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myshingle.com

# Make Money Mondays

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A Collection of 4 years of MyShingle.com's Make Money Mondays Articles



# INTRO

## **What is MyShingle.com?**

*–inspiring solo and small firm  
lawyers and those who want to be  
since 2002*

Launched in 2002, MyShingle.com was the very first blog for and about solo and small law firms, and part of the first generation of 100 lawyer blogs to come online.

To date, MyShingle.com remains the most comprehensive online resource for solo and small firm lawyers with thousands of blog posts and an impressive stock of free e-books, checklists and forms on starting and running a law firm.



# ABOUT THE AUTHOR



Carolyn Elefant is a law firm owner, blogger and author who has been a relentless advocate for solo and small firm practice, and law firm ownership and entrepreneurship for most of her career. Carolyn started her firm back in 1993 because the biglaw firm where she worked at the time was not big enough to fit her name on the door or on the signature line of the brief.

Hoping to inspire other lawyers to likewise own their talent, Carolyn started [MyShingle.com](http://MyShingle.com) in 1993 which today is the longest running blog on solo and small firm practice and has given thousands of lawyers the courage and support to start their own law firm adventure.

Carolyn is also author of [Solo By Choice](#), the most comprehensive guide for starting a modern law practice.

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Obligatory Pic of Me at SCOTUS

## **Make Money Mondays [late]: Tips for Generating Business While Waiting on a Long Line**

This past Monday, I showed up bright and early at the United States Supreme Court hoping for a seat to view the argument in [this case](#) where my clients filed an [amicus brief](#). Knowing that I would have considerable wait time, I tried to come up with ideas on how to spend it productively. After all, since I wasn't arguing the case, I didn't really need to review the briefs. Nor could I use the wait time to return phone calls since the line formed so early and most of my clients or colleagues wouldn't yet be available. Sure, I could have plugged in my headphones and turned on an audio book or buried myself in my Facebook feed – but I could partake in those activities anytime

So what could I do to maximize use of time spent on line? Here's what I came up with.

**Video Dispatches** Anticipating that I'd be waiting outside the courthouse, I originally planned on recording mini-news style videos and FaceTime lives to provide updates on the case and the pipeline work that I do. Video is a great way to make use of that kind of downtime and helps viewers feel as if they're part of the action.

Unfortunately, in my case, my video plan never came to pass because just a few minutes after arriving at the Court, I was ushered inside for the bar members' line where video recording wasn't permitted. Likewise, I'd hoped to squeeze in a few recordings after I left but instead, met up with my clients who had traveled three hours to the Court. Still, video remains a good use of line waiting time and I hope I have a second chance to give it a try.

**Twitter Dispatch** Tweeting while waiting online is practically a no-brainer. If you're on a line where you can share your location and details of a case without breaching confidentiality, by all means do so as you may attract attention from potential clients and reporters following the matter. If you can't disclose location or subject-matter, you can use the line time more generally to catch up with social media postings – and for me, Twitter and/or Facebook are the easiest to engage through a phone.

**Write a Post Mortem** After the case is over, chances are you'll want to summarize the argument for a blog post or newsletter. You can use the wait time to start an outline of an article, jot down notes, document first hand impressions that you can later incorporate into your story. In other words, you can use the wait time to get a jump start on your eventual post-mortem of the events.

**Brand Yourself** Lines are a great place to display brand. If you have a neat coffee cup, striking bag or other branded swag, wear it proudly online because someone might ask you about it – or remember it later on if they're trying to think of the name of a law firm. And if you're really ambitious, you could pass out snacks on line branded with your logo. Who doesn't like a little food during a long wait?

Strike Up A Conversation OK – this one is so very old school but [striking up a conversation](#) just plain [works](#). So as I stood on line, I looked for opportunities to chat with others, opening up the conversation by asking them about their interest in the case. I wound up talking to a former FERC Commissioner whom I'd known for years but had never met and ran into a frequent opponent in my appellate gas cases. We caught up on the issues, discussed the cases and I followed up with a short thank and request for referrals after. Two more seeds planted.

Just Show Up All of us are busy and it's tough to make time to appear at an argument that's important for your industry or one of your colleagues. And these days, so many arguments – though not at SCOTUS – can be heard contemporaneously online so there's little reason to occupy your morning with a physical trip. But sometimes just showing up to wait on a line to attend can be the best opportunity of all.

As a young lawyer, I'd court watch all the time and introduce myself afterwards to the superstars in my field. But even now, thirty years into my career, I still benefit from face time. In this instance, on the way out of the court, I ran into one of the leaders in the pipeline landowner opposition and said hello. I know that the fact that I took the time to show up for this case reinforces my credibility in the landowner community. Plus, I also snagged the benefit of a photo opp – a photographer hired by one of the non-profits that does this work snapped a few pictures of me which can be useful for my social media posts or newsletter.

By the way, these tips don't just apply to lines for professional activities like hearings. You can make use of wait time similarly whether you're on vacation with your family at Disney, hoping to snag cheap Broadway show tickets at the TKTS booth in Times Square or simply on a daily pick up line at your kids school.

Most of us groan at the thought of waiting on a long line. And while I don't always have the time to wait, when I don't have a choice, why let a good long line go to waste?



## **Make Money Mondays, Superbowl Edition: Always Bring Your Best Game No Matter Who's Watching**

Though I've never been much of a sports fan, football least of all, I feel compelled to turn on the Superbowl (if not watch it) just so that I can participate in Monday morning conversations. For that reason, I am probably the last person on earth to have learned about [Katie Sowers](#), an assistant coach for the San Francisco 49's who [made history](#) as the first woman to coach an NFL team in the Superbowl.

Now, again – as a non-football fan, what Sowers actually does as a coach on a day to day basis doesn't hold much interest for me. But I was captivated by the story of how Sowers as a woman ascended to the top of the game in football – and it's a story that holds valuable lessons for any struggling solo or small firm lawyer – male or female – stumbling along the [Sisyphysian path](#) to greatness.

According to this [New York Times profile](#), Sower found her path to the NFL in the most unlikely of places: as a coach for a fifth-grade basketball team in Kansas City, Missouri. But Sower took her role seriously and soon caught the eye of Scott Pioli who had been General Manager of the Kansas City Chiefs and whose daughter played on Sower's team. Pioli saw that Sower took coaching seriously and as the two became friendly, Pioli also learned of Sowers' interest in coaching football. She just needed an opportunity which came in the form of the Bill Walsh Diversity Coaching fellowship program for which Pioli recommended Sowers. After the fellowship, Sowers was offered a 10-month NFL internship that paid \$10 an hour. So Pioli stepped in to pay Sowers' rent so she could take the position and afford the mortgage. Once Sowers secured those opportunities, she worked to prove herself, eventually catching the eye of 49'rs coach Kyle Shanahan who hired her.

So what does all of this have to do with running a solo or small practice? First, you never know where you may find an opportunity that will catapult you forward in your career – so it's important to always be on. For example, if you agree to give a CLE presentation or speak at a bar association, don't just roll in the day of with a canned powerpoint. Instead, if you're going to do it, do it right: practice your presentation and supplement it with case law summaries and other useful materials so that a participant has an opportunity to experience the quality of your work. When you show up for even a routine court hearing, be prepared and present yourself so that everyone in the courtroom takes notice and you come to mind for a future case.

Second, like Sowers, recognize that the path to opportunity isn't always obvious or a direct line. When I started my career, I threw my heart into pro bono work for the [Washington Legal Clinic for the Homeless](#), eventually winning a service award. Turned out that a partner at a prominent energy law firm served on the Board and the awards event gave me an opportunity to introduce myself which resulted in an of counsel position. Likewise, if you serve on a PTA committee or coach a sports team, you could wind up impressing a corporate CEO or a small business client or a dad who needs a family law attorney with your organizational or marketing or leadership skills just by doing a kickass job of running an email list or persuading local vendors to sponsor events.

Of course, serendipity can find you even outside of an organized event, when you're simply out in the world. A decade ago, I shared this [great story](#) of how a chatty lawyer who walked into Staples to buy a fax machine struck up a conversation with a clerk and wound up [helping him](#) reconnect with his energy-tycoon father and secure his rights to the Duke Trust.

Whether online or offline, connection is powerful and can transform [every day into an opportunity](#). But to use a sports analogy, opportunities arise only when you treat every day like game day, rather than a time out on the sidelines. What will you do to bring your best game today?



## **Make Money Mondays: Say Hello to the Holiday Phone Call**

With a late Thanksgiving, it's hard to believe that we're already two days into December – and just three weeks away from the start of holidays. So if you were planning on ordering and sending out personalized holiday cards, time is growing short. And believe it or not, that's actually a good thing.

I don't want to sound Grinch-like, but personally I'm not a big fan of holiday cards – either sending or receiving. As for sending, I rarely plan ahead and for me, the end of the year is usually hectic with family responsibilities and work matters that need to be finalized. As for receiving, the majority of cards that come my way are utterly generic – with the name of the firm or company printed inside so at times, I can't even figure out the actual person responsible for putting me on the list. And the hand-signed cards aren't much better either. They rarely contain personalized notes and as such, evoking images of the firm's staffers forced to stay after hours huddled around a conference room table scarfing down cold pizza as they affix their John Hancock to an assembly-line stream of cards.

Still, it's always nice to end the year on a strong note – and so I've for [other ways](#) to mark the holidays. And one of my favorites has become the holiday phone call where I'll pull together a list of contacts who I haven't checked in with and pick up the phone to wish them a happy holiday. And even though my sole purpose in making the calls is to reconnect and either congratulate them on a recent accomplishment or thank them for their help, holiday phone calls almost invariably lead to invitations and business referrals.

In contrast to most types of marketing where even the most hardened of us can feel a little desperate, the holiday phone call always makes me feel good. Most people – though initially surprised – are genuinely pleased to hear from a colleague reaching out with no motive other than to spread cheer or share gratitude. And because that's really the point of the holiday call, there's no pressure – no quota to fill or sale to make.

So if you decide that you'd like to try making holiday calls, here are some tips:

- Pick a one or two day window for calls when work begins to wind down for holidays, but before people have left for vacation. For 2019, December 19 and 20 – the Thursday and Friday before Christmas week are good options. You can wait until before New Years' too, but you may miss out on folks who take the full week off.
- Choose a diverse group of colleagues – maybe your colleagues at a former firm, an opposing counsel or two, former law school classmates, experts or other professionals you've done business with and even a few people who you know from social media but have never connected with by phone or in person. The point isn't to make 50 rote calls, but rather to have a dozen genuine conversations.
- Do a little research before the call. Has your colleague joined a new firm or won a major victory? You'll want to be sure to congratulate them on their accomplishments. Also, if you know for sure that your colleague prefers certain holiday greetings as some people may be sensitive about being wished Merry Christmas. Best to keep your greetings generic – with just Happy Holidays or Happy New Year.
- Turn on the holiday cheer in your voice when you pick up the phone. You want to at least sound happy even if you're not feeling it. Once your colleague picks up the line, explain that you understand that they're probably busy at this time of year, but you just wanted to take a minute to wish them a happy holiday. Keep the conversation light and personal – inquire about your colleague's family or holiday plans and share congratulations on recent wins or just how much you've enjoyed working with them and hope to do so more in the coming year. That's it.
- Of course, if your call turns to business and your colleague suggests getting together in the new year or references a potential referral, you'll want to follow up. Make a note on your calendar or CRM system to connect after the New Year – or sooner, if your colleague's needs are urgent.

If you enjoy sending out holiday cards, by all means, continue your firm's tradition. But if you want to give something meaningful like the gift of renewed connection and personal gratitude, pick up the phone and make some holiday calls. In the short run, they'll make you feel good and in the long run, they are the gift that will keep giving throughout the year.



## **Make Money Mondays: Embrace Constraints**

Many lawyers view lack of resources as an obstacle to starting or growing a law practice. And they'd be right to some extent. After all, it's far easier and less stressful to start a law practice with a deep pocket full of money to fund prime office space, administrative help and professional marketers and coaches who can help you launch and grow quickly or to help you smooth out dips in cash flow so that you don't have to take on any miserable case that comes through the door.

Still, even though starting out flush makes law firm ownership easier, where's the fun in that? Or the [scope for the imagination](#) as one of my favorite childhood heroines, Anne of Green Gables would say. Turns out that little Anne Shirley may have been right – because recent [research](#) described in the [Harvard Business Journal](#) found that individuals, teams and organizations all benefit from “a healthy dose of constraints” when it comes to innovation.

As the article explains, “Constraints can foster innovation when they represent a motivating challenge and focus efforts on a more narrowly defined way forward.” Thus, when managers impose constraints like a stringent deadline, tight budgets or specific prototyping requirements, it can force team members to think out of the box to come up with a novel approach. Of course, too many constraints can have an opposite effect: severe resource inadequacy or time constraints requiring 100-hour workweeks can be so demoralizing that they sap any creative energy.

