

# Law firms & the 7 Ps.

Why is there no real legal marketing?

## The past.

I first joined a law firm in 2006. At that point most law firm marketing & business development teams comprised marketing generalists. In the eyes of the partners they were there to make documents look pretty and organise events. But then things began to change.

Suddenly key account management and client relationship management were all the rage. Law firms replaced their marketing people with business development people (like me; I previously worked in the tax group at EY, managing their global key client programme).

Which brings us to 2015, where the world is very different compared to 2006. And it's a world where law firms really need skilled marketeers.

## The present.

The Chartered Institute of Marketing describes marketing as *"the management process responsible for identifying, anticipating and satisfying customer requirements profitably"*.

Law firms don't practice real marketing. Service marketing is about the 7 Ps - product, price, place, promotion, people, process and physical evidence. At most, law firms do the promotion part.

When was the last time law firm marketeers were asked to help design new products, or package existing services in a more efficient way? How often do they get involved in pricing models to ensure that clients feel they're getting real value for money and work is profitable for the firm? Hardly ever.

In terms of promotion, content marketing and thought leadership have become the tactics du jour and firms are beginning to understand how to use social media. This is laudable, but too often these tactics aren't part of planned, strategic campaigns. Firms are promoting something, but not within the context of the six other Ps; often they don't know what they're promoting or who it's aimed at.

In some ways this isn't surprising. The concept of marketing in the legal sector is still relatively new. Law firms don't really know what marketing is yet.

However, the suspicion still lingers that the real problem is partners don't value marketing. They still think of it as something fluffy that doesn't add value. This is a serious worry, particularly in a market as competitive as the law. Marketing is a skill - a valuable skill. Law firms need to recognise this.

# The strategic problem.

I recently produced a piece of thinking called *Differentiation is dead. Law firms and the search for distinctiveness*. It explored the marketing messages, positioning statements and values for each of the top 100 UK law firms. What became clear was how few firms convey any sense of distinctiveness. Virtually everyone says exactly the same thing. They even say the same thing when claiming to be different.

But is that a surprise? Even if a firm recognises the need to uncover, articulate and communicate how it's distinctive, who's going to do it? Not the partners. As a skill, business development is prized far more highly by law firms than marketing. Consequently, there aren't nearly enough talented marketers working in law firms.

For all that firms may talk about developing a clear market proposition and a strong brand message, they don't employ the right people to help them do it. Firms have actively phased out those professionals who have the creative marketing skills to help them stand out.

# The practical problem.

M&BD teams are structured in many different ways. A common structure (particularly in larger firms) is to have BD teams sitting in the different practices and sectors, with a central marketing function. BD then calls on marketing for support as required.

On the face of it this seems sensible. However, it's the wrong way round for two reasons.

First, when you have BD managers dictating what their practices and sectors want to do you end up with the tail wagging the dog. The firm instantly splinters into different silos and often loses a sense of strategic direction. Corporate pulls one way, disputes another, with finance somewhere else again.

Second, it misses out key stages of the sales process. This actually makes it more difficult for BD and the partners to do what they should - go out, build relationships and win work.

The classic sales funnel has four stages (which are still valid in the digital age, despite much talk to the contrary). First you build your profile, then you build relationships, then you bid for work and then, when you've won the work, you grow the relationship.

Think of it the other way round; you can only cross-sell and up-sell after you've won the work; you're more likely to win the work if you have a personal relationship; and it's easier to build a personal relationship if you have a strong profile.

The last three stages of the sales process are entirely dependent on the first. It's the first stage that your marketing team can - and should - deliver. They're a critical part of building a successful business.

## The future.

Contrast this with the way most of the big accounting firms work.

They have a large central marketing function that produces content and delivers campaigns based on the issues that the firm wants to focus on for the next 18 - 24 months. These materials are then pumped out to the BD teams in each sector, practice and region who use them to support their sales efforts.

Contrast further with successful corporate businesses, who have a marketing function and a sales function. All their sales teams do is, well, go out and sell their products. Everything else is left to marketing - sales couldn't exist without them.

Law firms need to radically rethink their approach to marketing and business development. In an age where standing out has never been more difficult - and therefore never been more critical - firms cannot invest enough in genuine marketing skills.

It's about strategy, then marketing, then sales. Work out what work the firm wants to win. Tell your marketing function and they will put together the plan to target the right people in the right places with the right products at the right price. Then get your BD people to put together their sales plans with the partners. In that order.

There are lots of really talented marketeers who are ready, willing and able to do this. Law firms need to let them.

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