

Mining Gold: Getting Lawyers to Sell Effectively

Presented to:



October 18, 2019

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Mining Gold: Getting Lawyers to Sell Effectively

October 18, 2019



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Today's Agenda



1. Introduction
2. Foundation for effective business development
3. Some key components to selling:
 1. Differentiation and value proposition
 2. Activating referral sources
 3. Prospecting and "no sell" selling
4. Tips to help your lawyers sell effective



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Marketing vs. Sales/ Business Development



- Marketing = Create Demand
 - Strategies used to reach and persuade prospects; establishes credibility; it is the message you convey about your services/expertise and what differentiates you.
 - Opens the door for business development.
- Sales/Business Development = Land the Business
 - The personal interactions you have with clients, prospects and referral sources through one-on-one meetings and interactions to secure new or additional business.



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Foundation for Effective Business Development



1. A sales and client-centered culture
2. Careful planning, measurable goals
3. Routine and discipline
4. Differentiation and niche expertise
5. Staying tuned to the market
6. Accountability and incentives

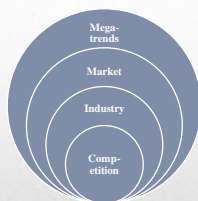


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Consider trends and practice vision:



- Assess:
 - Their practice now and where it's going
 - Ideal clients – how to deepen, expand
 - What has worked for them to date; skills or approaches to strengthen
- Where do they want to be in 5 years?
- Practice group's goals? Firm's goals?



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Add SMART goals and tactics.

- Action plan components typically include:
 - Client strategies (deepen, expand, cross-sell)
 - Prospects and referral sources
 - Internal marketing
 - Branding/positioning and visibility (go-to expertise, speaking, writing, media)
 - Leadership and advancement
- Each lawyer develops business differently – there is no "right" way



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Make prospecting an ongoing, daily routine.

- Research shows:
 - Will close 50% of deals with qualified leads if 7 *meaningful* touches
 - Can increase this to 90% if 15 touches
- Touches can be in-face, e-mail, sending articles, phone calls – but not wasting target's time!
- Have one lunch/dinner/social interaction per week.
 - If one does this, will have had meaningful interaction with 40- 50 prospects/referral sources each year

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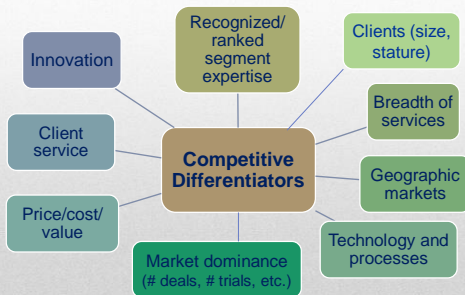


Focus. Pursue. Achieve.

Differentiation and Value Proposition

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Areas of Potential Differentiation



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Personal Value Proposition/Elevator Speech

- Why should the client call your lawyers?
- What problem do they help solve? What goal do they help the client achieve?
- How strategic are they? How commercially focused? Empathetic?
- How will the lawyer's advice/counsel/representation:
 - Help clients' personal situation or business?
 - Improve their bottom line? Make money? Save money?
 - Get them out of trouble?
 - Manage their risk?
 - Advance their personal agenda?

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What is value and why is it so difficult to define and sell?

- Value = subjective, is in the eye of the beholder, must be determined by clients
- How clients measure value of their lawyer:
 - Understands objectives/expectations
 - Legal expertise, efficiency/process management
 - Responsiveness/communication
 - Predictable cost/budgeting skills
 - Results delivered/execution

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Focus. Pursue. Achieve.

Building Business from Referral Sources

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Referral sources



- 70% of new work comes from existing and past clients/word of mouth
- Referrals are sent to individuals, not to firms
- Referrals are based on:
 - Relationships
 - Past successes and confidence in partner
 - Ability to make them look good w/ their clients and contacts; help them be successful, add credibility
- Successful referral strategy relies on quality over quantity

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When lawyers seek referrals, should be clear about:

- Their ideal target: type of client, title of person who hires them, industry if applicable
- What they do – services/solutions/benefits they provide
- What they are asking the referral source to do:
 - Make an introduction to specific person
 - Set up a lunch
 - Let you use his/her name when they call prospect
 - Attend events with and be introduced

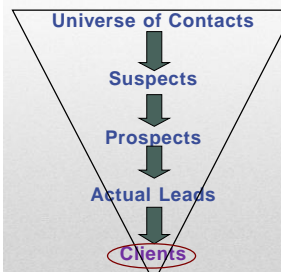
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The Art of Selling and Closing

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Turning contacts into clients: the sales funnel



- **Suspects** = Companies/individuals that use firms like yours, can pay rates
- **Prospects** = Companies/individuals you determine use firms like yours and may be looking for new/add'l counsel
- **Actual Leads** = Prospects who have actually discussed specific needs with your firm that you might solve; confirmed need they are interested in new lawyer/firm

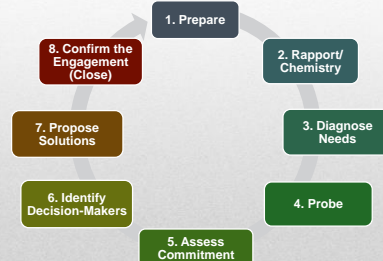
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Traditional Sales Process: Focus on Pitching and Closing