For solo and small firm lawyers, constraints operate the same way. Decades ago, Supreme Court lawyer [Tom Goldstein](#) ambulance chased circuit-split cases and took them on for free because it was the only way to gain facetime before the Supreme Court. Back in 1994, small firm lawyer Canter and Siegel [spammed](#) 6000 newsgroups to get the word out about a newly announced Green Card lottery quickly and cheaply. Though the pair has become known as the [parents of modern-day spam](#), there’s no doubt that they innovated. And today, solo and small firms continue to be first to embrace blogs, social media groups, online scheduling and automation to glide right past the obstacles that would otherwise bury them. As I’ve said before, while large firms pay other to innovate, solos and smalls [innovate to get paid](#) – and that’s what makes them so good at it.

So – can’t afford \$3000 a month in SEO? Try blogging to generate some SEO juice or [beefing up](#) your Google My Business instead.

Is there a networking conference you want to attend that would break your budget? Contact the organizers and see whether there might be an opportunity to tweet the conference in exchange for attending. Or maybe a seasoned lawyer would pay your admission to attend and take notes on his or her behalf.

Can’t afford office space? Visit your clients on site instead – and make it part of your service offerings to clients.

Many times, constraints don’t just result in a pallid version of what you’d originally hoped for but something more innovative and expansive than you ever dreamed. So embrace the constraints – because they may free you up to create more than you ever imagined.



## **Make Money Mondays: One Price Doesn't Fit All**

Most lawyers would never admit that they pretty much charge the same price for everything. For example, one lawyer might argue that his rates are only \$250/hr – a real bargain as compared to so-and-so down the street who bills out at \$500. Yet I'd be willing to bet that even with the one lawyer charging half the rates of the other, there's probably not much more than a 10-15 percent difference in the overall costs. Because even though the rates differ, the methodology – ye olde billable hour – remains the same.

The same can be true of flat fees also. Most lawyers charge several thousand dollars even for largely automated documents like trusts, uncontested divorce or contracts because of lawyers' review and oversight or necessary administration (such as filing with the courts). And up until recently, it could be very difficult to find unbundled service.

But when it comes to pricing, lawyers aren't alone in being one-dimensional. Even creative industries like streaming television services can be limited in pricing options as described in a recent [Harvard Business Review](#) article, [Why is Every Streaming Service Using the Same Pricing Model?](#). Turns out, that though price points vary, nearly every streaming service, from Hulu to Netflix to HBO charge an all-you-can-eat flat fee for content even though viewers may only want to see one or two programs. The HBR article offers several different pricing solutions:

- Metered. A channel could meter usage by number of shows or viewing time. A handful of volume-based plans can be offered: low, medium, and high.
- Good Better Best Offer a line of packages with content segmented by content type (series shows vs. films), exclusivity (original content vs. available on other services), and release date (new vs. six months after release). Usage restrictions include “ability to binge watch” (yes/no), viewing time (all week vs. only weekend), and device (mobile vs. television).
- Discounts to Incentivize Commitment. Streaming services typically only offer month-to-month plans. This pricing strategy makes it easy to turn services on and off. (In theory, I could watch all of *Succession* by subscribing to HBO Max for just one month.) Volume discounts — committing to a period of time — can be employed to reduce customer churn.

Lawyers could take a lesson from these ideas to create services that match customer needs. For example, if you have clients who can meet only on weekends, why not charge a premium for weekend service? If a client is willing to wait several months before documents are prepared, charge a lower rates. For clients willing to fill out complicated intake forms and use automation, a lawyer could charge a lower amount for services. Instead of asking other lawyers how much they charge, lawyers must realize that [price is not something set in stone, but something that can be molded and changed](#) to fit the services offered and value provided. Once the legal profession jettisons the billable hour and concept that lawyers need to charge what everyone else does, a world of pricing innovation can open up (so long as [ethics rules don't get in the way](#) ) – and that can make for increased competition and access to justice.



## **Make Money Mondays: Vetting the Veterans' Niche**

In honor of Veteran's Day, today's Make Money Mondays salutes a unique niche practice area: veterans' owned businesses. According to the recent surveys, [there are 2.52 million veteran majority-owned businesses](#) in the United States that collectively generated \$1.14 trillion in revenues last year. Most vet businesses are small with 54 percent having 1-4 employees, and only 9 percent with 20 or more employees. And if you're wondering, the top five states for veteran-owned businesses are California, Texas, Florida, New York and Pennsylvania.

Can you make a niche of serving veteran-owned businesses? Absolutely. Veteran-owned businesses may have unique legal needs such as qualifying for special financial benefits, obtaining certification or challenging contract awards where preferences weren't properly applied. In addition, many veterans may seek to hire military spouses or serve military population and so may have a need for lawyers who can assist with remote online business or cybersecurity issues. You could also market a firm focused on veteran-owned business by getting to know other lawyers who handle veterans' benefits – like attorney [Michael Eisenberg](#) who we profiled [here](#). By serving those who served our country, you can do well and do good all at the same time.



## **Make Money Monday: Follow Up On Conferences**

As I explained in my [Marketing By the Numbers](#) video, 80 percent of people fail to follow up with contacts and leads from conferences. That's unfortunate considering the time and expense that many conferences entail.

So I was excited to stumble upon a free resource from [Hub Spot](#) —[14 FREE email templates](#) that you can use to follow up with prospects after the conference. The templates address a variety of scenarios ranging from a “nice to meet you” follow up to a request to get together or promote business. The templates are all customizable – and depending upon what kind of email program you use, you can set them up even before you leave for the conference.

Though there are all sorts of templates, my favorite is this one:

This may help with your Q3 objectives

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Hi **First Name** ,

It was great meeting you at **name of event** . I remember you mentioning that you're trying to revamp **project** next quarter, and I thought I would share a book that I used to exceed my own target goals by **result** .

It's called **Name of Book** ,and I just sent you the Kindle version of it. Hope you like it!

Happy to discuss the book or my approach if you'd like.

Just let me know!

**Signature**

What better way to stand out than to give someone a copy of a book that might help them achieve their goals. Plus, a follow-up like this shows that you actively listened to the recipient's concerns and took steps to help them. Exactly the kind of traits that people want in the lawyers that they hire.

Enjoy the templates – and please share your results!

# Make Money Monday: Automating Marketing Tips



For today's Make Money Monday, here's a quick summary of Gyi Tsakalakis' talk [Plus ça change, plus c'est la même chose](#) – discussing how lawyers can engage with consumers online, and offering some easy ways to implement. You can view the full video above. Gyi's talk covers Mail Chimp (at 8:00) to send recurring communications, Birthday Buddy for automated birthday messages (9:13), Postable to automate sending actual physical cards by mail (9:23), Lawmatics, a CRM tool that lets you follow up quickly with clients and send meeting reminders and more (10:02). My favorite part of the talk was Gyi's extensive discussion on using Google My Business (10:57 – 13:20) including using it for appointments and even connecting it to Uber so that clients can have a free ride to your office. Finally, if you need to find out what clients are saying about your firm, Gyi's final recommendation is GatherUp.

All of these tools are low cost – but they'll also make you money by saving you time, thus freeing you up to either do more work, or to continue to market for high value clients to increase revenues. Be sure to check out Gyi's entire talk.



## **Make Money Mondays: Act As If You Own The Place**

*One of the reasons that I love to travel with my daughters is because they have exude such enthusiasm for any new place and have unique ability to make themselves completely at home in the world no matter where they are. London was no different; being in a new country didn't intimidate my daughters one bit. We visited the Princess Diana Memorial Playground in Kensington Gardens and the girls played on a disk swing for hours with other British children. One day while riding the bus around the City, they suggested on the spur of the moment that we exit at Trafalgar Square and hang out with the crowds watching the Summer Olympics streaming on the Jumbotron set up on the plaza. After we had our dose of London theatre at the musical Wicked, the girls noticed a group of people lined up at the stage door to get autographs, so they grabbed my camera and the play tickets and joined the crowd. When you follow the lead of others and act like you belong as my daughters do (and in fact, as most of us probably all did as kids), you get the same benefits as if you actually do, plus, you enjoy yourself more.*

*So the next time you head into court for your first argument, or meet a client for a first time, carry yourself as if you've done those things dozens of times before. Look at what others are doing and go with the flow. (That doesn't mean to pretend to understand what's going on; ask questions as needed – but do so in a way that suggests that those questions are simply part of your way of doing business). And like the more experienced lawyers around you, talk about your firm as a thriving business even if you only have two paying clients and describe your cases with the confidence of an experienced practitioner. Because when you act like you own the place, those around you will think you do too – and they'll be more likely to hire you or send work your way.*



## **Make Money Monday: Look Ahead Or Be Left Behind**

Recently in one of my online lawyers groups, an attorney lamented that her state bar association had made self-help forms available for family law litigants at no cost and in addition, had started conducting free trainings to help users complete the forms. The attorney reported that many of her family law attorney colleagues are up in arms about this recent development because the forms and training are available just to indigent clients who can't afford lawyers but also (horrors!) to clients who have the money to retain attorneys – meaning that the bar's program will detract business from family law attorneys. Other lawyers seemed more hopeful, snarkily anticipating that additional work would result from cleaning up the mess that the DIY forms would inevitably cause.

These kinds of attitudes are troubling on many levels. First, even if clients can afford a lawyer, they may simply prefer to devote the money on other expenses - like college tuition for their kids, a home remodel or retirement. Here's an analogy - when I vacation, I can afford to stay at fancy, all-inclusive hotels with meals and other extras included. But invariably, I choose cheaper to stay at accommodations with a kitchen where I can prepare some of my own meals - and then use the money saved for a second trip. Indeed, I'm not alone; my proclivities explain the popularity of platforms like [Air BNB](#). But just as pricey hotels have no right to expect consumers to continue paying those rates when they have more affordable options, lawyers likewise are not entitled to continue to receive high fees because that was customary in the past.

Moreover, why should clients pay pay \$350/hour for work that technology now enables them to do on their own? Before technology, DIY forms weren't realistic or convenient for many clients who either had to purchase forms from an office supply store or trek down to the courthouse during the work day to procure them, and then spend hours and bottles of whiteout to complete them. Today, online forms are much more accessible and user-friendly; clients can download them from the Internet and complete them after hours from the comfort of their home or on the go via their phones.

What lawyers simply fail to realize is that times have changed. We [can't stop this train](#) nor should we try to stand in the way of initiatives that expand access to law. But there's another problem too. As lawyers fritter away precious time trying to turn back the clock, they lose the opportunity to gain a first mover advantage in the new world that's emerging.

There are plenty of ways that lawyers can leverage these new tools to capture clients. These include:

1. Holding workshops for clients explaining the forms and potential drawbacks and then charging for attorney review of the forms;
2. Creating an assessment test (which can easily be done through a tool like [Typeform](#)) that can identify, based on the lawyers' experience, those scenarios where forms are likely to work well and those where they do not and explaining the differences to clients so that they can make an informed decision;

3. Developing a service like FormsPlus – where clients complete forms on their own and then receive personalized advice from attorneys if they have any questions; or

#### 4. Creating a subscription service where clients receive ongoing review and support for a set monthly fee

By entering the market now, lawyers can get a leg up on competitors who may not realize that their business will decline until the phone stops ringing and it's too late.

But this post isn't only about the steps lawyers can take to future-proof a practice. More importantly, it's about the mindset that lawyers must adopt to confront what the future has in store for our profession. And here's the thing: no matter how grim the future may appear, we need to keep in mind that no one has ever achieved fortune or success by looking backwards. When the Pilgrims sailed to the new world, they faced hardship beyond what they ever imagined – yet when the Mayflower sailed back to England, none of the Pilgrims returned. Countless entrepreneurs launch businesses – many of which fail spectacularly – yet few rego back to the 9 to 5 jobs where they started out. By contrast, in popular lore, those who cling to the past even for a brief glance are punished: think [John Henry](#) who defeated the steam engine with his bare hands only to die of a heart attack or [Lot's wife](#) who turned into a pillar of salt when she turned to look back while fleeing Sodom.

Nothing good has ever come of looking backwards and longing for a past that was never all that great to begin. Today, we stand on the cusp of making law widely accessible in a manner that was never possible and opportunities abound. But we must keep our eyes fixed on the open horizon and never ever look back.

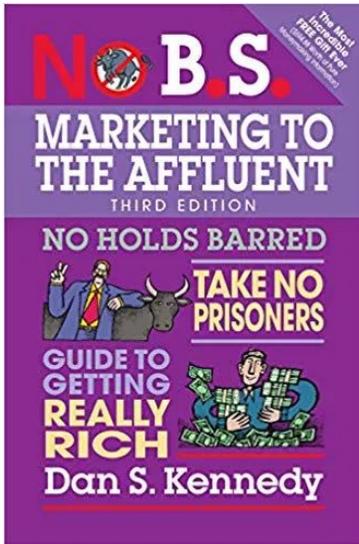


## Make Money Monday: Hold Your Own Prime Day

Last Monday and Tuesday, online behemoth [Amazon](#) held its fifth annual [Prime Day](#), a [shopping holiday](#) of a sort where Amazon offers exclusive bargains and deals to Amazon Prime customers. The benefits of Prime Day are self-evident: Amazon can show appreciation for existing customers by offering deep discounts while racking up sales – to the tune [two billion dollars](#) at the same time. Plus, all of the buzz surrounding Prime Day undoubtedly persuades others to jump on the Prime bandwagon.

