common practice yet still an alien one.

Yet to be accepted as integral to the practice and a driver of growth.

"Marketing? Yeah we've got someone down the hall who does that."

The past was akin to running a race downhill. It has shifted to an uphill race. Competition is fierce.

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Law Firm Marketing 2.0 *Evolving*

What's normal according to most law firms?

> inborn conservatism, history of professionalism with little trust in technology, automated solutions.
> more is better.
> value is measured by time put in not value delivered - can't monetize other more efficient inputs - they become denigrated.
> prices always go up an average 5 - 7% annually.
> that's how we've always done it and eventually it will work again.
> If it isn't broken why fix it? (IOW why innovate?)

Often does not work in the best interest of clients in todays environment.

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Law Firm Marketing 2.0 → *Evolving*

Manufacturers and consumer products companies know at the core of their business are customers.

An enhanced understanding of customer needs and serving them.

One that often seems inimical to professional services.

Many law firms have yet to grasp this concept - that marketing and competing - making and keeping new customers - is at the core of their existence and integral to success.

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It's About Them.

"I think we're the best in our market at what we do"
Managing Partner DC law firm

What you think doesn't cut it in a competitive environment. It's about what the market thinks.

I O W, it's not about you, it's about them. Your clients are the center of your universe not you.

Product marketing can claim superiority. Professionals can't say we write better briefs, get better results - there are ethical and practical constraints. You can't prove it.

You have to influence them through an understanding of and emphasis on their world not yours!

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Law Firm Marketing 2.0

Evolving

The practice of marketing is divided.

Most firms still don't understand the concept of strategy and positioning, the purpose of which is to connect the firm to the interests of its clients.

In fact, the single greatest performance gap that exists is a lack of understanding about strategy and positioning, its connection to clients and consequently growth.

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Law Firm Marketing 2.0 → *Evolving*

The negative attitudes are changing.

Law firm management is evolving to "next generation" thinking by leadership already dependent on and continuously evolving with technology, the digital world, social media and not inhibited or feeling bound by tradition.

They understand:

> the ultimate role of the firm is to generate a client.
> sophisticated marketing is integral to achieving that goal.
> leveraging technology is a huge growth enabler.
> both are a business imperative and not just a basic, expected responsibility.
> law firms sell knowledge, capability and skills - requires more input and clarity.
> the environment is tempered by competition.
> fighting competition isn't done casually, it's done strategically.

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Law Firm Marketing

What is the new normal?

Today's "modern" firm - *there are more than you think* - still evolving.

Today - very client oriented, new configurations are designed to improve productivity, increase efficiency, simplify processes, provide access to information when clients need it, practice legal problem avoidance and reduce risk, help clients achieve goals, provide extraordinary service.

Productivity is defined more by value delivered to the client than # of hours worked.

Reside in the digital age - use technology and the Internet with sophistication.

Understand their limitations and the value of strategic partnerships.

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Law Firm Marketing 3.0

What is the new normal?

Rather than simply profess their "greatness", they translate their "greatness" into value delivered to their clients, establishing a client centered reason for being great at doing things and an understanding of their client's world.

They speak of a concept called value, asking -What is the real and unique value of our firm to our clients?

The result creates the opportunity to POSITION the firm around key strengths, client centered value and create separation from competitive firms.

It empowers the firm's attorneys!

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Law Firm Marketing 3.0

What is the new normal?

Identify with the client environment, needs, expectations.

Changed expectations can be met with new approaches, new solutions. It's called innovation. Innovative law firms? - Absolutely.

Ask yourself - What fact or value can we bring to the market that would address those expectations and concerns?

"I understand what you want and need and what concerns you most and I'm going to give it to you."

Enables competitive POSITIONING = growth opportunities for the firm.

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A BOUTIQUE FIRM

"With experience in the wide spectrum of employment-related needs of businesses, executives, and health care facilities, agencies and practices, our employment attorneys are highly suited to support you . . . ." SNO-O-ORE

A MID SIZE REGIONAL FIRM

"The attorneys in our Labor and Employment Law Practice Group are highly experienced in all matters pertaining to the relationship between employers and employees. When you are challenged by a . . . ." SNO-O-ORE.

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A LARGE NATIONAL FIRM

"Our Wage-Hour team is always on top of the latest changes in the law, regulations, and the cases that form the basis for this type of litigation. There is no learning curve for our attorneys when clients are threatened with an FLSA or state wage-hour class action..... . . . ." SNO-O-ORE

A GLOBAL FIRM

"Employment laws impact every company – from a start-up hiring its first employee to a multinational powerhouse facing a complex class action. [Our] labor and employment lawyers focus exclusively on representing management-side clients in labor and employment law matters. We provide counsel to a wide range of private and public employers, from multi-national companies with thousands of employees in numerous and distant locations, to companies with one site and relatively few employees...." **ignyte**

What clients say

Clients want legal risk management, more than legal problem solving.

They want dispute avoidance before dispute resolutions.

A "fence on the top of the cliff, not an ambulance at the bottom".

Exemplar Partners

Positioning based on client need

Your people are the heart of your organization, and a critical component of the health of your company is compliance with State and Federal Employment Laws and standards. From workforce reduction to anti-discrimination policy, Exemplar can help you avoid problems with sound advice and preventative care.

Exemplar represents Employers in employment related litigation matters in a unique and value-added way. Our team of professionals help you to find the most cost-effective means of resolution and address pre-and post-systemic or value added policies at the same time, helping you expeditiously to manage exposure and saving you in future productivity and profitability. If you are facing a dispute we will invest in learning about your needs and offer lasting solutions.

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Exemplar Partners

Positioning based on client need

Exemplar Primary Care Employment Law
Exemplar's Primary Care Employment Law Services

where every move can change the outcome. This powerful partnership with our customers

.

Exemplar Business Services

can make a significant difference to the bottom line of your organization. Our Human Capital experts on the business side work hand-in-hand with the Exemplar legal team to

(even before you have them) and to

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Positioning

The most important component of a marketing program.

Addresses the need to compete imaginatively and innovatively.

Defines in greatest detail possible what the prospect clientele needs most.

Demonstrates that you understand those needs.

Explains why you're most capable of serving those needs.

Becomes the foundation and thrust of your marketing program and your budget gets spent emphasizing meaningful difference and creating a reason to be selected over your competition.

Every lawyer is empowered.

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ignyte > our law firm clients >

Corporate-actualization - seeking to understand the full potential of what you have to offer a client and, artfully communicating those values in a way the client can see him or herself and their problems in the context of your law firm's brand versus a competitor.

Your positioning and the marketing effort it supports relates to their world and their needs better than other firms.

The profession is highly competitive.

> Are you connecting the firm to the dynamic world of your clients? How is your message and positioning currently structured and how should it be structured?

> What are clients supposed to realize when they engage with your messaging, your value proposition and your Internet based communication?

> What makes you think you'll be viewed differently than your competitors?

> Why would a client do business with you over another firm?

Two key questions are on the table from clients in this environment:

> What do you stand for?

> What is your real and unique value?

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Conclusion

Market change will continue without formal decision on the part of law firms. Change is a constant. [illegible] will evolve fully to [illegible]

It's not about you it's about them.

Law firms have to modify their positioning and rethink how they're communicating their value to the market.

Leaders who are innovative will still be prosperous despite poor economic market conditions, but late adapters and non-adapters will be dragged down to cost competing and struggle for survival.

POSITIONING the firm (and its partners) to align your interests with those of your clients creates the foundation to compete and prosper in the 21st Century.

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