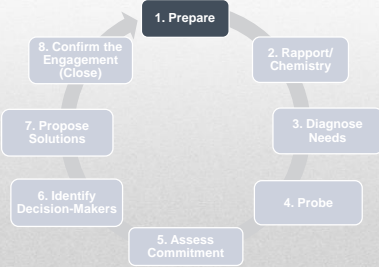
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Consultative and Insight Selling: Focus on Needs of Client and Relating



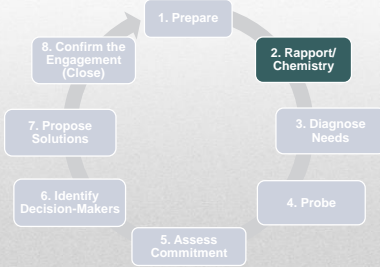
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Step 1: Prepare



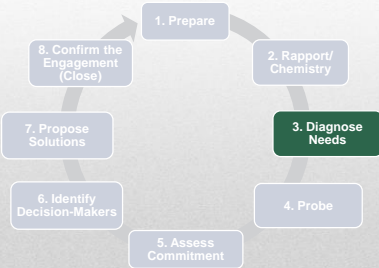
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Step 2: Build Rapport and Test for Chemistry



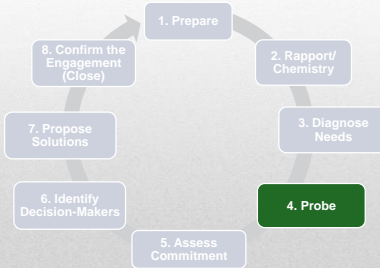
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Step 3: Diagnose Needs



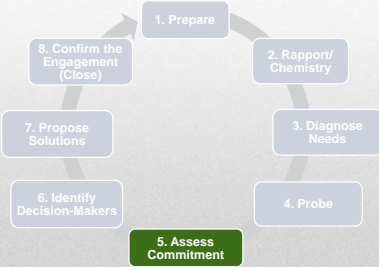
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Step 4: Probe for More Information



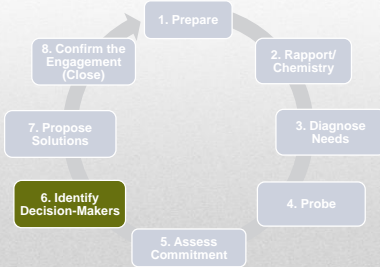
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Step 5: Assess Their Commitment and Willingness to Pay



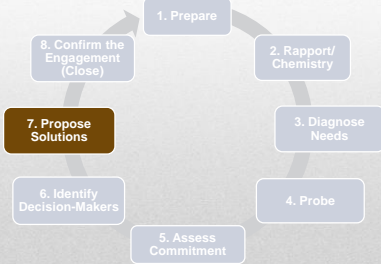
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Step 6: Identify Decision-Makers



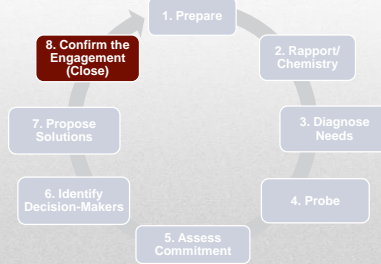
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Step 7: Propose Solutions



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Step 8: Confirm the Engagement (also known as “closing”)



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Focus. Pursue. Achieve.

12 Tips to Help Your Lawyers Find More Business Development Success

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12 Tips to Help Your Lawyers Sell:

1. Train them on BD and Sales
2. Require annual marketing and BD plan; review/monitor their progress
3. Make BD systematic and routine; have a list of top contacts by phone
4. Help them track trends and competitors; set up Google Alerts

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12 Tips to Help Your Lawyers Sell:

5. Formalize referral source strategy:
 - Data base to track incoming and outgoing referrals
 - Form a few special relationships to build a strategy with
6. Define the firm's differentiators
7. Develop a compelling elevator speech/self-introduction
8. Monitor how they build and nurture their networks

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12 Tips to Help Your Lawyers Sell:

9. Tell them to stop pitching and start listening
10. Make networking and selling fun - design a contest; recognize efforts and successes
11. Schedule monthly business development meetings so lawyers share successes and hurdles to learn from each other
12. Assign rainmakers as mentors

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Questions and Discussion

Thank you for the opportunity!



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A Checklist to Generate Referrals

- Define your ideal client; practice a good elevator speech; articulate the kind of client and matter you are looking for.
- Analyze how you get your business: Review your top 10-20 matters and clients over the last three years and indicate who referred these to you (or brought you in on the matter).
- Be sure clients would provide an excellent reference for you and be willing to refer you to others if asked – seek feedback on how you and your team are doing in terms of quality of service, results and value.
- Make a list of 5-10 others you'd like to get business from now or in the future: other partners in the firm who are doing interesting things in your area of interest, law school classmates who are at other firms or in-house, other colleagues from college, social network or professional network who could send you business.
- Expand your network by asking current sources to introduce you to others in their networks who are in a position to refer your ideal targets. Offer to provide a CLE or other value to their contacts.
- Don't take sources for granted. Thank them, keep them updated and reciprocate. Send them notes and perhaps a gift at the holidays (if your firm and the clients allow this.)
- Develop small number of referral partnerships – these are colleagues who work with similar clients but don't compete with you. Devise a target list and strategy for 3-5 clients you can each introduce the other to. Co-market together.
- Add referral sources to your business plan and track your progress. Take 1-2 steps/wk.
- Focus on helping your referral source first. Build trust, add value, help make others successful and stay in touch – send articles of interest, give them a call, schedule lunch.
- Continue to educate them about ways you can add/bring value to them and their clients.