Could the Amazon Prime concept can work for solo and small firm lawyers – albeit on a smaller scale?

Perhaps. For example, if you serve small businesses, you could offer a deeply discounted audit to existing clients. Lawyers who handle estate planning matters could offer an inexpensive package for families with college bound students that includes HIPAA authorizations and power of attorney. For any practice area, you could send coupons to existing clients for a reduced rate strategy session that they can use themselves or pass on to a colleague. And of course, you can always celebrate clients without making money off of them — such as by hosting a Shredding Day where clients can drop off documents for shredding.



## Make Money Mondays: Marketing to Millionaires

Post Update 7/8/19 noon: Apparently I spoke too soon in recommending a purchase of Marketing to the Affluent prior to reading it. I've been receiving some negative feedback from those who bought the book both about Kennedy's political views as well as the organization of the material in the book and its value. I'll read the book myself, but you may want to keep this in mind if you decide to buy a copy.

Ask most lawyers about who their ideal client is, and most will answer with something along the lines of "anyone who can pay." Moreover, most lawyers imagine that those clients who come to our door and can pay, actually will pay – and it's only a matter of finding those clients. But turns out, there's a little more to it than that.

In this [excerpt](#) from his new book [Marketing to the Affluent](#), Dan Kennedy shares some observation about a particular category of affluent: those who are self-made. This group includes business owners and entrepreneurs. Kennedy writes:

They may have nearly unrestricted spending power in reality, but not necessarily mentally and emotionally. Most are conflicted about money. They know they need to think, feel, and act rich, but they also battle guilt, fear, anxiety, and abhorrence of waste.

A very valuable sub-segment of these self-made affluents is business owners and entrepreneurs. Here you may very well find your best customers, clients, or patients.

So how can solos and smalls target this desirable category? The good news is that most likely, there's a natural affinity between the self-made affluent and solo and small lawyers who, after all, are also self made. In fact, Kennedy describes that the self-made affluent will reward you with their business if they admire you.

On the flip side, the self-made affluent "pride themselves on being smart about money, getting good deals and bargains and negotiating successfully" -a trait that lawyers don't particularly appreciate in clients. In fact, I've often heard lawyers complain about wealthier clients who simply don't want to pay their bills even though they have the money. Memo to clueless lawyers: sometimes it's not about the money, but the value. And that's the most important takeaway when it comes to marketing to the self-made applicant. Don't assume that they'll pay your fees just because they can. Instead, you need to show them why the work that you do can bring them value – maybe help them to make more money or to transform their life or business or protect what they have (provided that you have the data to show that the cost-benefit of risk reduction make sense).

As for me, I haven't yet read Dan Kennedy's [new book](#) but it's loaded up on my phone for my trip this weekend. Hope to review it when I return.



## **Make Money Mondays: Make It Mobile**

A recent [study](#) from [Pew Internet](#) found that 37 percent of U.S. adults mostly use a smartphone to access the Internet. That share has nearly doubled since 2013, when only 19 percent of Americans identified their phone as their primary advice for going online. So why has the number of phone-internet connection increased? Forty-five percent of survey respondents said that they haven't even bothered with broadband at home because they can do anything they want with the smart phone. In fact, 80 percent of non-broadband users say they have no interest in getting a high speed connection at home.

So what does this mean for lawyers? For starters, your website must be mobile-optimized. That goes without saying. But all of the steps in your intake system must also function on a smartphone so clients can review and sign an engagement agreement from their phones. Client portals should also function on a mobile phone or app so that clients have access to their entire case file in the palm of their hands.

Many people using the phone to access the Internet are also in a hurry. If your site doesn't work seamlessly, they will easily hop elsewhere. So be sure that you when you set up your website online and put all your systems in place that they'll work on a mobile device.



## Make Money Mondays: Improving Client Service

Retail industries have long recognized that great customer service goes a long way towards retaining clients, encouraging favorable reviews and increasing overall revenues. In fact, there's a great article from [Small Business Trends](#) that offers ten examples of customer service from brands that went the extra mile. Now, not all of these ideas from the retail industry are readily transferrable to law practice. For example, the article describes that Nordstrom's trademark customer service practice is to say yes to customers regardless of request – which won't work for lawyers for two reasons. First, in contrast to a store that can accept returns and resell an item, lawyers – whether they bill hourly or flat fee – collect compensation for services, can't get their time back if a client seeks a refund and therefore, are more constrained in their ability to return fees. Second, lawyers must also abide ethics rules, which means that they can't pursue spurious claims merely because a client asks for them.

But just because lawyers may be more constrained than hotels or department stores in the type of client service they can provide doesn't excuse lawyers from not attempting to offer great client service. And the article offers a list of practices that any lawyers – even those strapped for money or cash – can implement to improve customer service. Moreover, not only do these practices benefit clients, but they make life easier for lawyers! Here are a couple of examples:

Accessible FAQs, self-service content or self-ordering kiosks – Many law firms have FAQs for substantive legal problems, but nothing to advise clients about what to do when common problems arise in a case – such as what to do if a spouse for whom a will was prepared dies, or how to fund a trust or what constitutes an emergency in a family law or criminal case that would justify an emergency phone call. And as clients become more comfortable with DIY tools, lawyers can accommodate them through [self scheduling platforms](#) for initial consultations or follow-up appointments. Another great customer service tool is an online client portal which allows clients to access files on their own.

Focus on building long term relationships Retail companies that have high rates of customer satisfaction focus on long term relationships. There's no reason that law firms can't adopt the same approach. To build long term relationships with clients, lawyers can make use of [toll bridge arrangements](#) or [subscription plans](#) which offer clients ongoing support long after you've completed a given matter. And again, these ongoing services are win-win for lawyers and clients – lawyers collect a recurring stream of revenue, and can take a more proactive, or preventative approach to clients' legal problems – which in turn reduces costs for clients.

Easy access to customer support Many solo and small firms may lack the resources to hire a dedicated customer support team. But at a minimum, they can hire answering services like [Smith AI](#) or [Ruby Receptionists](#) where clients will at least gain access to a human. And you can provide these services with scripts to help diffuse common client complaints until you can return the client's call.

Although consumers expect top notch customer service, they also realize that it costs more – and yet they're willing to pay to avoid the frustration of dealing with an automated chat bot or trying to figure out a fix themselves. Lawyers should recognize that if they take the time to invest in great client service, they will also attract the kinds of clients who are willing to pay higher fees that will offset any extra cost of improved client service. And that should be incentive enough.



## **Make Money Mondays: Summer Projects**

Although summer conjures up visions of lazy weekends by the pool and hectic family vacations, for me, summer has always been the season to move discretionary projects off my checklist. With many of the forums where I practice in recess for some or all of the summer and clients working short weeks, I often have more time to get things done. Plus, most summers, I typically have a brigade of eager law students who can lighten my workload. Below are some of the ways that you can leverage this summer to plant seeds for new business that you can harvest in the fall. And have some fun at the same time:

Offer Summer Marketing Specials Consumers always love seasonal marketing specials – products or services that are available only once a year. Here are a couple of tips for creating [summer marketing specials](#) .

Mixing Marketing With Fun Summer is conducive to fun activities – outside meet-ups at a local club, ballgames and picnics. Here are some ideas for [reconnecting with colleagues](#) in a more laid back manner. And while you're at it, why not gather up a bunch of local events and circulate them in a client newsletter. Event sponsors will thank you as will your clients.

Hire a Summer Associate It's not too late to hire a summer associate. Law firm employment is still hard to come by and law students who haven't yet found jobs will be grateful to have something to show on their resume. Here are [five reasons to hire a summer associate](#).

Relax! Finally, don't forget to spend at least part of the summer relaxing so that you can hit the ground running after Labor Day. There are [plenty of ways to take some downtime](#) without shutting down entirely.

What is summertime like at your law firm?



## **Make Money Mondays: Security As A Selling Point, Part II**

Eight and a half long years ago, I [suggested](#) that solo and small law firms share their security practices with clients as an added selling point for their practices. Of course, back in 2010, many solos and smalls hadn't yet started using the cloud, email was still considered relatively secure and paper-less and virtual law firms were still largely a novelty. So my suggestion didn't gain much traction.

Fast forward eight years and so much has changed. All law firms, including solos and smalls and particularly those that hold information on IP and client financial information – are [vulnerable to cybercrime](#). Yet it's unclear whether law firms have the ability to [safeguard client accounts](#) from breaches or fraud. At last week's [The Future Is Now Conference](#) in Chicago, sponsored by the Illinois Supreme Court Commission on Professionalism [Rich Lee](#), General Counsel at Civis Analysis spoke about the data security issues that lawyers confront every day. And he also suggested that lawyers take additional steps to disclose the protections that they have in place to inform clients and offer them reassurance that the firm takes client security seriously. Rich's company provides that information in annual reports with the most recent available online [here](#).

Most solo and small firms don't need to provide this level of detailed technical information. But you may want to advise clients on the types of protections you use when (and if) your firm communicates by text or stores documents in the cloud and whether the firm has cybersecurity insurance. And lawyers should also post information to help save clients from themselves by explaining the risks of communicating with their attorney on gmail account at the office and looking for signs that their soon-to-be-ex-spouse might be monitoring their email.

Today's clients want the convenience of using electronic tools to interact with their lawyers. Some lawyers are so risk averse that they won't text or electronically transmit documents to clients for fear of a breach. But in the 21st Century, there are plenty of ways to use modern tools safely. If that's what your firm is doing, why not let clients know so that you can choose your firm over one that hasn't emerged from the stone ages.



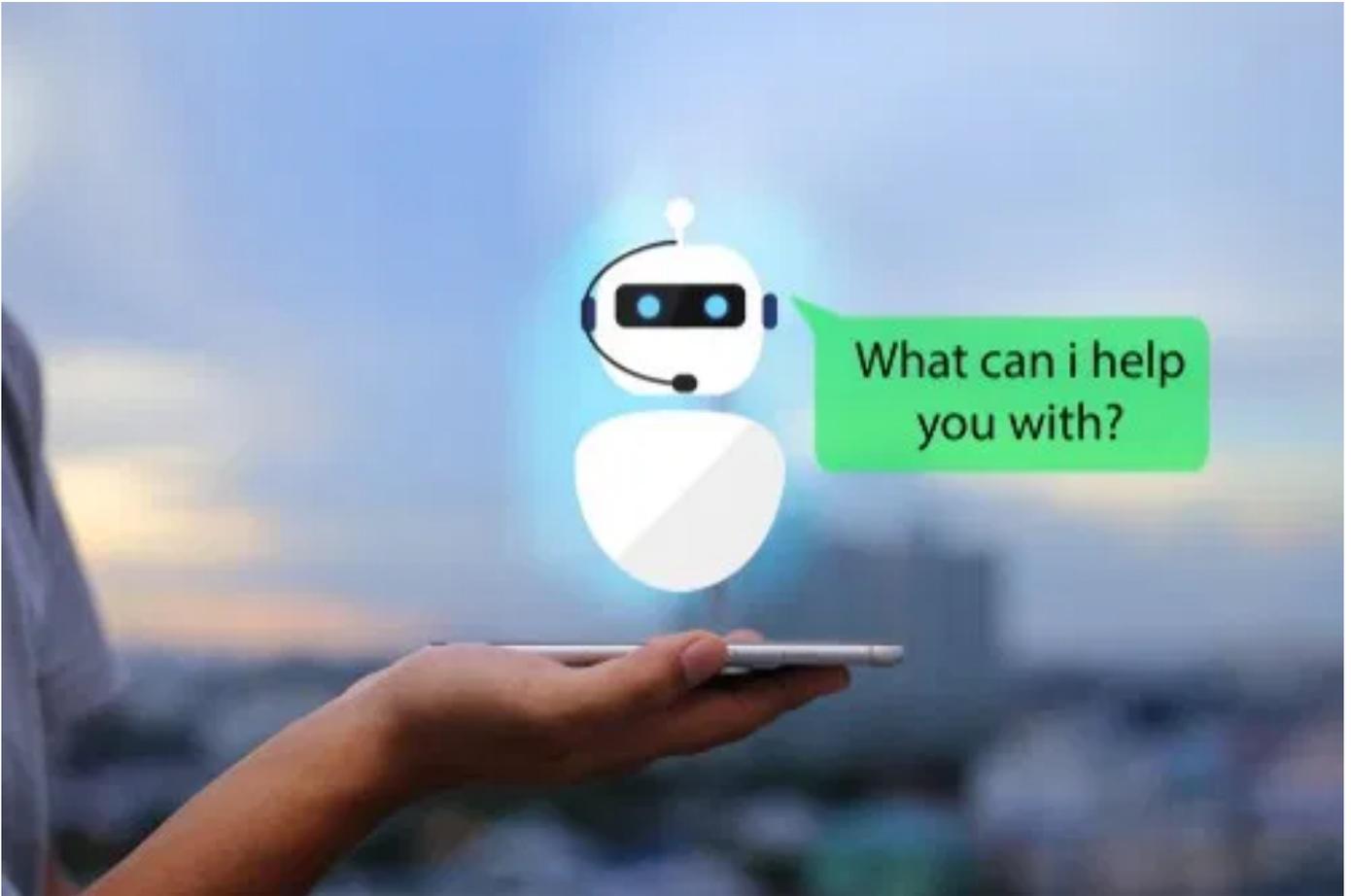
## **Make Money Mondays: Senior Moments**

Today, the average life expectancy is 78.6 years for men and 81.1 years for women. Yet while longevity increases, services that cater to older Americans have not – or at least not yet. However, as [Fast Company](#) reports, the business of growing old is a 15 trillion dollar industry.

