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How Are You Marketing Your Firm?

 **GLAALA**
GREATER LOS ANGELES CHAPTER
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Web Site Content

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MAKING WEB WORDS PAY OFF

No lawyer will dispute the power of a well-chosen word. On Web sites, the importance of written words increases to the tenth degree. Online information is instantaneous and a law firm's content has mere seconds to attract potential clients. Choose your words wisely.

Bad law firm Web copy reads like legal litany. Good copy encourages people to return to the site and to contact the firm. It can generate revenue and offset the expense of overhauling a site.

The following are suggestions for developing strategic Web content. The focus is not on split infinitives and other crimes against grammar. Language guides and style manuals, such as "The Associated Press Stylebook", can help on that front. Instead, consider:

What Not To Write

Sometimes knowing what not to do, much like those bossy women on television who tell you what not to wear, can help clear the path for good content.

1. Consider Your Web Site an Online Brochure

Wrong. Online content differs from its print cousin.

Websites are personal, active, multi-layered and immediate.

Readers scroll, scan and surf simultaneously. Content should not appear in long, single-colored, static blocks. Ideas should be easy to locate, eye-catchingly laid out and encourage site exploration through the use of clickable key words and colors.

Tip: Headlines, bullet points and white space create distinctive sections and aid the reader. These clarifiers cost nothing and greatly support a site's navigation guides.

2. Thus, Keep It Formal

Web sites deliver your information to someone's personal belonging — their computer screen. Leverage this invitation into a potential client's "space" by adopting a less formal, more personable approach.

Over-capitalization, distancing third person viewpoints and sentences that meander into paragraphs make the reader sorry they met you. Speak to people, not at them. Which description makes you feel as if there are actual people in the law firm?

A. The Firm is fully committed to exemplary service to its Clientele throughout all its various and distinguished

Practice Areas, which include, but are not limited to, Banking, Intellectual Property, Labor and Employment, Mergers and Acquisitions, Business Advice and Counsel, Bankruptcy (including Insolvency and Creditors' Committee representation) and Estate and Tax Planning Matters, before local, state and federal authorities.

or

B. Whether defending a sexual discrimination suit, prosecuting a copyright infringement, or forming a corporation, our firm provides complete legal counsel to business clients. Among our practice areas are:

- | | |
|-----------------|-----------------------|
| Banking | Intellectual property |
| Bankruptcy | Labor and employment |
| Corporate | Tax |
| Estate planning | |

Version B is more personal and encourages people to delve into the practice areas and site. Cutting parentheses eliminates visual barriers. Bring parenthetical information into its own sentence or deeper into a subject-specific area.

Tip: Reinventing proper nouns by capitalizing everything strains eyes and diminishes meaning. If every thing is of Capital Importance Then Soon Nothing Appears Important.

3. Superlatives Stink The Most

Outstanding service, exceptional results, unparalleled achievements.

Sound familiar? Leave unsubstantiated puffery for others. Bombastic boasting distracts and ultimately repels readers.

A few well-chosen case examples are a better illustration of your firm's excellence. Significant verdicts, precedent-setting decisions, awards and published articles depict a firm's abilities more impressively than self-administered chest beating.

Tip: To determine what is worth boasting about, make sure the achievement demonstrates a result that a client needs to know.

4. Hide Behind Generalities

If your attorneys excel at litigation, transactional, or bankruptcy cases don't just dump that thought on your readers. And don't expect them to believe it just because you said so.

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or agreements, either prospectively or at the time of withdrawal, to divide up client files.

The California Code of Professional Responsibility strictly limits the attorneys' solicitation of persons known to be represented by counsel. Under certain circumstances, the courts have found that taking a case from another lawyer may constitute a tort. [*Rosenfeld, Meyer & Susman v. Cohen* (1983) 146CA3d200,221-222, 194 CR180, 193] However, there is no solicitation limitation when the departing attorney has an existing relationship or former relationship [working attorney] with the client. In other instances, the courts have found that appropriating active matters from a firm by a departing attorney constituted a breach of fiduciary duty to that firm.