8 Steps for Effective Consultative Selling

Step 1: Prepare (set the stage for informed questioning.)

1. Learn as much as you can about why the prospect is meeting with you.
2. Talk to the referral source (this may be another partner) and others you know to get as much information as you can about the company, the person you are meeting with, who prospect uses and why a change.
3. Run a conflict check.
4. Do some research:
 - a. Company web site, bio(s) of prospect, products, businesses, locations, values, mission, 10K
 - b. Litigation, M&A deals, law firms used
 - c. LinkedIn profile, company LinkedIn page
 - d. Competitor research (web sites, pricing models)
 - e. Industry background, prospect's top competitors
 - f. Develop a list of 6-10 relevant questions and bring to the meeting; determine a specific objective for each meeting or interaction.



Step 2: Build rapport and test chemistry.

1. Meet with prospect at his/her preferred location.
2. Engage prospect, find areas of mutual interest.
3. If applicable, remind prospect of who referral source was.
4. Reiterate reason for meeting to set stage but ask if his/her agenda has changed or whether s/he'd prefer to focus on something else.

Step 3: Diagnose needs and determine the action imperative.

1. Ask good questions to assess current needs, problems and business or legal priorities?
2. Urgency and action imperative: What is this prospect's highest priority right now that s/he must solve and would be willing to pay for?
3. Resist the pitch at this point even if the prospect asks. Don't jump in too soon with your solutions or credentials.

Step 4: Probe for underlying details – don't assume anything.

1. What will success look like for the prospect in terms of the engagement, the relationship, the result and how will this be evaluated? What does the prospect value?
2. What will get in the way of our success?
3. Who else in the company or on the board cares about this problem?

4. How will solving this personally benefit the prospect?
5. What other firms serve this prospect? What does the prospect like or not like about them?
6. Why will the prospect believe our solution will be most effective/best?

Step 5: Assess prospect's commitment to action.

1. What is the cost or risk of inaction?
2. Do they have the capability to handle this in-house, completely or partially?
3. Ask about starting dates, deadlines and timeframes.
4. Ask about the budget, how important fees are to engagement (vs. efficiency, results, partner access)
5. Ask what matters most about the pricing/cost: rates, total cost, staffing, technology and efficiencies, predictability, risk sharing?
6. Verify the current fees they are paying.
7. Be prepared to discuss their views and preferences for alternative pricing.
8. Provide a rough estimate (aim high). Remind prospect that we are not the most expensive or the cheapest (this will go back to what is most important to them, e.g., partner access, results, fast turn-around, results.)

Step 6: Identify decision-makers and influencers.

1. How/by whom buying decisions are made? Determine who:
 - a. Controls the money/budget
 - b. User of services
 - c. Other internal influencers, e.g., procurement officer, committees.
 - d. Outside influencers or potential saboteurs, e.g., someone on Board, outside adviser especially if a private equity firm is involved.
2. Determine the process, when decisions will be made.
3. Get the support of any internal "advocates"/allies to help you win support.
4. Propose approaches and suggested next steps.

Step 7: Focus now on connecting. Propose solution.

1. Only now will you "sell" what you can do. Introduce:
 - a. What the best solution is for the prospect's need, deadline and desired outcome.
 - b. Your credibility and proposed strategies.
 - c. Present yourself as a resource.
2. Clarify mutual interest, understanding and commitment.
3. Define your next step. Define prospect's next step.
4. Never leave a meeting or a call with a mutual commitment to what the follow-up is.

Step 8: Close the sale (should be a non-event by this stage.)

1. You may be asked to prepare a proposal at this point. Hopefully, it will be an engagement letter instead.
2. Listen for the signals, e.g., "how soon could your team get started on this?" "How would you staff it?"
3. Don't be afraid to tell the prospect you would love to work with them.

In a Nutshell: Questions to Initiate Conversations with Prospective Clients:

- Please describe the challenge you're having now.
- What are you doing now in order to try to resolve the problem?
- How does this challenge affect your/the company's overall business strategy?
- Who is affected the most by the challenge you are experiencing? (Customers? Internal employees or departments?) How are they affected?
- What will happen if you don't solve this problem?
- Who else are you considering to help you with this issue?
- Why are you considering our firm to help solve this?
- What criteria are you considering in order to make your final decision? Who else will be involved in that decision?
- What process will you follow to make your selection?
- How much have you budgeted for the project?
- How soon do you need to address this, i.e., what is the level of urgency?
- What is the timeline for making your decision?
- What will success look like to you? How will you know if we have been successful on your behalf?

Sales “Dos and Don’ts”

1. Do focus on “the client” not on “you.”
2. Don’t talk too much! Ask and listen. 80/20 rule (get prospect talking 80% of the time.)
3. Do tell stories—case studies, scenarios.
4. Don’t have a hidden agenda.
5. Do be prepared; use research to ask informed questions.
6. Do ask for “advances” or next step after every interaction.
7. Don’t be overly ambitious; the “advance” does not always result in business.
8. Do address (and even welcome) objections.
9. Do introduce the fee issue early – use as an opportunity to gauge commitment and discuss value.
10. Do be honest and careful; don’t waste an opportunity too early.
11. Don’t think you need to get the whole client—you just need one matter.