For lawyers, aging populations present multiple business opportunities. Many seniors are starting businesses – in fact, there's a [coworking space just for them](#). There's also a demand for [services designed to be useful for elderly](#) – products that are functional and stylish, useable and accessible. Think of how many law firm websites are difficult for seniors to read – or how many representation agreements contain print too tiny for older eyes. A law firm that brands itself as elder-friendly could attract older clients based on simply being receptive to their needs.

Aging populations also introduce new legal issues. As people live longer, they may divorce rather than suck it up and stick it out. Yet a divorce after 30 or 40 years of marriage raises different issues than for younger people. Older clients may need assistance in executing end of life documents and dealing with disposition of digital assets, while older clients still working may face discrimination issues. Many of the issues that I described in an earlier post on [Boomer Law](#) are still unmet and create new potential practice areas.

Maybe its time for your firm to think about targeting senior clients as a new demographic to serve.



## **Make Money Mondays: Make A Choice To Employ Voice**

Last week, I gifted my 81-year old mom an [Alexa Echo](#) and set up the app for her before returning home. My mom is not what you'd call a tech-savvy octogenarian: to the contrary, she calls me several times a week to check the weather on my computer or look up a doctor online because she doesn't have the ability to do it. Tired of playing personal secretary, I installed Alexa instead.

But my experience got me to thinking: how many people today rely heavily on voice devices for search? Not just younger people who've grown up with computers but also much older ones like my mom who were always more comfortable with calling 411 for information than running a computer search. I posted about how devices like Alexa may [change search](#) but lawyers still seem slow adapt.

But now might be the right time for lawyers to revisit voice technology to gain a first mover advantage. This recent [Harvard Business Journal article](#) offers a bunch of ideas on how voice technologies may be adapted in different industries. Take a look at the article since it may inspire ways to use voice applications in your practice and help you you capture clients you never expected.



## **Make Money Monday: Take a New Look at Newsletter Campaigns**

When it comes to marketing, email newsletters aren't as sexy as a cool Instagram account, or as far-reaching as a robust SEO campaign. Yet, according to a recent [round-up at eConsultancy](#), [73 percent of consumers](#) state that email is their favored contact option. And though most consumers find themselves awash in email, a preference for e-newsletters isn't surprising. For starters, even if emails go unopened for months, recipients can always find them safely sequestered away in their mailbox. By contrast, if viewers forget to click a like or save button on an Insta Post or in a Facebook feed, they're often lost forever. Second, in contrast to SEO or Facebook ads that intrude on a page or in a feed, emails are a more passive, low-key type of marketing since they can't be sent without user permission and can be readily ignored or deleted while going through email. Finally, even though emails don't necessarily have the reach of a Facebook ad campaign or website, the results are often better because the content is targeted at a self-selected audience. Plus, just like any other source of [content](#), newsletters are readily repurposed and republished, as [I've done here](#).

Most lawyers hesitate to send out newsletters because they're concerned that they may not have time to create content on a regular basis. But that's the beauty of the newsletter – you can set a schedule for it – maybe even sending it out just once a year as I do with one of my annual appellate reports. Or, you can use the newsletter to create a mini-course: an employment attorney could create a newsletter comprised of five segments on creating a social media policy – and dispense a short dispatch every day for a week. You can also use newsletters to send out coupons for a discounted IP audit, or a free consult that an existing newsletter subscriber can provide to a colleague. And with summer coming up, you can always assign newsletter preparation to a summer associate.

To make your job of creating an e-newsletter easier, we've put together a [downloadable table](#) of all of the options with various features. As I learned from this exercise, most newsletters offer nearly identical features so the choice may boil down to aesthetics and those systems that are easier to use. One metric that I neglected to include is analytics – but again, most of these products all offer the ability to see how many readers opened the newsletter or clicked on a particular article.



## **Make Money Monday: Give Cold Calling a Try**

About [eight years ago](#), I interviewed an Executive Recruiter for a mini-podcast on the how-to's of cold-calling. To quickly access the interview [click here](#). Although I've sung the praises of cold-calling for decades, it still hasn't caught on much with lawyers even though it's one of the best ways to find business quickly. Nor has cold-calling gone out of style because what jogged my memory is this [piece](#) in [Entrepreneur](#) which offers some additional tips on how to use cold calls effectively – such as advance research, educating the prospect and of course, follow up.

I realize that these days, few people use the phone at all, preferring email or even text. No matter – that just makes you stand out even more by making cold calls. And generally speaking, lawyers are ethically barred from cold-calling potential clients selling their services – for doing so could be characterized as a prohibited direct solicitation. But there are plenty of other ways to generate business leads other than calling a client directly that are perfectly permissible. For example, lawyers could use cold calling to:

- introduce themselves to potential referral sources or invite colleagues to lunch;
- ask for referrals for overflow work or contract work;
- let a contact know that you'd like to send them a recent brief or white paper that your firm published

When I started out, cold calls helped me find some of my first clients by sending them copies of an article that I'd written and also put me in touch with lawyers who sent me business. Later on in my practice, a cold call connected me to an attorney who eventually agreed to handle a matter of constitutional significance on a pro bono basis for a group of clients. On the other hand, I've also been off-handedly dismissed or even asked pointedly "I guess businesses must be slow." And of course, some folks are unavailable or won't call back.

Have you ever tried cold calling?



LAW OFFICE OF  
RUSSELL D. KNIGHT

## **Make Money Mondays: Learn A New Language – Guest Post by Russell D. Knight**

Are you interested in finding a way to expand your audience of potential clients and more effectively communicate with the clients you already have? How about learning a new language – and I'm not talking about a computer language.

Take a look at some recent trends in legal. Last year, [Legal Shield](#) – a legal insurance company announced the [launch of the largest Spanish-speaking attorney network in the United States](#). More recently, the Boise police department began holding immersion classes to teach officers Spanish, with the first group of officers [graduating from the program](#) last month. And if you think that you can get by with computer services like Google Translate, think again. Though computer-assisted translation may work for quick understanding, they still have a [long way to go in achieving accuracy](#).

If you've toyed with the idea of learning a new language – but felt too overwhelmed to do it – here's some inspiration from Russell D. Knight, a divorce attorney in Naples, Florida with his own law firm [DivorceAttorneysNaplesFl.com](http://DivorceAttorneysNaplesFl.com). In his guest post below Russell shares his experience in learning Spanish.

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In 2006 I started working in my first job as a lawyer for general practice law firm on the west side of Chicago.

Over half of the clients who came into that only spoke Spanish and I thought, “maybe I should learn Spanish.” So, I got the “Learn Spanish” tapes at the library and listened to them in my car as I drove all over Chicagoland covering court calls. I would listen to each tape three times shouting back at the tape in Spanish. I was starting to learn.

Law school taught me that there are no shortcuts to learning, the hard way is the best way. So, I bought a bunch of Spanish Grammar books and worked through them. I was really learning.

I hired a tutor for an hour and a half before court each morning. I was really getting good.

Finally, after two years I could speak Spanish...but not on the telephone. I quit my job and enrolled in a Spanish language school in Cuernavaca, Mexico. For that month in Mexico, I barely spoke any English. I was dreaming in Spanish. By the time I got back to the United States, I could speak Spanish on the telephone.

Upon my return to the United States, I immediately opened up my own firm and registered [www.abogadodechicago.com](http://www.abogadodechicago.com) which means "Chicago's lawyer" in Spanish. My phone started ringing right away.

I put up flyers in laundromats stating that I was a lawyer who spoke Spanish and charged reasonable rates. My phone rang even more.

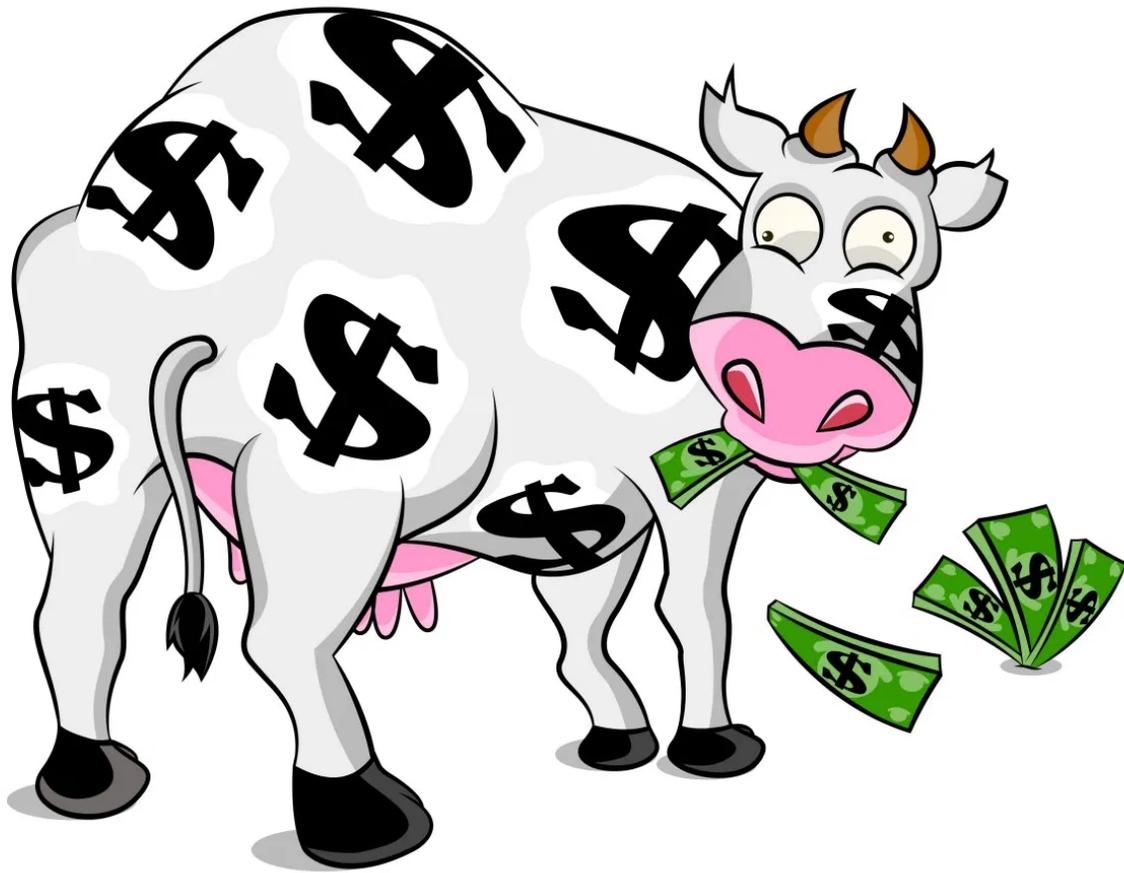
The clients were all very polite, deferential and they all paid on time. The issues were not especially complicated and I was able to learn new areas of law on the job.

My law office essentially had two brands. One in English and one in Spanish. I wasn't locked into being a "Spanish law firm." I had the best of both worlds.

Every year or so, a Spanish-speaker would call my office and say something like, "I think the hospital killed my wife" or "my brother fell off a building." These were horrible tragedies and complicated cases. I didn't know how to handle them so I referred the cases out to personal injury attorneys I knew. I would always be the "go to" person for the client as I was the lawyer who spoke Spanish.

I got those accident and malpractice cases just because I spoke Spanish. Little did I know that years later the attorneys I referred the cases to would announce that the case was settled and they had a referral check for me. I have made hundreds of thousands of dollars of these cases...all because I learned Spanish while driving around Chicago.

Speaking and understanding Spanish has given me an edge in my legal career I never would have had otherwise. Moreover, it gives me the security of knowing I will always have clients because the demand is always greater than the supply. But most importantly, I have been able to help some really wonderful people when they needed help most. Today I have a [law office in Naples, Florida](#) where I primarily practice as a divorce lawyer.



