

Nine Reasons Most Attorneys Don't Do Marketing

Modified from Mark Merenda of Smart Marketing
<http://www.smartmarketingnow.com/articles.html>
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1. **Attorneys are trained skeptics.** Marketing requires faith and patience. Attorneys like to prod and poke a marketing effort until they can prove to their great satisfaction that there is no way it can work.
2. **Attorneys love to argue.** Most lawyers are smart. When it comes to embarking on unfamiliar enterprises, like marketing, they find it difficult to “be stupid” and benefit from the wisdom and experience of other experts.
3. **Attorneys are risk-averse.** As counselors, the most prudent (and safest) advice attorneys give is, “Don't Do It!” They live in a universe where mistakes result in liability, malpractice and large judgments. In marketing, mistakes are a necessary part of growth. Taking risks and managing risk is an essential element of marketing and growth. Attorneys like contracts and guarantees.
4. **Attorneys often know little about business.** Law school offered no courses on being business owners. Any high school business student knows that marketing is an important and mandatory part of any business. This comes as a shock to attorneys who often conceive of themselves as belonging to some kind of 19th century guild.
5. **Attorneys were educated in an anti-marketing culture.** They learned that they were in a “profession” where refined ladies and gentlemen did not make unseemly efforts to secure business. Such people were “ambulance chasers”. (The practice of law is a profession, but that practice takes place within a business entity called “a law firm” – subject to all the laws of economics as any other business).

Nine Reasons Most Attorneys Don't Do Marketing (continued)

6. **Attorneys fixate on costs.** Most attorneys hate it when a prospective client plops themselves down in the lawyer's office and starts with "What's all this going to cost?" Yet. That is the first question the attorney asks about marketing. Focusing on costs causes paralysis. Owners of law firms must focus on revenue generation and driving the top line.

7. **Attorneys like to dither.** High "fact-finders" on the Kolbe Index, they like to analyze things. They want to do extensive due diligence. They want to consult with all their colleagues. They enjoy thinking about action more than taking action, with its attendant risks. But action conquers fear. Life rewards action and punishes inaction. Fortune favors the bold.

8. **Attorneys lack perseverance.** If attorneys do get around to trying some form of marketing, any bump on the road will throw them off. And there are always bumps in the road. Attorneys get excited about a new marketing program, and throw themselves into it passionately. Then after 45 days or so, life happens. A big case blows up. One of the kids gets sick. A check doesn't come in. The marketing didn't produce instant riches. The attorney decides he or she made a big mistake and gives up.

9. **Attorneys define themselves as attorneys – not as owners of a law firm.** This is the single most important error, and it is a contributing factor in all the others listed here. Attorneys do not understand that these are two completely different roles that require two completely different mindsets and two completely different sets of skills. What attorneys believe to be their greatest asset (their skill at practicing law) is actually their greatest liability. They are too busy working in their business to work on it. In order to grow a practice and succeed, it is necessary for attorneys to conceive of themselves first and foremost as the owner of a business called a law firm, and only secondarily (if at all) as a practicing attorney.