Links to Articles (can be found on RainMaking Oasis web site):

[How to Sell: Stop Pitching and Start Listening and Relating](#)

[Getting Better Sales Results by Understanding Personality Styles](#)

[Cross-selling Effectively by Putting Client Needs before Your Own](#)

[Dos and Don’ts of Cross-selling: The Best Way to Grow Revenue](#)

[The Art of Selling: Converting Contacts into Clients](#)

“What Do You Do?” Elevator Speech/Self-Introduction Exercise

A self-introduction is an opportunity to tell people you meet in a business or social setting what you do or are currently doing in a way that is meaningful to them, conveys benefit and opens the door for dialogue (is interesting enough that people want to know more!) When asked “What do you do?” lawyers might typically respond, “I’m a lawyer” or “I’m a real estate lawyer.” What does this really mean to the other person? Your self-introduction, also called an “elevator speech” or “elevator pitch”, should succinctly describe the benefits you offer, what distinguishes you from your competitors and why this is of value to a prospect. While you have to be spontaneous and tailor your personal positioning statement to the person whom you meet, you can prepare an elevator speech and rehearse it. Ideally, what you say in your elevator speech will invite follow-up questions and dialogue.

Tips for an Effective Self-Introduction:

- Tell people what *you do* not just who/what you are
- Provide an interesting (but short and focused) description of:
 - The work you do and solutions you provide
 - Clients you serve
- Articulate value and solution *so other people can understand easily*

- Relate to current events
- Reflect passion for what you do

Key Content:

- Your name, position, firm name and location
- Your ideal client type
- The challenges/problems they face
- The solution/value you bring

Poor introduction: *My name is John Smith. I’m a corporate partner at Smith & Smith.*

Better introduction: *My name is John Smith. I’m a lawyer at Smith & Smith in Boston and I help small biotech companies form business partnerships with universities and research labs in Massachusetts.*

Poor introduction: *My name is Mary Downing. I am a litigator in a law firm in Miami.*

Better introduction: *My name is Mary Downing and I am a trial lawyer in the Miami firm of Brown David & Jones. I represent global computer software companies that are sued for infringing on others’ patents or when they believe their own technology inventions have been stolen.*

Your Own Self-Introduction

Pretend you are meeting a new acquaintance at an Association for Corporate Growth or other general business networking event. Write one sentence in understandable, “layman’s” terms, that describes what you do and the benefits you provide.



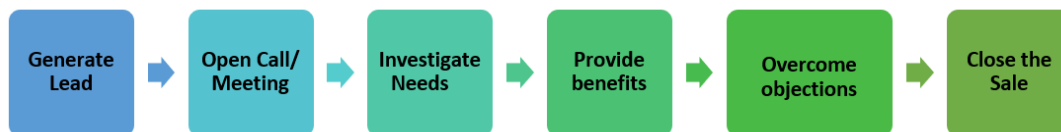
Lawyers Should be Great at Consultative and Insight Selling



When lawyers first started exploring the uncomfortable process of “selling” as early as the 1980s not long after the 1977 Bates decision allowing lawyers to advertise, it was uncomfortable and seen as unseemly even sleazy. Over the decades, consultants have adapted sales approaches shifting from the traditional model into consultative selling. This approach has proven effective for

professional service providers who, in addition to being subject matter experts serving clients, also have to do their own selling. In recent years, the consultative selling model has incorporated insight selling – the ideal approach for lawyers.

Traditional Sales Sequence and Process



Traditional sales conjures an image of the typical car salesman – high pressure, all about the sale, and a wheeler-dealer on the price, basically someone who is manipulative and not to be trusted. When lawyers first started hearing they may have

to learn how to become salespeople, they understandably had a strong aversion to the idea.

Initially, lawyers and other professional service providers, relied on the sales methods taught by renowned sales gurus like Sandler and Dale Carnegie. Their methods usually followed a sequence:

1. Prospect to find leads
2. Qualify needs and identify problems and pain points
3. Demonstrate your value
4. Address and overcome objections raised through buyer's remorse
5. Ask for the business
6. Close the deal

This approach puts the salesperson in control of the conversation but not in control of the sale. Lawyers who adopted this approach tended to "pitch" and jump to the "close" rather than listen and explore. This may have been effective when clients were less sophisticated consumers and when law firms were in the driver's seat. Times have changed over the past few decades and the balance of power has shifted. Now clients drive decisions and want to be fully engaged throughout the sales process.

Consultative Selling

Lawyers who learn and practice consultative selling become much more effective in the prospecting and selling process. As detailed in our article [How to Sell: Stop Pitching and Start Listening](#), consultative selling places an emphasis on first understanding the needs of the prospect; from what the problem is, to exploring its history (learning the client's prior experience in addressing the problem), determining the action imperative and urgency, as well as identifying the decision-makers and any barriers to a successful engagement. While lawyers often are too quick to jump in too soon to talk about themselves and their firms and to sell their services, consultative selling, if done correctly, disciplines lawyers to do what they already do in their legal engagements – ask a lot of questions, ascertain the context and the objectives, determine roadblocks (and competitors) and define a successful outcome from the

prospect's perspective. Consultative selling focuses on the client/prospect, their needs and objectives, not on pitching or cross-selling the lawyer's services.