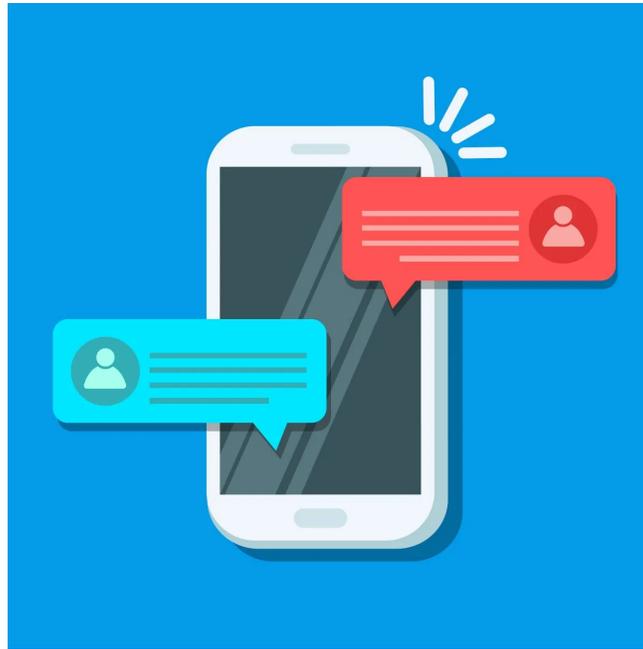
## Make Money Monday: Find Your Cash Cow

Happy April Fool's Day! I'm not much for hoaxes, but a nevertheless, a light-hearted post seems appropriate. And so here's some udder-ly a-moo-sing, bovine-themed advice on finding a cash cow for your law firm. And remember, you herd it here first.

1. [The Purple Cow](#) The Purple Cow was the first [Seth Godin](#) book I ever read which teaches how the secret to a successful business is figuring out what makes your services [unique and remarkable](#). Remarkable isn't a term we often hear used in connection with lawyers – so there are wide open pastures for lawyers looking to fill that space. Can you make your firm remarkable based on achieving incredible results? Delivering service in a way that no other lawyers do? If you can find your company's purple cow, you can convert those services into a real cash cow for your firm.

2. Why Buy the Cow? Virtually every woman of my generation is familiar with the rather sexist adage [why buy the cow if you can get the milk for free?](#) (click the link if you can't figure it out on your own). The same motto often comes up when a discussion amongst lawyers turns to blogging, ebooks or other methods of dispensing information free – invariably several lawyers will wonder whether clients will hire them if they offer advice or forms at no charge. But just as there are many more benefits to buying a cow than just free milk, there are lots of benefits that lawyers offer besides just forms. Lawyers can advise clients on how to fill out those forms, and defend clients when agreements memorialized by those forms fall short. Sometimes free is also necessary to educate clients – if you don't explain to clients why a will or trust is important or how to figure out if their rights have been violated, they may not even realize that they have a case. Maybe using free to attract clients to your firm may turn out to be your cash cow.

3. No Sacred Cows. Lawyers have so many reasons for why a particular idea won't work. Lawyers may argue that subscription services are unethical or that a virtual practice won't work because clients won't trust using it or that focusing on a niche market will prove too narrow and you'll lose clients. The list goes on and on. When it comes to success – in law or any other field – there are no sacred cows. Leave no assumption unchallenged, no supposed-truth untested. If you have an idea that excites you, do your own diligence to determine whether it might be your firm's cash cow.



## **Make Money Mondays: Stop Leaving Money on the Table and Start Texting Your Clients to Show Up**

For past [Make Money Monday](#) posts — which offer quick tips on how to boost your law firm’s revenues — I’ve found inspiration from [tech start-ups](#), the [pizza business](#), [transportation industry](#), and [fashion](#) — just about anywhere else than the public sector. But today, that’s no longer true – because the tip that I offer comes directly as courtesy of [Law 360](#), that describes how [courts are using text messaging](#) to remind litigants to their obligation to appear. In use for just a year, the texting programs have already boosted appearance rates in various jurisdictions by 25-30 percent. Though the program comes at a price, the Hennepin County Court system in Minnesota estimates that it has saved \$1.7 million in jail costs that would otherwise apply if a defendant fails to appear and is subsequently arrested.

What the courts learned from implementing the text system is this: most people want to honor their obligations to appear. But notices get lost in the mail, and people get busy so they forget. Or they lose the court's address. The list of minor issues goes on ad infinitum. Texting won't help with those who seek to evade their obligations – but it offers a solution for well-intentioned, honorable people whose to do list is too long and who are trying to take care of everything on their own.

The lesson from the courts is so clear that I shouldn't need to spell it out. But I will:

*If you are not using a scheduling system with a feature that automatically texts clients to remind them of consultations, you are leaving money on the table. If you do not text clients an electronic payment link when they owe money on their bill, you are leaving money on the table. If you do not respond to texts from clients with quick questions such as how to get to the courtroom or where to park outside your office, you are leaving money on the table.*

You don't need to do anything special or costly to integrate texting into your firm. Many of these [self-scheduling and calendaring tools](#) include a feature that automatically texts reminders. In fact, I did a [video demo](#) of [Calendly](#) that offers these features. Some of the cloud-based case management tools offer text reminders – I saw some of those features at a [MyCase](#) demo at tech show and I'm sure some of the other cloud-based LPM tools have similar features.

Text message to lawyers who aren't already texting updates or otherwise communicating with clients by tech: the courts are doing it so you're already behind.



## **Make Money Mondays: Take the Time to Say Thank You**

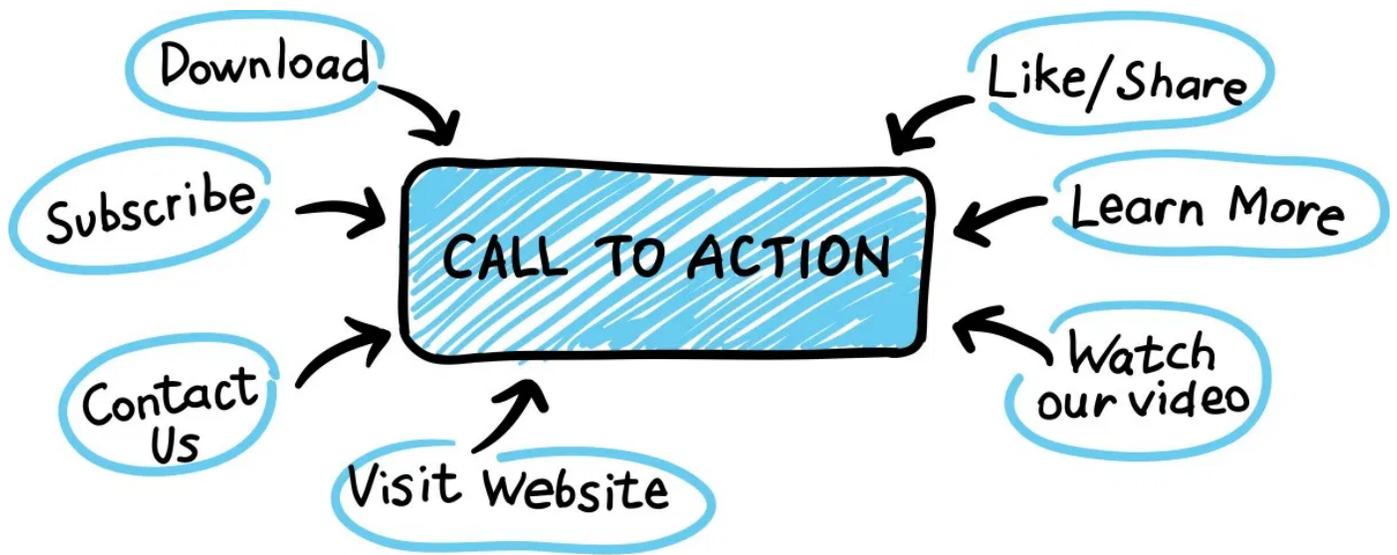
Many years ago, one of the partners from my former law firm referred me a case and to thank him, I treated him to lunch – albeit six months later. As we finished up our meal, I apologized for my delay in showing my appreciation, to which the partner remarked that I was the first person who'd ever bought him lunch to thank him for a referral.

As it turned out, that lunch was worth the money – not just because I'd gotten the case, but for the lesson that I'd learned: that not many lawyers say thank you so it can be a great way to stand out and encourage future business.

Lunch is one way to say thank you – but there are plenty of others. A handwritten note – or even a warm email – is always appreciated and can work for those situations where someone has sent a case even if it didn't pan out. If you're not sure what to say, here are [five sample small business thank you letters](#) that you can adapt for your purposes.

Other gifts include edibles such as [these](#) which can be directly ordered from Amazon, or check out some of these [unique ideas](#) which include [Sugarwish](#) – a pick you own candy box and [Packed With Purpose](#) – collections of goods from socially responsible companies. Finally, there are all kinds of gift cards from Starbucks to Amazon to Visa or Amex.

Thank you's don't have to be grand gestures to make someone's day – and make them want to send business your way again.



## CALL TO ACTION STRATEGY

### **Make Money Monday: Get Some Traction With a Call to Action**

So here are some more interesting [marketing statistics](#): it can take as many as [eight customer interactions](#) (or touches) to get a face to face meeting with a potential customer and in fact, [80 percent of sales](#) are made between the 6th and 12th customer touch. As a lawyer, you may be wondering how this data is relevant when lawyers can't call prospective clients by phone or knock on their doors. But here's the thing that lawyers can do: keep in touch by providing useful information.

Content marketing is one way to establish a touch point with clients. And if you're fortunate, a client will return voluntarily to read your blog or check out your firm's Facebook page. But the best way to assess clients' potential interest in your service and to position yourself to make an ongoing connection is by creating a call to action.

For those unfamiliar, a [call to action](#) is a marketing term that refers to any device designed to prompt an immediate response. For lawyers, a call to action typically consists of anything from an ask to join the firm's mailing list to a tip sheet, [ebook](#), [assessment test or quiz](#) or [checklist](#). Depending upon the device you choose, you may educate a prospect about potential claims, help clients assess whether they have a case or simply engage them in learning a new bit of trivia. But in all cases, you will capture the web visitor's contact information, thus enabling you to keep in touch through newsletters and other educational materials. As a result, if and when the prospect is ready to hire a lawyer, you'll be at the front of their mind.

Have you ever tried a call to action at your website?



## **Make Money Mondays: Promote Your Firm Through MicroInfluencers**

In the increasingly crowded online space, solo and small firms can have difficulty being found. SEO and pay-per-click schemes are frequently pricey often lures clients focused only on cost or who were already declined by other law firms. Blogging can increase visibility and attract a more educated breed of clients but creating enough content to gain traction can take months if not years. Setting up Facebook groups is promising but may not be worth the time if your group only attracts five members.

So what's a solo or small law firm to do? Why not give micro-influencer marketing a try?

If you're unfamiliar with the term, a micro-influencer is [defined](#) as someone who has an audience within a range of between 2000 to 50,000 followers on a particular social media channel, focused on a particular topic or niche market and who have the ability to promote products or services to their audiences. Though micro-influencers has a smaller audience than traditional media, they have a [significant advantage](#) in that they tend to be more engaged with followers, and thus, can attract their attention amidst the noise. In addition, popular micro-influencers have the trust and respect of their audiences who are more likely to accept a recommendation from a micro-influencer than a generic television commercial or online ad.

A micro-influencer campaign generally works as follows. First, a company will identify micro-influencers through online research or industry buzz. Next, the company will reach out and either offer product samples for micro-influencers to promote. Although much of the advice on micro-influencers focuses on [product promotion on Instagram](#) which is a visual tool, there's no reason that the same principles couldn't apply to promoting legal products and services.

For example, if you work with small business owners, you could offer free legal advice to a micro-influencer in that space, or offer to provide a series of blog posts on legal topics of interest to the influencer's audience. If there's a therapist well-known in the divorce and separation space, a family law attorney could offer the same options. Because so few law firms engage in micro-influencing campaigns, you would have your pick. There's more guidance on creating micro-influencer campaigns, see [Influencer Marketing Hub](#), [Neil Patel](#) and [Scrunch](#) where you can create and manage a starter micro-influencer campaign [free](#).

Have you ever experimented with micro-influencer marketing? What were the results?



## **Make Money Mondays: Back to the Future With Housecalls**

As the saying goes, everything old is new again. Look around: Vintage clothing is nearly always in fashion. [Community supported agriculture](#) and buying produce local and direct from farms as folks did back in the day is on the rise. And now it seems, [house-calls for doctors are making a comeback](#), enabled by the same technology that powers 21st century, gig-economy sides like Uber.

As the New York Times [reports](#), today's startups are focusing on tapping the on-demand trend to bring healthcare to your doorstep. The article covers several services that will send a doctor or nurse practitioner to a patient's home or workplace to treat nonemergency medical problems, or even jet lag, hangovers and food poisoning. Moreover, there are other benefits to home health services on demand besides convenience: doctors can often diagnose the source of problems with a home visit (for example, mold or a pet may be a trigger for allergies or other ailments) plus early detection is always cheaper than an emergency room visit. Plus, there's huge investor interest in this space, despite challenges like difficulty in procuring insurance coverage.

Housecalls are nothing new for lawyers either. Over the years, I've met a handful of attorneys who focused on visiting clients in their homes to finalize estate planning documents or interview for personal injury. Many lawyers work with clients by phone or online, but house calls can benefit those clients who are still uncomfortable working with a lawyer when they can't meet face to face. And of course, in rural areas where people live far apart, legal house calls can be expensive because of all the time spent on the road. That said, house calls give lawyers an easy way to stand out and clients may appreciate the convenience.

Have you considered making legal house calls as a way to expand your business – or avoid the expense of an office?



