

## O Client, Why Art Thou?

### *Maintaining Client Loyalty By Measuring Client Expectations*

By Joshua Fruchter

Thriving law firms achieve success by meeting or exceeding their clients' service-quality expectations. These expectations are shaped by clients' past experiences, word-of-mouth, and advertising, and create a baseline against which performance is measured when services are delivered. When a firm's performance exceeds the expected level of service, clients remain loyal. Conversely, when performance fails to meet expectations, clients go shopping. It thus behooves law firms to continually explore and experiment with strategies for exceeding their clients' highest hopes.

*continued on page 10*

## Note from the Editor

This month, I am pleased to welcome Olivia Fox Cabane as a regular columnist. Olivia's column "The Place to Network" will alternate with Steve Meyerowitz's column. Olivia is the Executive Director of Spitfire Communications in New York City. She is the author of several networking handbooks, Olivia has lectured on networking at

*continued on page 5*

## The Power of Image

By Mark Merenda

Lawyers are often uncomfortable with investing in their firm's image. First, they see marketing in general and image in particular, as somehow "slick" or "deceitful." What should matter, they say, is how good an attorney they are. Not all this marketing stuff.

At the same time, attorneys are taught to think of themselves as "professionals," and as such, they need to look professional. For most, this means putting a Doric column or the scales of justice on their business card.

Image is frustrating for attorneys in another way, as well: Investing in image costs money, yet rarely provides a measurable return on investment.

When attorneys spend money on direct marketing, say a public seminar, the results are very measurable: We spend \$5000 dollars on the advertising and promotion, and \$1000 dollars on the venue and refreshments, and we know the results — 45 people attended, 15 made appointments, 10 became clients and the revenue to the firm was \$25,000.

Even if attorneys find it difficult to live with the risk of putting on a seminar (What if no one shows up? What if no one makes an appointment? What if no one becomes a client?), they are at least comforted by a measurable outcome.

Investing in image is much more difficult. Nobody ever says, "I hired you because you have a great brochure." There is only rarely a measurable return on investment. You can almost hear the conversation within the law firms' walls.

*"We've been going along okay without a brochure."*

*"We have to spend money for stuff we need, not stuff we want."*

*"We can get it done at Kinko's"*

And my personal favorite:

*"My brother-in-law is good with computers, he says he can do a logo and Web site for us for free."*

Like paying for an estate plan and many other legal services, investing in image marketing is elective. You don't have to do it. And when confronted with all the

*continued on page 8*

### In This Issue

The Power of Image	..1
Maintaining Client Loyalty	.....1
Media & Communications Corner: Avoiding Ad Bombs	.....2
Avoiding Communications Hazards	.....3
Skills to Be Successful	..5
10 Money-Making Elements	.....6
The Place to Network	..7
How to Develop New Clients from Conferences and Seminars	.....11

---

## Network

*continued from page 7*

speakers and board members, which are usually prominent individuals.

If the committee decides to invite these people for a speaking engagement or a board membership, you have a very flattering reason to contact them. And thanks to the committee's research, you know exactly you have in common with each, which is a great way to start a solid business relationship. If they don't make the cut, you've still

gained an edge; thanks to the research, you're more likely to meet them since you now know which causes they patronize and which events they attend. And when you do meet them, you know exactly what the two of you have in common.

### **BUILD**

Before you can have an impact, you're going to have to "pay your dues" and build your credibility. It takes work and time before people start to trust you. Contrary to what you may hear, suggesting lots of new initiatives is not the best way to build

credibility. That's just what might make fellow committee members feel jittery, since they don't trust you yet.

Instead, start small. Ask where you can be of help; ask what needs to be done, and whatever it is, do it. Better yet, see if you can solve a nagging problem that no one had bothered to tackle. Once your credibility is established, you can propose new initiatives such as the ones we've just mentioned. Launch away!



---

## The Power of Image

*continued from page 1*

other things you might need or want, like a new employee, or a new computer system, it's easy to see why an investment in image goes to the bottom of the pile, never to be seen again.

I hope to convince you that you *do* have to invest in image, if you want to grow your firm.