We recommend an 8-Step process to effective consultative selling:

Step 1: Prepare (set the stage for informed questioning.) Learn as much as you can about why the prospect is meeting with you. Talk to the referral source (this may be another partner in your firm) and others you know to get as much information as you can about the company, the person you are meeting with, who prospect uses and why the change. Run a conflict check. Do some research:

- Company web site, bio(s) of prospect, products, businesses, locations, values, mission, 10K
- Litigation, M&A deals, law firms used
- LinkedIn profile, company LinkedIn page
- Competitor research (web sites, pricing models)
- Industry background, prospect's top competitors

Develop a list of 6-10 relevant questions and bring to the meeting; determine a specific objective for each meeting or interaction.

Step 2: Build rapport and test chemistry. Meet with the prospect at his/her preferred location. Engage the prospect and find areas of mutual interest. If applicable, remind the prospect of who referred you. Reiterate the reason for meeting to set the stage but ask if his/her agenda has changed or whether s/he would prefer to focus on something else.

Step 3: Explore needs and determine the action imperative. Ask good questions to assess current needs, problems and business or legal priorities. Determine the urgency and action imperative: What is this prospect's highest priority and what would they be willing to pay for? Resist the pitch at this point even if the prospect asks. Don't jump in too soon with your solutions or credentials.

Step 4: Probe for additional details – don't assume anything. What will success look like for the prospect in terms of the engagement, the relationship, the result and how will this be evaluated? What will get in the way of our success? Who else in the

company or on the board cares about this problem? What other firms serve this prospect? What does the prospect like or not like about them?

Step 5: Assess prospect's commitment to action. What is the cost or risk of inaction? Does the prospect have the capability to handle this in-house, completely or partially? Ask about starting dates, deadlines and timeframes. Ask about the budget, how important fees are to engagement (vs. efficiency, results, partner access.) Ask what matters most about the pricing/cost: rates, total cost, staffing, technology and efficiencies, predictability, risk sharing? Verify the current fees they are paying. Be prepared to discuss their views and preferences for alternative pricing.

Step 6: Identify decision-makers and influencers. How/by whom/when will buying decisions be made? Determine who controls the money/budget, user of services, other internal influencers, e.g., procurement officer, committees, outside influencers or potential saboteurs, e.g., someone on Board, outside adviser especially if a private equity firm is involved. Get the support of any internal "advocates"/allies to help you win support.

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Step 8: Close the sale (should be a non-event by this stage.) You may be asked to prepare a proposal at this point. Hopefully, it will be an engagement letter instead. Listen for the signals, e.g., "how soon could your team get started on this?" "How would you staff it?" Don't be afraid to tell the prospect you would love to work with them.

Insight Selling

The shift from consultative selling to insight selling is not dramatic, more of a modification, but one that again inures to the benefit of lawyers' natural skills as

experts and resources. In the past ten years, we have seen social media and digital platforms create a seemingly unlimited number of opportunities for lawyers to become thought-leaders, share their subject matter expertise and their insights. Clients and prospects have come to rely on intelligence and insights shared through client alerts, blogs, articles, webinars, podcasts and programs offered in-house. One of the most frequently offered and effective value add for clients today is the offer to come in and do a “briefing” for clients, a look around the corner in their industry or in a particular functional specialty and a sharing of insights gleaned from other companies like the client’s.

Insight selling subtly shifts from the lawyer being a consultative seller and functional expert to one who proactively seeks information, trends and insights from clients and prospects and then uses that as a strategic consultant to provide insights in return. It is an important part of building a longer-term relationship that imbeds value in interactions and discussions. According to the Mike Schulz and John Doerr of The Rain Group, *“Sellers provide insight into how a business can be successful – they give away ideas for free.”* Lawyers have been doing this for a long time already but somehow didn’t always convert this into part of a sales process.

In their publication, [Your Guide to Insight Selling Success](#), the Rain Group suggests five steps in the insight sales process:

Collaboration. Genuinely ask clients/prospects for input on an idea, trends, potential approaches and to gauge what they are seeing in the marketplace. This first step is laying the foundation for collaborating with the prospect.

Exploration. Embark on discovery – don’t make assumptions. Instead explore issues and ideas fully, looking at the bigger picture and broader implications.

Definition. Delve deeply and look at multiple aspects of the problem including causes, impacts and effects. This may result in you deciding the prospect doesn’t have a need for your services or solutions at the moment. That is ok.

Roadmap. Devise a plan of potential approaches, solutions and timeframes, without pushing yourself or your firm onto the prospect. Develop this path together so that the prospect helps create the visions and approach.

Ownership. As in all good sales and service, let the client/prospect think they developed the idea or solution. This will make them more invested in it and sell it internally.

As long as lawyers have to play the dual role of service provider and salesperson, they will strengthen relationships, deliver value and grow their practices by continuing to share their insights with clients but also by more proactively and regularly seeking and incorporating clients' insights into their servicing, expanding and cross-selling efforts.



10 Ways to Make Personal Marketing and Business Development Habitual and Effective



Ask the most successful rainmakers what their secret is to their success and most will tell you that they work on it constantly and relentlessly. It has become integral to their client work and practice and they do it every

day. Given the pressure lawyers feel to record billable hours, it may seem almost impossible to find time to do business development and even if time allows, it can be difficult to know how to do it effectively. And like a regular exercise routine, many people don't like to do it, but once you form the habit and feel more comfortable, you will enjoy the results! Follow these steps for more focused, effective and consistent business development

1. Focus on your goals, then focus on what will make you most successful: qualified leads, proven referral sources, differentiation. Don't try to do everything all at once and don't waste time chasing "suspects" instead of qualified leads.
2. Find things to do that you enjoy and are good at including ways to connect your personal hobbies and passions with clients and business development. At the same time, be prepared to hone skills in areas in which you are weak and also to go outside your comfort zone.