## Make Money Mondays: Infiltrate A Co Working Space

As I wrote a few year's back, [there's been a surge in co-working spaces for lawyers](#) – a trend that my colleague Nicole Black [predicts](#) will continue. But lawyers need not limit themselves to lawyer-specific co-working spaces – which are not yet available in all cities. And in fact, as one large law firm found, establishing a presence in a mixed co-working space, alongside non-lawyers can lead to new business.

As [Law.com](#) reports, the UK-based global mega-firm [Linklaters](#) dispatched a firm attorney to work from a WeWork facility to establish closer ties with the tech startup community. As a result of its initiative, Linklaters snagged an arrangement with CrowdCube, a crowdfunding platform, to advise the companies selected for funding.

Now, a lawyer can't simply walk into a co-working facility and expect to be flooded with clients. My office is currently located at WeWork, and it takes initiative to introduce yourself to the other companies and learn who works in the space. That said, as the Linklater's example shows, building those relationships can pay off. Plus, co-working space is cheap and flexible, so even if you don't make money, you can save money by joining a co-working space.

Of course, bear in mind that many ethics regulators have [expressed concerns](#) about lawyers co-habiting with non-lawyers in the same space. As if a consumer were to stumble into a WeWork or [Wing](#) facility and believe that the firm is running an unauthorized multi-disciplinary practice in cahoots with the other hundred businesses in the space. That said, regulators generally don't prohibit lawyers from sharing a facility with non-lawyers so long as they maintain a clearly demarcated office and signage showing that the firm is independent of the other groups.

Have you ever thought about moving your firm to a co-working facility? Why or why not?



## **Make Money Mondays: Declutter Your Law Office.**

Recent news articles and blog posts are — somewhat ironically — now cluttered with articles about the so-called queen of decluttering, Marie Kondo — star of the Netflix series [Tidying Up With Marie Kondo](#). Now, you can add this post to the pile. Because today's tip for [Make Money Mondays](#) is to declutter your law office.

Online subscription services are one of the first places to look to declutter. With new tech tools being released all the time, it's easy to enter your credit card to sign up for a free trial – and then forget to cancel. Then, nine months later, you discover that you're still paying \$19.99 a month for online storage or a project management tool that you've never used. Even worse are online ad campaigns – maybe you decided to experiment with an Google ads campaign and six months and several hundred dollars later, you discover that you never turned it off. Finally, there are legacy subscriptions that you may have used at one time that have now been rendered obsolete by new technology or services.

Even in a digital age, many lawyers still have physical clutter – paper files, law reporters and statutes. Many of these materials consume so much space that you may wind up paying for extra storage space, or for a physical office space when you'd rather work virtually. If you're disposing of client files, check your jurisdiction's ethics rules and your malpractice policy for document retention requirements. In many instances, you may be able to retain digital copies rather than the originals.

Of course, decluttering can be time consuming – which is why, in my opinion, it's a task worth pursuing only if it will save you money. For that reason, I haven't recommended trying to declutter your email. Instead, I prefer the approach of [Inbox Infinity](#) which suggests that you don't even try to respond to every email because it's simply too stressful and time-consuming – and just let the inbox pile up.

Decluttering isn't much fun – but if it can save you money, that just might be enough of an incentive to do it.

Have you done any January decluttering? What have you gotten rid of, and how much money have you saved as a result?



## **Make Money Monday: Joint Marketing Venture**

In the online world, joint venture marketing is commonplace. From affiliate marketing (not my personal cup of tea) to partnering to produce webinars and other online programs, entrepreneurs leverage collaboration for mutual financial success. The same, however, isn't true for most lawyers who are so focused on what can go wrong with joint ventures — that lawyer will steal my business! or what if a joint venture on ads gives rise to an implied partnership and I'm sued? — that they miss out on the potential benefits.

### **Benefits of Joint Marketing Venture**

That's unfortunate — because joint marketing venture can create significant opportunities for lawyers. Here are a couple of joint marketing scenarios and the potential benefits. By teaming up with a lawyer in a compatible practice area – say, an estate planning lawyer working with a family law attorney – you receive the benefit of a personalized introduction to an entirely new audience of potential clients. And by working closely with other attorneys and learning about their approach and knowledge first-hand, you can feel more comfortable making a referral to your clients who may need assistance on a matter where you lack expertise. These same benefits accrue from a collaboration between an attorney and another professional – a CPA, a psychologist, engineer, a forensic expert or other non-lawyer who offers services in the same field. Working with lawyers in the same practice area can also be beneficial if you bring different strengths to the table. For example, if you're a junior lawyer working with a more experienced colleague, your marketing efforts may attract clients who can't afford a senior lawyer's rates. Meanwhile, you may be able to leverage social media channels and provide your colleague a presence on sites where he previously lacked any visibility.

In addition to these kinds of synergies, joint marketing ventures offers practical benefits. By teaming up with other lawyers, you share both the work and the costs, so your marketing dollars go farther. Plus, collaboration fosters accountability: whereas marketing is the first thing to slide when lawyers get busy, you're less likely to slack off when others are depending on your participation.

### **Who To Team Up With**

The success of your joint venture will depend in large part on who you decide to work with. Most importantly, you want to select a partner who is as hungry as you are and shares your goals. Many years ago, I attempted to form a marketing collaborative with a group of lawyer in my field that never got off the ground. As it turned out, while I was bent on ramping up my practice once my daughters were back in school, two of the attorneys were simply interested in finding full-time work while the others were on the verge of retirement and only wanted an occasional project to keep busy. It's also important to seek out colleagues who share a similar appetite for risk and approach to ethics.

### **What Kinds of Projects**

There are dozens of ways that lawyers can collaborate on marketing from one-time activities like co-hosting a networking event or a seminar to more on-going events like forming a mastermind group or a networking roundtable like [this one](#) which has lasted 18 years and is still going strong. Lawyers can also collaborate on projects like [The Candid Counsel](#) , a group blog by four former big-law and in-house women attorneys turned law firm owners who share their years of experience representing business clients.

### **Ethics and Malpractice Cautions**

If you're teaming up with another attorney to market to the public, you want to make clear that your firms are completely independent entities to avoid giving rise to an implied partnership. Otherwise you could wind up on the hook for your colleague's malpractice.

One reason that lawyers often choose to start their own firms is because they don't play well with others. But as much as solos may like working on their own and calling their own shots, collaboration offers substantial benefits that lawyers miss out on by insisting on going it alone.



## **Make Money Monday: Values-Based Marketing**

Welcome to 2019, the year of equilibrium, reports [Forbes](#). Whereas in 2018, consumers were eager to escape reality and sought out brands that “offered people moments of respite from the daily grind,” now, according to a [recent consumer trends report](#), “people are seeking equilibrium in all aspects of their lives – between humans and technology, brand and personal, global and local” and want to confront the realities of today’s world rather than escape them. And it’s that desire to address reality that has propelled responsible consumerism – hardly a new trend – into the mainstream for 2019.

Responsible consumerism [refers](#) to efforts by customers to use their purchasing power to promote sustainable and ethical practices with positive effects on the environment, society and consumers themselves. Thus, brands like [Warby Parker](#) – which donates a pair of eyeglass for every pair purchased, Ikea – with its goal of being [fully powered by renewable energy by 2020](#) or services like [Community Supported Agriculture](#) subscriptions – resonate so powerfully with today’s consumer, as does the Netflix series, [Tidying Up With Marie Kondo](#) which urges consumers to scale down and purchase only what they need rather than everything they want. But consumers don’t only want the companies they patronize to act sustainably and charitably – they also want businesses to respect their privacy and be forthright in disclosing how information collected from consumers is used. Facebook has already suffered [significant backlash](#) as a result of its creepy advertising practices and its [dealings with Cambridge Analytica](#) which was provided data from millions of Facebook users without their consent.

Law firms aren’t immune from these trends. Sure, all clients want a capable lawyer who can produce good results, but truth is, there are plenty of lawyers out there that fit the bill. So when it comes time to choose between two indisputably capable lawyers, many of today’s consumers will look to non-law related factors to break the tie – from how a law firm treats its employees to how it safeguards consumer data or promotes sustainability.

Does your law firm communicate its commitment to sustainable and ethical practices? You may wish to consider doing so because more than ever, today’s clients are listening.



## **Make Money Mondays: How About A Side of Project?**

Roughly a dozen years ago, when blogs and search engine optimization began gaining real traction as tools for finding clients, I celebrated the democratization of lawyer marketing. No longer would solos and smalls be forced to compete with large mill operations that could buy up the back cover of every edition of the Yellow Pages in a given state, or large firms that could drop a couple of thousand dollars to sponsor an association lunch or place an ad in a trade press publication. Now, any solo or small firm lawyer short on money but long on time and ambition could pen a daily blog post or run a couple of strategic Google ads and to gain a first-page placement on Google and nab customers online.

Fast forward and blogging and Google ads are victims of their own success. Early adopters enjoyed so much success that their experience prompted others to follow, and today, the Internet is awash in a sea of keyword-infested garbage that consumers ignore. So what can you do to stand out?

The answer: create a side product. Although this article, [Side Marketing is the New King](#) is a couple of years old, the advice still applies with equal force. Essentially, a side project is a free tool or service that draws potential clients to your website and keeps bringing them back. The article offers the example of the company, [Crew](#), a platform for matching designers with customers (and which has as of last month been merged with [Dribbble](#)). Desperate to find customers, Crew created [Unsplash](#) to give away free all the extra photos that they'd shot for their web redesign. They hacked together a site, and soon Unsplash was attracting 11 million unique visitors a month.

A few years back, I highlighted a similar side project concept in the legal space in this [post](#), describing how IPattorney [Raj Abhyanker](#) created [Trademarkia](#) that helps small business owners run easy trademark searches – and drives them to Abhyanker's firm if they require more assistance.

The most important rule for starting a side project is to “give something valuable away in order to sell something related.” For example, while Trademarkia is a great draw for an IP firm, it would not be very effective in attracting family law clients. The second rule for a side project is consistency – you want the project to be available for the longer term instead of just as a one-hit wonder. Unsplash made free photos available on an ongoing basis, and not just one time and as a result, people returned to the site over and over again. Third, be sure to brand the project with your law firm information so that users make the connection. Fourth, you don't have to take on a side project alone. This is an ideal opportunity to collaborate with other attorneys either in your practice area but who don't complete directly or in adjacent practice areas where you can cross-refer cases. Finally, keep in mind that side projects don't have to be directly connected to the law. As I've discussed [here](#), creating an ebook is a side project that can serve as a sharp arrow in your marketing quiver, but feel free to think outside the box and come up with projects that help your clients with other problems besides legal ones. Consider some of the following ideas:

- Recently, [Square](#) , a tool for accepting mobile credit card payments developed [contract templates](#) to help customers facilitate transactions and presumably, expedite sales. Many large law firms [like this one](#) also offer free forms online. A small business lawyer might create a similar package;
- For an estate planning lawyer, consider hosting a bi-monthly program for grandparents on writing their life story. You could invite a freelance writer to offer the presentation and create a place on your site to share the stories. A story project would attract those people who may be in need of estate planning or administration work;
- For a family law attorney, you might host a series of sessions on mindfulness, stress reduction, financial planning or career development which might attract busy women caught up in the stress of a troubled marriage, or newly divorced women who might need assistance with modifications to a separation agreement in the future;
- For a firm focused on workplace discrimination, you can create journals (either hardcopy, downloadable or even as an app if you're feeling ambitious) and instructions on the types of conduct to document to bring a lawsuit.

So if you're entering 2019 in search of new ideas, think about creating a side project that will propel you to the forefront.



## **Make Money Mondays: Ethical Use of Law Firm Finance Companies**

One of the best ways to make money for your law firm is to find money for your clients to pay your bills. In a previous [post](#), I described a number of approaches to finding money including identifying fee-shifting statutes, available insurance policies, crowdfunding and third-party financing.

Many lawyers confuse third-party financing with litigation financing in which the lender advances money in exchange for a stake in a client's claim. Litigation financing may [carry risks](#) — for example, forcing an attorney to take a case to trial because the terms of the agreement render a settlement uneconomic. But third-party financing is different — it's essentially a loan for legal services, like a car loan or a finance plan for orthodontia. Whereas litigation financing arrangements are between the law firm and the finance company, third-party financing is a transaction between the loan company and the client.

The benefits of third-party financing are self-evident. The client borrows the money from the third-party which is remitted directly to the attorney and put into a trust account just like any other advance payment. Meanwhile, if the client misses payments on the finance loan, the company can chase down the client instead of the law firm having to do so. This in turn avoids lawsuits for non-payment by the attorney which often invite malpractice claims.

There's a second reason that lawyers ought to consider learning more about third-party financing: competition. Companies like [Court Buddy](#), which helps consumers find lawyers willing to work for reduced fees now [offers micro loans for legal services](#). If lawyer-match platforms begin to make financing de rigeur, it's an added incentive for clients to find lawyers through those sites. By contrast, if lawyers can help clients find third-party loans, the lawyer can retain the client and charge their customary fee instead of forking up a substantial discount to accept a case through a platform.