### **THE IMAGE IS THE PRODUCT**

The first thing to consider is this. Your service (or "product") is invisible. When the product is invisible, the package is the product.

Marketers of products understand the importance of packaging. Did you know that when researchers added 15% more yellow to the 7-Up label, consumers complained of the lemon taste?

This phenomenon is called "sensation transference" from package to product.

Do you remember the famous Folger's Crystals taste test? Here is the story, courtesy of Harry Beckwith in his book *The Invisible Touch*:

An announcer comes on the screen and intones: "We're here at the fabu-

lous Blue Fox restaurant in San Francisco where many of the diners are enjoying their after-dinner coffee. What they don't know is that we have substituted Folger's Crystals instant coffee for their regular blend."

The unseen announcer sticks a microphone in front of a well-dressed woman at one of the tables.

"Ma'am, can you tell us, how is your coffee?"

"Why," she exclaims, "it's wonderful!"

And we, the viewers, might ask why. The answer is simple. The coffee is being drunk out of a fine china cup at an expensive restaurant. Of course, it's wonderful.

Recently, the makers of children's Tylenol had to recall all lots and all flavors of Children's TYLENOL® Meltaways, Children's TYLENOL® SoftChews, and Junior TYLENOL® Meltaways. It was a massive recall.

The problem in a nutshell? The language on the box told parents the proper dosage was one tablet (80 mg of acetaminophen). But the packaging was in blister-packs of two each. The visual message being delivered was that the proper dosage was two tablets (160 mg of acetaminophen).

Taking more than the recommended dose (an overdose) of acetaminophen may cause liver damage when taking the product for fever or pain relief over the course of the 3- or 5-day period specified by the labeling.

Conclusion: *The message of your packaging is more powerful than your message.*

### **MAKE A GOOD FIRST IMPRESSION**

The power of first impressions is overwhelming. Research shows that

women make up their minds about you in approximately 37 seconds. Men are more generous. They take about 45 seconds. There's good news, though. The women are slightly more likely to change their minds.

Each of us carries around a kind of envelope — a hundred small details that tell others who and what we are. The mind of our prospective client processes that information in a millisecond and comes to an instinctive conclusion about us. It is a conclusion they could never articulate or explain, but it is instant, powerful, and mostly irreversible.

The currently hot psychology book on this topic is *Blink* by Malcolm Gladwell. In *Blink*, Gladwell says:

*"First impressions are often accurate, and they facilitate our survival and interaction with the environment. For example, humans and monkeys are excellent at judging threat, dominance and hierarchy following a single glance at a picture. Some first impressions, however, are less accurate and subsequently misguide our behavior in a less desirable manner. For example, in a court situation, it has been shown that defendant attractiveness is associated with judges levying smaller fines in actual cases."*

So the power of first impressions — the evidence of our eyes, and the instantaneous conclusions we make based on that evidence, is huge — for better or for worse.

Gladwell tells the story of a gifted classical musician, trombonist Abbie Conant. In 1980, she auditioned for the Munich Philharmonic Orchestra.

*continued on page 9*

---

**Mark Merenda** founded Smart Marketing in 1994. Since that time he has built Smart Marketing into one of the country's premier marketing firms for financial professionals. He can be contacted by telephone at 239-403-7755 or by e-mail: mark@smartmarketingnow.com. The company's Web site is [www.smartmarketingnow.com](http://www.smartmarketingnow.com). Merenda's SmartBlog can be read at [www.lawfirmhelp.com](http://www.lawfirmhelp.com).

## The Power of Image

*continued from page 8*

There were 33 candidates for the position and all played their auditions behind a screen, making them invisible to the selection committee. Conant was the overwhelming winner, to the point where after her auditions, the remaining 17 contestants were sent home without an audition.

But when she was brought out to meet the conductor and the orchestra there was a gasp. She was a woman. Women can't play the trombone. Everyone knew that. They didn't have the muscle, the wind, or the chops for that masculine instrument.

It was okay to have a few women in the orchestra playing the flute or even the violin, but that's all.