3. Remember to say no. Not every invitation to speak, go to a conference or join a task force or committee will be valuable or help you achieve your goals. This is especially true for many programs or associations in which over three-quarters of the audience is lawyers you compete with!
4. Work on your personal style and approach: how you come across to clients and to colleagues, how responsive you are, how collaborative, how assertive and confident, how you describe what you do. See our last post [*Your Personal Brand: \(Re\)Define It, Burnish It and Manage It.*](#)
5. Focus first on giving value and making yourself relevant. Get to know someone, ask and listen. Leave the discussion/pitch about the firm and yourself to a later time.
6. Become known in a niche. Write about it, speak about it, get quoted about it and be sure your bio, LinkedIn, and the firm's web site all have the most current and correct information about it.
7. Never take good clients for granted! Treat them with respect and appreciation, provide value, ask how they're doing, show them you care, make them always feel like your most important client.
8. Collaborate. Seek feedback from another partner or external colleague on your business development strategy, your elevator speech, or your ideas. Find a "marketing buddy" to meet with weekly or monthly to review progress, brainstorm opportunities and get advice on obstacles.
9. Prepare, think ahead and stay ahead. Leverage as much as you can. If you give a speech at a conference, send the PowerPoint to clients who couldn't attend, convert it into an article, use the materials to do custom CLEs for clients, convert it into an alert for the firm.
10. Make your business development habitual. Develop and maintain good habits and discipline as you would for an exercise routine:
 - Make a plan and follow it. Each year develop a few realistic goals and determine the steps you will take to achieve the goals. Review and revise this plan on a quarterly basis. Also develop your target contact list and review this on a monthly basis. Keep your list of BD to-do's and contacts by your phone. Record your time so you can evaluate effectiveness of your efforts.
 - Spend at least 10-15 minutes every day (perhaps at the beginning of each day) to review your BD action plan and contact list. Make progress on at least one action item per day. It could be sending an email to follow-up or schedule lunch or a quick phone call.

- As a partner, aim to spend at least 200 hours per year on marketing, client and business development. As an associate, spend at least 100 hours. Most very successful rainmakers spend 600 hours/year, just to provide you with a benchmark.
 - Get out of the office at least once a week! Schedule a BD-related meal with a colleague, referral source, prospect or client for the specific purpose of discussing their priorities, trends and business issues. If it helps, schedule lunch on the same day every week.
 - Plan to visit one client every month. You likely will be able to fit other visits and meetings around it.
 - Ask your assistant to help keep your contact list up to date (every time you return with business cards or get a new client) and help you categorize contacts by client, prospect, referral source, association committee peer, personal, etc.
 - Use your calendar as a tickler system to remind you when to follow-up with targeted contacts. They should hear from you at least on a quarterly basis.
 - Use the internet to stay connected, e.g., LinkedIn, and easy shopping web sites/tools like Amazon Prime to send clients gifts.
 - Celebrate your successes and those of your colleagues!
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Your Personal Brand: (Re)Define It, Burnish It and Manage It



Everyone has a personal brand and it often plays a critical role in professional success, advancement and business development. Similar to a business' brand, your brand is a promise of what others will receive from you, what you will be known for and how people react to your personality and approach. Whether or not you actively cultivate your own brand, others will form impressions of you based on what they know, see, hear or experience about or with you. It is imperative, therefore, that you define or perhaps redefine your brand to make sure others experience the person you want them to know, like, respect, trust and hire!

Ideally, a personal brand should accomplish the following:

- Provide a credible, distinctive and trustworthy identity.
- Attract people to you and your expertise.
- Distinguish you to separate you from the pack in a crowded market.
- Portray the kind of qualities you want people to perceive in you, e.g., confident, go-getter, a visionary, a team-player, a connector/power player, someone who gets results and gets things done, etc.
- Develop a positive "buzz" about you.

Step 1: Define Your Brand

The first step in this process is to first understand the brand you already have and decide if it is the brand you want to have. Remember that with so much that is accessible online, people may already know a lot about you. Take time to Google yourself and see what comes up. Look carefully at what others can find out through Facebook, LinkedIn and other social media sites including those you consider to be personal.

Borrowing from an article in *Fast Company* by Tom Peters called "[The Brand Called You.](#)" ask yourself the following questions:

1. What qualities make me distinct from my competitors? My colleagues?
2. What have I done lately to make myself stand out?
3. What would others say is my greatest strength? My most noteworthy trait? (Note: Don't be afraid to ask your friends and colleagues this.)
4. What do I do that adds remarkable, measurable, distinguished, distinctive value?
5. What do I do that I am most proud of?
6. What have I done that I can unabashedly brag about and shamelessly take credit for?
7. What do I want to be known/famous for?
8. What is most important or personally meaningful to me?
9. What is my mission/purpose/objectives?

Step 2: Burnish and Leverage Your Brand

With such a crowded field of lawyers and professional experts in law firms, many of whom seem to provide indistinguishable services and skills, a successful brand requires you to be:

- An exceptional expert at something that is relevant and has value to others.
- A visionary and strategist, able to think forward and broadly.
- A team-player and supportive colleague.