So are third-party financing arrangements ethical? In many circumstances yes — and as of last month, the ABA has clarified the issue with its helpful ethics decision, [Formal Opinion 484](#) on A Lawyer's Obligations When Clients Use Companies or Brokers to Finance the Lawyer's Fee. The opinion describes a number of different third-party financing scenarios and concludes that lawyers may ethically refer clients to these companies in which the lawyer does not have an ownership or financial interest. If a lawyer were to acquire an ownership or financial interest in a third-party finance company, the lawyer would be deemed to be entering into a business relationship with the client and would be required to comply with Model Rule 1.8 governing business transactions.

From my perspective, referring a client to a financing company in which the law firm has an interest can give rise to an appearance of impropriety or conflicts that simply aren't worth it. There are so many third-party financing options available that lawyers should choose those services that offer the most favorable terms to clients.

I know that I'm often critical of the ABA and other ethics regulators for imposing unnecessarily onerous requirements on lawyers -particularly solos and smalls - that place them at a competitive disadvantage. But this ABA ruling is a welcome development for access to justice and solo and small firm practice by removing the ethical uncertainty surrounding a mechanism that helps clients come up with funds to pay lawyers. Now that the ABA has given lawyers this gift, it's up to you to take advantage of it by identifying third-party finance companies that can help your clients.



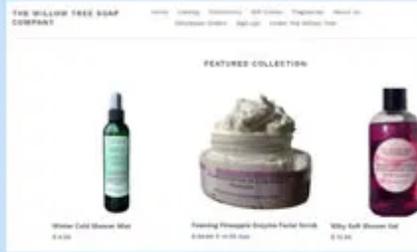
## Holiday Gift Guide Featuring Products Made by Lawyers



### Made Leather Co.

*Lenise Williams*

Leather Goods



### Willow Tree Soap Company

*Barbara Smith Bauer*

Quality Bath Products



### Legally Speaking Tees

*Cherise Clark Wilson*

Apparel



# Spend Money Mondays with MyShingle's Holiday Gift Guides

For the past year and a half, the first day of the work week here at MyShingle has been [Make Money Mondays](#), where I've shared a new marketing or practice idea to help your firm grow its revenue. If you've followed the feature and applied our advice, you ought to have some extra spending money lying around to participate in our first Spend Money Monday. Today, we're excited to kick off a couple of gift features: our [page](#) featuring gifts – crafts, wine, soaps, photographs and more – made by talented lawyers-creatives who own their firms. Take some time to look at our colleagues work and try to make a purchase to support their non-legal work. All proceeds from these sales go directly to the sellers; MyShingle earns no affiliate or advertising fees.

If you can't find gifts from our lawyer-vendors, we have some other gifting options for you. MyShingle has curated these [Fun & Practical Gifts for Solo and Small Firm Lawyers](#), suitable for your lawyer friends, suitemates or colleagues. And for lawyers who want to thank referral sources without running afoul of ethics regulations (which forbid giving something of value in exchange for client referrals), check out these curated [Edible Referral and Thank You Gifts](#) that would fall within the de minimis exception to referral gifts.

Finally, for lawyers who plan to make 2019 the year to start a law firm, along with those who support them, we've put together [this guide](#) on the best tools for starting out lean, particularly when you're working from a home office or part-time coworking space.

All links to goods at Amazon generate affiliate fees for MyShingle.



## **Make Money Mondays: Recycle and Repurpose Your Firm's Leftover Content**

For some people, the leftovers are the best part of Thanksgiving. As much we look forward to the traditional feast of turkey, stuffing, cranberry sauce, potatoes, green bean casserole and pumpkin pie (along with whatever else your family includes in their menu), sometimes after all the anticipation, the traditional food can seem a bit too dull and predictable. Plus, there's often so much food heaped on the table at once that it's difficult to absorb it all.

Leftovers don't have the same drawback: meal components can be reconfigured into a thousand different items — turkey soup, chili, hoagies, potato pancakes and more — so there's always a surprise, plus leftovers are usually frozen and consumed over time, which means each dish can be savored.

There's a point to this post beyond making your mouth water as you await Thanksgiving Dinner. Believe it or not, your law firm's content creation has a lot in common with Thanksgiving dinner: it's typically high-quality but predictable fare (how-to's, client memos and briefs on emerging issues, blog post summaries, and CLEs) that's dished out to prospective clients and colleagues along with thousands of other pieces of contents in a steady, continuous stream. As a result, just like at the Thanksgiving table, it's easy for readers to first overindulge on content, then feel so sick in the aftermath that they never want to see it again.

That's why recycling and repurposing content makes so much sense. Over the past year, most likely you or firm created some form of content or intellectual property assets in the form of blog posts, bar journal or newsletter articles, CLE presentations or briefs and memos and important legal issues for clients. Yet many of your prospective clients and referral sources may have missed your content in the rush of white noise that is the Internet. Others may have simply pushed it aside because the particular mechanism you chose to convey the content wasn't effective for a particular reader.

Having invested so much in content production, why let it go to waste? After you inventory all of your firm's content from the past year (or even before), you'll realize that you can slice and dice and mash it up into something new much as you might with the leftovers from Thanksgiving Dinner. Some recipes follow:

- Do you have a heap of blog posts covering an emerging issue or a particular court's rulings? You can compile the posts into an [annual report](#) for clients and colleagues. You could also download and include some of the key cases discussed for an extra value-add and for the convenience of readers who can have all the information together in one place. I've been doing an annual round-up of DC Circuit energy cases for years now, and it's always eagerly anticipated by my colleagues.
- Present any CLE this year? Why not pull out your slide deck and record yourself presenting on the topic with a tool like [Soapbox](#) and then share the video with your newsletter list or on YouTube – or better yet, upload it to [Udemy](#) and charge money for your program.
- Did you master a hot new practice area in 2018 – one where clients or colleagues are itching to pick your brain? You can sell your knowledge by offering a one-to-one learning session through an online self-scheduling platform and [charge a fee](#) for your consults.

Many lawyers view recycling as cheating – a way to get more mileage out of content by dumping it in a different form on clients – sort of like re-gifting. But the point is that repurposing content doesn't have to be that way – it can be reconfigured to provide value to those who missed it or didn't appreciate it the first time around or updated with minimal effort to provide benefits to first-time readers. And if done right, you may discover that your recycled content eventually becomes as popular as Thanksgiving leftovers.



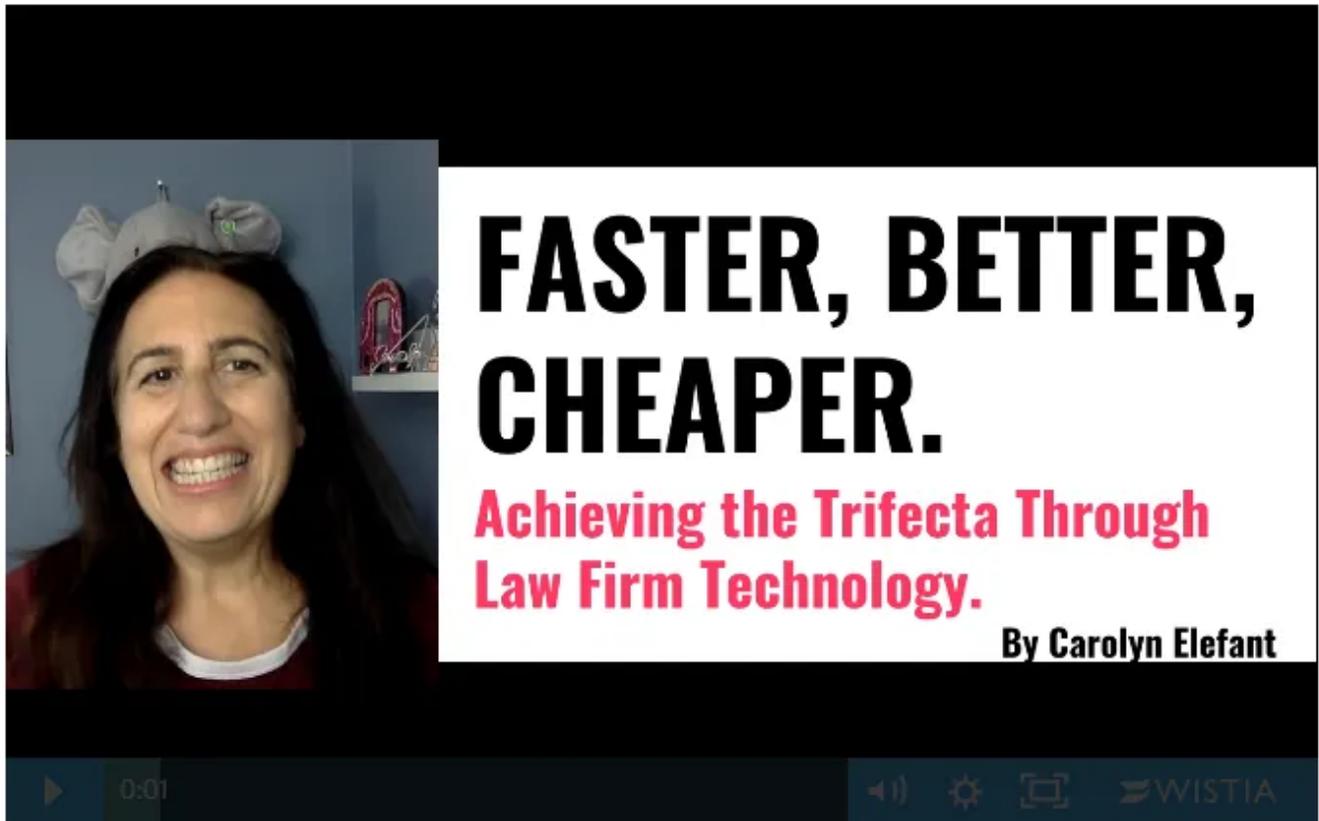
## **Make Money Monday: Show Off Your Clients & Colleagues**

For decades, the imaginary Christmastime world of Santa and elves and the North Pole settles into a real-time home in the acclaimed Macy's Department Store's annual [Holiday Window Display](#). But in true 21-st century fashion, this year, Macy's will play IRL host to another type of ethereal universe that exists only online: Facebook. According to [Engadget](#) , Facebook will bring 100 digital-native brands and small businesses that found success on Facebook and Instagram to physical pop-up shops that will open at nine Macy's stores in time for the start of the holiday shopping season.

The venture is a win-win for both brands. By celebrating its most successful small business users, Facebook inspires other small businesses to invest their marketing dollars on Facebook, while introducing them to offline buyers accustomed to brick-and-mortar shopping. Macy's benefits from the deal as well – since the pop-ups could increase visibility for Macy's adoption of new tech tools like [mobile checkout](#) and [virtual reality](#) that would be popular with online buyers.

The Facebook pop-up store concept also got me thinking that maybe lawyers could benefit from this concept. For example, lawyers who represent small businesses could feature the companies' products in a holiday gift guide that the firm could include in its December email or on its Facebook page. Listing products sold by clients (with appropriate consent) is a great way for firms to demonstrate client loyalty and celebrate clients' success while at the same time showing off your firm's support for the business community. And even if your firm doesn't represent business owners, you probably work with other attorneys, professionals, and consultants who certainly wouldn't mind a shout-out at your Facebook page or in your newsletter.

So why not take a page out of Facebook's game plan and show some love for the clients who helped you and your firm grow to where you are today?



## **Make Money Monday: Using Law Firm Technology To Make Your Practice Faster, Better & Cheaper.**

Back in the day, better, faster and cheaper was unattainable for most lawyers. If clients wanted the job done quickly, they could expect to pay a premium while sacrificing quality. Meanwhile, clients paying bargain basement prices would get what they paid for: substandard quality delivered in an untimely manner.

Today, not only has tech made the trifecta of faster, better and cheaper possible but it's also made it an expectation. In the digital age, clients demand faster, better AND cheaper and if lawyers can't deliver, clients have other options (including not using a lawyer at all). It's that topic – faster, better, cheaper that was the subject of my recent presentation to the DC Bar Trial Lawyers Mid-Year Conference – and you can view the recap here. Tools covered include:

- Law practice management tools – both designed for the legal industry and generic;
- Self-scheduling products (such as Acuity which I also wrote about [here](#) ;
- Cool intake forms (also covered briefly [here](#);
- Chatbots;
- Invoicing and billing tools; and
- AI, data analytics, AR/VR and what lies ahead

There's also a quick discussion of ethics and privacy and consumer protection laws at the end.

Truth be told, doing this recap was also a great way to play around with Soapbox, a Chrome extension that makes it incredibly easy to produce a really nice looking video (for my experience with Soapbox, view [here](#)).

Hope you enjoy the presentation. Let me know if there are any others you'd like to hear.



## **Make Money Mondays: Mommy-Doggie Sweaters Show Why Niche Marketing Works**

Over the weekend, I did a little shopping for a couple of inexpensive sweaters to wear on casual workdays at my office now that the cooler weather is likely to stick around. Casing the mall, I found a couple of possibilities under \$25, but even then I couldn't make up my mind. In each store, I asked myself whether I might find cheaper options or a more flattering style elsewhere?

As I was leaving the last store, however, a display of doggie sweaters caught my eye. Since I like to keep my cute little Bijon-Shitzu [Sadie](#) well-dressed, I grabbed one of the sweaters without the same hesitation about style or price that I'd had when shopping for myself. In fact, I never even so much as glanced at the price tag – \$22 and though it was on sale for \$12, I'd have paid full price anyway.