The orchestra grudgingly hired her, then demoted her to second trombone a year later, then put her on probation. Eventually the whole matter ended up in court, and 8 years later Conant was reinstated as first trombone. (Since that time, auditions for classical musicians are more typically held in this "blind" manner and as a result the number of women in the top U.S. orchestras has increased fivefold.)

The problem is that the orchestra's leaders were "listening with their eyes" and not their ears.

Your potential clients will do the same. If your image says you are a distinguished and successful attorney, nothing you say or do will easily dislodge that notion.

If your image says you are shabby, or run-down, or ordinary, or cheap, nothing you can do or say will easily change that impression.

*Your clients are listening with their eyes.*

And think of this: Your prospects are not qualified to judge your legal expertise or the quality of your work. They can't tell the difference between an A-plus lawyer and a C-minus lawyer. They don't understand what it is you do, whether you are any good, or how much they should pay. They lack a rational basis for deciding and will therefore decide on an emotional basis. Nothing affects emotions more than appearances.

The power of first impressions, discussed above, is also called by psychologists "thin-slicing" or rapid cognition.

One of the most amazing aspects of this rapid cognition is that once an impression is formed, it will be kept despite all kinds of evidence to the contrary, as evidenced by our trombone lady.

That means that once a prospect has formed a favorable impression of you and your law firm, he or she will keep that favorable view, even if you don't do a great job for them!

Of course, the opposite is also true. If the prospective client forms an unfavorable, or even mediocre, first impression, you will have a hard time changing that opinion, no matter what dazzling legal feats you perform.

### IMAGE ANYONE?

Still not convinced you should invest in image? There are very compelling reasons for doing so.

Unlike legal expertise, or a valuable network of referral sources, or a "bank" of satisfied clients — all of which take years of hard work to build — you can buy a wonderful image.

That is, in the one area that will have the most influence over your prospects' buying decisions, you can have it immediately.

Not having a great image will sap your confidence in your dealings with prospective clients and rain-brokers. I know an attorney who spent \$3000 on a new wardrobe and doubled his income in 6 months.

Think about being in a singles bar. Knowing you look good transforms your attitude, your smile, your posture. You become a magnet for others. If you don't feel attractive, you won't even bother approaching a member of the opposite sex.

In professional practice, your business card, your Web site, and your brochure (among others) are your firm's "clothes."

You will attract more clients just from the feeling your image gives you about yourself, as well as the feeling it gives the clients about the decision they are about to make.

Which brings us to the best reason of all to invest in image. With a

distinctive image you can charge more! Yes, that's right. People who will not pay \$1.99 for a box of generic tea in the supermarket will pay \$9 for something called Tazo at Starbucks!

Remember the Folger's Crystals? Coffee drinkers who will scream bloody murder about spending more than \$2 for a coffee at Dunkin' Donuts will happily pay \$7 for an inferior coffee, because their surroundings — the package, or image — tells them to.

### COST KILLS

When it comes to image, and to your practice in general, don't focus on cost! The head of a business needs to be relentlessly focused on revenue growth and willing to spend whatever it takes to make that happen. Focusing on cost paralyzes you and keeps you from growing your business. The brochure of one attorney I know cost about \$8000 for 1000 brochures, or about \$8 apiece. When I say \$8000 many of my readers will feel faint. But how about when I put it this way? Is \$8 too much to secure a \$5000 client?

Here again is Gladwell in *Blink*:  
*"Taking rapid cognition seriously— acknowledging the incredible power, for good and ill, that first impressions play in our lives — requires that we take active steps to manage and control those impressions."*

Please keep this in mind. Your potential clients will have a first impression of you and your firm. That impression will, in large part, determine whether or not they will become your clients, and how happy they will be with you afterward. You do not have a choice about that.

You do have a choice about determining what that impression will be — or leaving it to chance. You must take charge of the first 2 minutes.

The fact that you have not done anything to create a first impression, does not mean that your clients won't have one.

I want to leave you with a final thought, courtesy of Harry Beckwith: The longer your image says "struggling attorney," the longer the struggle.