- A business adviser focused on pragmatic solutions and benefits.
- Authentic.

Once you have defined or redefined your brand, there are a number of ways for you to establish, enhance and promote your professional brand in your firm or in the marketplace. Here are ten to get you started:

1. Be the responsive and trusted advisor your clients and others seek.
2. Increase and showcase your skills by speaking on panels at conferences where clients, referral sources and other "influentials" will be.
3. Write practical, user-friendly articles with tips and insights on issues of most interest to clients.
4. Be responsive to internal requests and demonstrate an eagerness to help others with their projects and needs.
5. Volunteer for an internal task force or important project.
6. Look for and get involved in an important external leadership role or activity.
7. Nurture your network consciously so others know and trust your brand and can promote it.
8. Get and use your influential and reputational power: get a seat at the table, become first chair and lead cases and teams, make a significant contribution as a thought-leader.
9. Be loyal to your clients, colleagues and team.
10. Reinvent yourself often.

Step 3: Manage Your Brand

Since everything you say and do as well as everywhere you appear will affect the impressions people have of you and what they associate with your brand, you need to constantly assess and control your brand. Make sure that everything reflects a consistent brand and the one you want to reflect. To take charge of your personal brand:

- Monitor your brand online. Regularly Google yourself and your firm.

- Review and if necessary, revise your bio, your LinkedIn profile and any other social media presence you have or use. Your bio and LI profile should be updated at least quarterly to reflect new accomplishments and matter.
- Use LinkedIn, Facebook and Twitter to link and comment on thought-leader topics and articles in your niche.
- Develop a compelling story about you and a succinct and interesting self-introduction or elevator speech.
- Work on your presence and physical appearance. Do they convey confidence, competence and trustworthiness? Things like your handshake, your directness, your dress, your posture, your tone of voice all impact impressions people have of you.
- Do some self-assessment and develop your emotional intelligence. There are a number of easy to take personality and communications style assessments, e.g., DiSC, MBTI, StrengthFinder, etc. Discover your strengths and style and learn how to engage others more effectively.

How to Sell: Stop Pitching and Start Listening and Relating

Feb 07 Posted by [Susan Saltonstall Duncan](#) in [Sales and selling](#)



As coined by Stephen Heiman and Diane Sanchez in "The New Conceptual Selling," No-Sell Selling means that people love to buy but hate to be sold, and they buy for their own reasons, not for ours. Interestingly, most of us spend a good portion of every day engaged in some aspects of selling. In his most recent book, ["To Sell is Human: The Surprising Truth about Others."](#) Daniel Pink notes that all workers in every type of job spend at least 41% of their time in "sales-mode", defined as time spent persuading and selling. He suggests that successful sales today requires that people be tuned into others, to understand and empathize and to be able to be able to put themselves in the customer's shoes. The most effective selling happens when you really understand the needs and buying behaviors of each prospect.

Traditionally, many lawyers have not been effective at sales. In part, it is because lawyers place a premium on their own expertise and credentials, not realizing that successful selling is more about building trust and connecting. There also are personality traits that impede selling. On one end of the spectrum are those who are introverts and technical lawyers first, who are uncomfortable engaging in discussions and who are passive. On the other spectrum are extroverts, those whose personalities and style often make them the center of attention. According to Daniel Pink, "Extroverts...often do not take the time to understand what the person getting the sales pitch wants, since they are too busy talking about themselves." Researchers are now finding that the most effective "salespeople" are those who are somewhere in the middle of the spectrum since they know when to ask and listen, promote dialogue and embed credentialing into the discussion about how to solve the problem.

In [a survey conducted by the Wellesley Hill Group](#) on how clients choose their service providers, clients cited four recurring problems with the way professionals sold their services. The professional(s) doing the selling:

- "Did not understand my needs"
- "Did not listen to me."
- "Did not convince me of the value I would receive from using his/her services."
- "Did not craft compelling solutions to meet my needs."

Usually, by the time a firm is invited in to meet with a client or prospect about a piece of work or a new relationship, the firm has already been screened by the prospect. This means that the prospect/client likely has already learned a fair amount about the firm and the lawyers with the expertise. This is how they got asked to a pitch meeting. Unfortunately, many law firms still treat a sales meeting with a client or prospect as if it were an introductory screening meeting. This results in the lawyers talking about their expertise, their firm, and the experience all of their colleagues in the room have had. Too often, firms still come armed with PowerPoint presentations and pitch books, some of which are half an inch to an inch thick and full of things about the firm the client may well have no interest in. This is what we call "pitching" and it doesn't sell.

So, stop the pitching! Stop the presentations! Stop the pitch books! Start using client-focused dialogue and engage in the type of collaborative problem-solving you would do if you represent that company. Really listen to clients and let them guide the discussion to the issues that most concern them. Give them something real by which to evaluate your

skills and expertise, and more important, give them a sense of your personality style and approach in working together. You then don't have to tell them about it, it speaks for itself.

Here are some pointers on effective, consultative selling.

Do your homework. Before every meeting with a prospect (and even an existing client,) make sure you know what the prospect wants to learn about in the meeting. What law firm(s) is representing them currently on other similar matters? Why are they interested in speaking with your firm? Is this a courtesy visit (the chief legal officer or other executive asked the legal department to meet with you?) or is the company looking to hire an expert for a specific piece of work? Are they shopping around for free advice or for the least expensive bid? What other firms are being considered? What is the extent of your relationship with the prospect? Do research online to look at their litigation and deal histories, recent publicity, their values and corporate culture and the bios of those in decision-making positions. Review industry issues and the prospect's competitors.