When a client employs a law firm, the client actually engages the services of all members of the firm. Thus, for a departing attorney to take his/her "book of business" to a new firm, the client must terminate the relationship with the existing firm.

The State Bar of California Standing Committee on Professional Responsibility and Conduct's Formal Opinion 1985-6 provides: "When possible and appropriate, a law firm and withdrawing partner should cooperate to the end of providing joint notice of the withdrawal to clients." Whether the client notification of attorney departure is a joint endeavor or separate, statements to solicit a client to stay with a firm or to transfer their matters to a new firm must be truthful, not misleading or vexatious.

Upon notification by a client of termination of the firm's representation, the firm has several ethical obligations to the client including:

- Duty to PROMPTLY sign substitution of counsel (the firm remains obligated to act competently to protect the client's interest until the substitution has been filed with the court.)
- Duty to PROMPTLY release all property and files related to the client. Generally the file includes pleadings, correspondence to and from firm attorneys, investigation and research reports, and even firm attorneys' work product if such information might avoid prejudice to the client's rights. (NOTE: the client can only be charged with copying the files if specified in the fee agreement.)
- Duty to PROMPTLY return any unearned fees except "true" retainers.

Until a client terminates a representation, the firm has the responsibility to ensure that the client's interest are protected. The status of existing cases should be analyzed, and the department head or a billing partner, other than the departing attorney, should be assigned to oversee the representation. The assigned partner should be introduced to the client and information regarding the assignment circulated to legal and administrative personnel within the firm. Since un-profitable matters are generally undesirable to both the departing attorney and the firm, care must be taken that small or unprofitable matters are also reassigned with clear communication to the client regarding both matter status and relationships.

Instead, show them.

Did your firm secure a record verdict or save a business from considerable financial risk? Mentioning a few specifics of how your attorneys accomplished a great outcome will personalize the firm and intrigue clients into contacting them.

Everyone likes a good story, and attorneys have an abundance of great ones. Concerns about revealing a client's name or violating confidentiality can be worked around by selecting the right words.

For example, "prevailing at summary judgment for a widget maker facing a major personal injury lawsuit" can become: "Our attorneys discovered and presented evidence in a personal injury lawsuit that cleared a leading industrial manufacturer of all liability. The company avoided expensive litigation, revised its employment policies and returned its attention back to making widgets." This descriptive phrasing emphasizes helping the client, not a lawyer winning a motion.

Tip: Lawyers love setting a precedent. And when they do, it's an ideal time to be specific. When relating the landmark, make sure to bring the explanation out of the law books and explain how it really affects clients

5. Blend in the Crowd

If the business of practicing law wasn't competitive, Web sites wouldn't be necessary. If all your firm needs is an online placeholder for contact information, don't worry about writing good copy.

But, if you want to distinguish yourself from the pack, get a message. It's more than a tag line, it injects personality in a firm.

Your firm may be distinctive because of its location, the diversity of its lawyers, or for the amount of trademark violation victories it has secured.

Whatever distinguishes your firm, say it in your message. Well-crafted copy should weave your message throughout the content to persuade clients that you are who you say you are. From the Homepage and About Us sections to areas covering attorneys, recruiting and practice groups, all the site content should further and strengthen your message.

Tip: When developing your firm's message, conduct research and talk to some trusted clients about their impression of your firm. Their responses will likely provide a useful view of your attorneys and their practice.

One of the best aspects of creating online content is how easy it is to change, correct or adapt. In fact, the best sites frequently provide fresh content — you give people a reason to keep returning. Much like the writing process itself, developing meaningful copy is a fluid and ongoing activity. Knowing some pitfalls to avoid can make the effort more enjoyable and effective, and you all the wiser.

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