Be strategic about who will attend the meeting. Ask the prospect specifically who will be attending from their end. What are their roles? Their areas of interest? How many people would they like you to bring and are there specific attorneys they expect to be there? Once you have found this out, brainstorm internally (and without ego!) about who from the firm should attend. Be sure you mirror the prospect's composition. There are still far too many horror stories of firms bringing five to ten partners to a pitch, or a team of four to five white men meeting with prospects that have women and other minorities in the meeting and on the decision-making team. Do not bring anyone to the meeting just for appearance's sake, however. Prospects see right through this. Also, think about who brings the right expertise to the meeting, and the chemistry. The most expert or the person with the historic relationship might not be the right person to go along in every instance.

Be prepared and rehearse. Once you've done your background research, meet with the group that will be visiting with the client. Determine if there are additional pieces of information you need before you meet with the prospect. Decide how you will run the meeting, who will speak when, and most importantly, who will guide certain aspects of the discussion, i.e., which 2-3 questions each person will ask to elicit more information on needs, challenges, and possible solutions. Review the bios and relationship histories of those who will attend the meeting and make sure that someone finds a way to connect with each individual personally.

Keep the meeting client-focused – stop talking and listen! Begin by reviewing your proposed agenda and format. Ask the prospect if they'd prefer a different format or want to shift the focus to a different priority. Aim to talk less than 50-60% of the time. *Remember: you gain control of the selling process when you give up controlling the conversation.* Prospects want to be the focus of your attention – they want to tell you about and have you understand and propose solutions to their problems. Don't allow anyone on your own team to monopolize the discussion – it will make the prospect wonder whether you work collaboratively and also why you even brought others to the meeting if they don't actively participate. Your primary objective of this meeting is to understand the prospect's problems, engage in some potential problem-solving, convey your unique strengths, skills and value through that approach and ultimately, make a good connection that begins the process of trust-building.

Show don't tell. If you have done your homework well, instead of talking to the prospect about what the firm can do to solve the prospect's issue, use the meeting as a mini-strategy session. Start working through the specific problem the client is having now. Doing this will enable the prospect to see how well you listen to them and would work with them. It facilitates a productive dialogue and even may help them begin to solve the particular problem. It is a much better way to demonstrate your competence and build trust from the outset.

Do the right follow-up. If you have done a good job in the meeting surfacing issues, describing potential solutions and making meaningful connections, the prospect should welcome some follow-up. This may be a formal proposal or less formally, it may be that you then send some specific information about a series of cases and experience you have in a particular sector or with a particular issue. It might include a link to a few bios or to some articles or memos on the subject. Do not leave the meeting without mutual agreement to next steps.

Many sales opportunities do not result in new business after only one meeting (unless it is a case specific and time-sensitive pitch or transaction.) It is an ongoing process of making yourselves relevant and valuable to the prospect and building the relationship.

SUSAN SALTONSTALL DUNCAN



Susan Duncan founded RainMaking Oasis in 2000, the successor firm to Saltonstall & Associates which she founded in 1987. She began working with law firms in 1980 and has provided management consulting services to more than 150 law firms, other professional service organizations, associations and thousands of individual professionals.

Her consulting firm works with firms, practice groups and individual professionals to:

- Provide business development, client transition, succession and leadership coaching and training to partners, groups of women and diverse lawyers, practice group and other law firm leaders
- Facilitate and design strategic planning, succession planning, business and organizational management processes and retreats
- Conduct client satisfaction feedback interviews and consult on client service strategies/teams
- Conduct client service and business development training for lawyers and support staff
- Develop and execute effective lateral partner integration and business development strategies
- Devise marketing plans and business development strategies that give firms an edge and enhance success for client teams, firms, practice and industry groups, offices and individuals.

Susan has been an innovator in the profession having served as one of the first in-house professional development directors in the country in 1982, one of the first law firm marketing directors in 1984 and is a founding member of the Legal Marketing Association. In 2002, she launched a software version of her personal marketing planning and coaching system called RainMinder® – *“Mind your business, grow it every day.”*

Prior to forming her first consulting business in 1987, Susan worked in two national law firms where she assisted in organizing efforts in client and practice development, communications and public relations, governance and planning, attorney recruitment, performance evaluation and training and paralegal management. From 2011 to 2012, Susan went back in-house and served as Global Chief Strategy and Development Officer of a 1,250 lawyer firm with 37 offices in 17 countries.

Susan was inducted as a Fellow in the College of Law Practice Management (COLPM) and into the Legal Marketing Association’s Hall of Fame. Susan’s articles have been published in numerous national publications and for eight years was the author of “Rainmaking” and “Fresh Out”, two quarterly columns for the ABA’s *Law Practice* magazine. Over the past 37 years, she has presented to numerous national and state organizations including the Association of Legal Administrators (ALA), the Legal Sales and Service Organization (LSSO), the Legal Marketing Association (LMA), the National Association for Law Placement (NALP), the American Bar Association (ABA), the College of Law Practice Management, state bar associations, the Society for CPAs, the American Marketing Association (AMA), the Practising Law Institute (PLI) and the Institute for CLE. Susan received her bachelor’s degree, *Phi Beta Kappa*, from Trinity College in Connecticut and completed graduate courses at Harvard University and New York University.