That's the magic of the niche – or as I like to call it, the “hocus, pocus of focus.” When a store offers a unique product that can't be found elsewhere, customers like me who want it will buy it without a second thought. The same holds true for lawyers: if you offer a specialization or unique service that's tough to find, clients will pay your fee, no questions asked.

But wait – there's more. Once I saw the dog sweater, it clinched my decision to buy one of the women's sweaters for myself so that Sadie and I could match. The lesson here is that even when a provider sells a niche product, it can still drive sales of more generic offerings. Consider, for example an estate planning law firm that touts a niche in supporting disposition of digital assets. Some clients may come just for a consult or to have an existing plan updated – but others may wind up hiring the firm for all of their estate planning needs.



## Make Money Mondays: How Not to Blog: A Reprisal

Seven years ago, I penned a post, [How NOT to Blog](#) at the now defunct Nolo [Legal Marketing Blawg](#). Clearly, my influence is very limited because the offenses that I cited – from undated posts, lack of attribution, reliance on unpaid crowd-sourced content to make a buck and posts without links – remain common practices. For convenience, I've reposted the ten blogging practices to avoid below::

1. Recycling undated posts I realize that lawyers are busy and don't always have time to write new content – so they'll repost a few old chestnuts from a few years back. That's not a problem, so long as the post appears with the original publication date. Many times, however, bloggers recycle past posts and simply remove publication dates to make the content appear as if it's new. This practice of cleansing posts of their dates is frustrating for regular readers who may vaguely remember having read the same post before – but can't go back and check because the date isn't available. In addition, many times, older content may be superseded by new events and if a post isn't dated, that may not be clear.
2. Pimping to Search Engines Ever see those blog posts that repeatedly weave in how a “Boston employment lawyer” or “San Francisco bankruptcy lawyer” can assist you? That's not content; it's preening for search engines and it's annoying beyond belief. I'd never hire a lawyer who mucks up posts with sale-sy subtext, and neither should you. Bleh!
3. Ghostwriting Ever since I posted [here](#) on my aversion to ghost-blogging, I've become even more entrenched in my aversion for this practice. When lawyers blog in first the person, they create a relationship between themselves and a reader, just as they would if they met a referral source at a party or a client at their office. So betray the trust created through blogging by faking one's voice and one's words through ghostwriting reflects a lack of integrity and a deal breaker in hiring. Blogging isn't mandatory and if you're too busy to blog or hate writing, then don't do it – or hire a law student or contract lawyer to assist and give them a byline or credit.
4. Fake Re-tweets Sometimes, I'll visit a blog and notice that every post has been re-tweeted five or seven or sixteen times. Every post, irrespective of the quality of the content. Then I realized that these bloggers most likely have a twitter-protocol – a staple of regulars who loyally re-tweet every post. I've got no problem if a blogger wants to announce new posts on Twitter – in fact, that's how I learn about a lot of good stuff. But blog posts should be re-tweeted based on merit, and not because others are compelled to do it.
5. The Quote and Run Sometimes a blogger will post a snippet from a news article or another blog post with a bland comment like “look at this” or “thought this was interesting.” Others may just lift the content from an article and post part of it, then link to the article. Fortunately, the practice of “quote and run, no comment” is being phased out by Facebook and Twitter which offer better mediums for referencing articles. So for those bloggers who continue to quote and run, please – either add original commentary or take your reference posts off your blog and put them on Twitter or Facebook.
6. Linkless It's bad enough to discuss a case based on a newspaper summary without having read the actual case. It's even worse not to link to the case at all and thereby prevent others from determining whether the analysis is accurate. With Google Scholar and Findlaw and Cornell LII and [Thomas](#) to name a few, there's simply no excuse for not linking to the source.
7. Running disaster feeds Kevin O'Keefe and other bloggers have already criticized the practice of [running disaster feeds](#) to grab the attention of family and friends of victims injured in accidents to induce them to call. It's a disgusting and sleazy practice that doesn't really warrant much more discussion.
8. Lack of Attribution Lots of bloggers fail to recognize that they're part of a wider community. Many bloggers write about topics without referencing other related posts. Of course,

sometimes posts pass in publication but other times, a blogger lifts an idea from a colleague without attribution. That's not the kind of lawyer I'd want to work with.

9. Crowd-sourced blogs Offering respected colleagues an opportunity to guest post on an otherwise content-rich, well subscribed blog (like Christopher Hill of [Construction Law Musings](#) is a really nice gesture. By contrast, relying on others' content to make money or gain exposure for your blog – a practice commonly known as [crowdsourcing](#) is not.
10. Google ads on law firm blogs If your law firm blog is so popular that a vendor or respected company is willing to sponsor it (or a publication is willing to syndicate it) I say go for it. A sponsorship from a reputable company can add to a blog's cache. But as I wrote [here](#), I draw the line at google ads, affiliate deals and tip jars which convey desperation.

So there you have it- my top ten blogging peeves. Avoid these, and you may not have the most heavily-trafficked blog on the web, but you'll have a tasteful, educational site that will appeal to referral sources and provide useful information to clients. And isn't that why you wanted to blog anyway?



## **Make Money Mondays: Virtual Meeting, Real Food**

Never eat lunch alone, say master networkers like [Keith Ferrazi](#). But in today's hectic world, getting together for lunch is easier said than done. Still, a lawyer's got to eat, right?

Enter an elegant solution to this common problem: [eatNgage.com](http://eatNgage.com), a platform that lets you set up a virtual meeting, demo or webinar with colleagues or potential clients and have a meal delivered to them IRL (H/T Gerry Riskin of [Amazing Firms](#), [Amazing Practices](#)). eatNgage uses Zoom, a widely-used virtual meeting product as the platform for its service which has the advantage of user familiarity. Other features include an invite and reminder system, ability to select a variety of meal options along with a meal budget.

Although eatNgage appears to have been set up for vendors hawking demos, there are plenty of uses for lawyers too. Most obviously, lawyers can use the platform to serve existing clients – for example, by providing briefings to out-of-state clients, GCs or to association boards which may have members who are also in different locations.

But eatNgage can be used to prospect new clients as well, and in fact, eatNgage [shared](#) that many customers use the service to deliver webinars + lunch for several hundred participants at a time. And while that seems expensive, as one commenter [pointed out](#), the price is comparable, if not less, to flying presenters out to a seminar site, paying for parking and having meals delivered anyway.

eatNgage is also a godsend to lawyers (mostly moms) who work part-time or telecommute due to childcare responsibilities and as a result, miss out on networking opportunities necessary for advancement and success. eatNgage means that a lunch date doesn't have to take a 3-hour bite out of a work-from-home parent's day.

At a time when folks are overwhelmed with announcements of all kinds of webinars -from how-to's to get rich schemes – on social media and via email lists, eatNgage is a way to give your webinar an advantage over the competition. After all, who doesn't like a free lunch?

Editor's Note: Second Hat Tip to the new [LexBlog Platform](#). Initially, I must confess that I didn't really understand the concept. But the new platform makes it easy to scroll through and follow hundreds of law-related blogs in a matter of minutes which is how I came across Riskin's post.



## Make Money Mondays: Give a Little Away

My regular readers are well familiar with my obsession with farmers' markets and the [marketing lessons](#) harvested therefrom. But this week's marketing lesson from the Farmer's Market about the value of giving a little away to draw more business later on – couldn't be more timely in light of my upcoming FREE Webinar, [Seven Figure E-book](#) .

But first, more on the Farmer's Market. The picture accompanying this post shows the table of samples that's laid out week after week at the most popular produce stand at my local farmer's market. And it's the sample table that accounts for the stand's popularity even though there are at least six other stands with similar products. Here are a couple of reasons that free samples can draw paid business – and why the same tactics can work for law firms.

Samples demonstrate the quality of the products to potential buyers. Though it's easy to post signs or awards attesting to farming practices or produce quality, buyers want to know one thing: how the fruits and vegetables are going to taste. Free samples answer that single question. The same goes for lawyers. Blog posts, articles, and other smart content show rather than tell potential clients what you do.

One caveat: as you can tell from the photo, the Farmers' Market samples are fresh and colorful. Samples that are bruised or rotten wouldn't serve much purpose and indeed, could potentially drive customers away. The same holds true for lawyers who give away free content: dispensing mass-produced, generic pabulum isn't a great way to put your best foot forward. Free content will only attract buyers if it's solid work that accurately reflects your firm's capabilities.

Samples educate consumers about options they weren't aware that they had. On several occasions, I've tasted a new variety of fruit like a pluot or a Gold Rush apple at the sample table and enjoyed it so much that I made a purchase – not just that week, but on a regular basis.

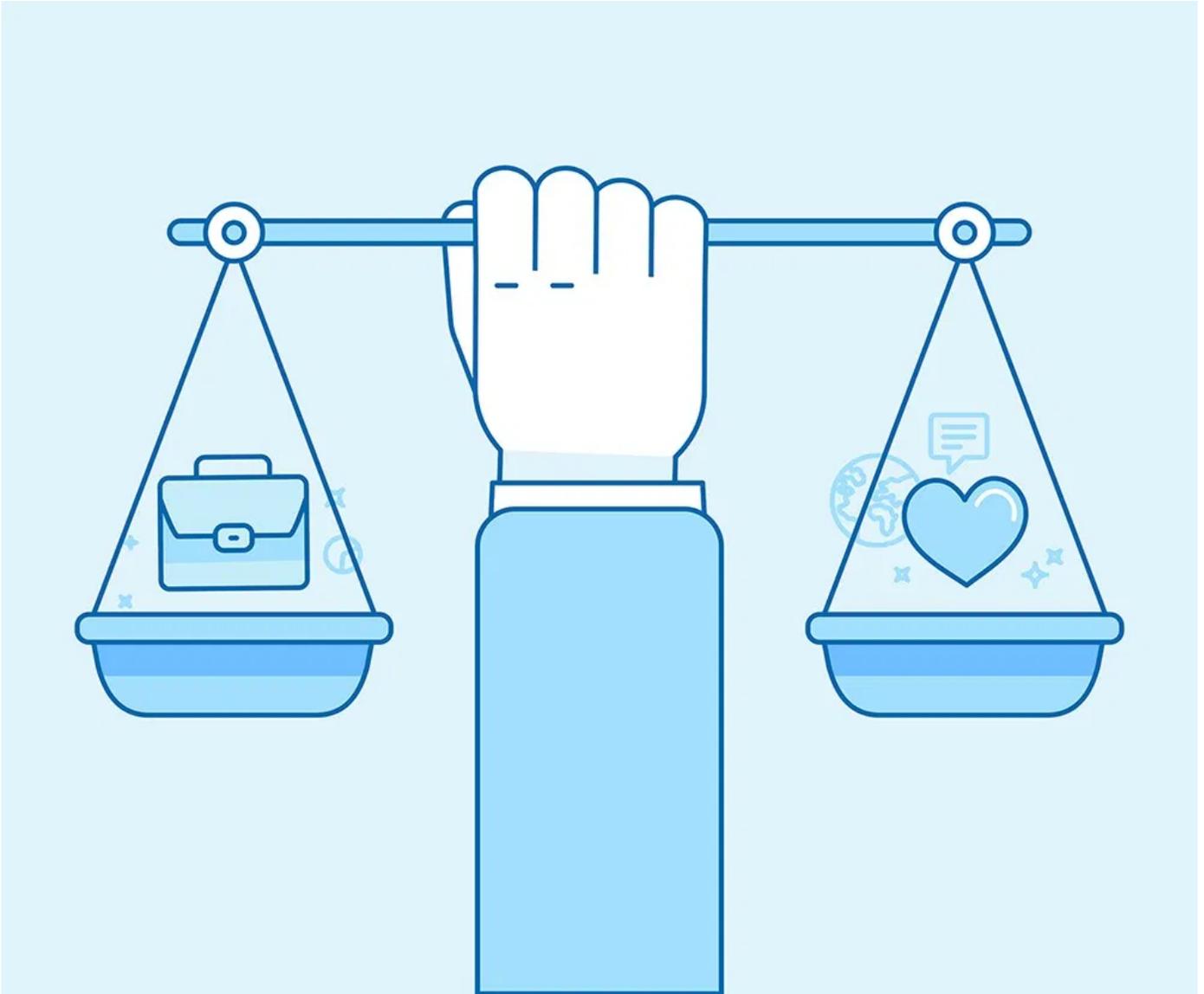
Free content for clients works the same way. Many times clients may not realize that a particular harm that they've suffered may entitle them to a remedy. Before I published the [E-book](#) that drove seven figures in revenue to my firm, most prospective clients didn't realize that they could actually oppose a pipeline or re-route it off their property. If you've informed clients of a potential right or helped them to preserve it, chances are they'll bring their case to you when they're ready to move forward.

Samples are exciting. Let's face it, who doesn't love a freebie? The folks who come around to the sample table may not buy the first time, but at some point, they'll reward the seller's generosity with a purchase. In many cases, the free samples excite kids the most – and I've frequently seen kids urge their parents to buy a dozen apples or a carton of berries because they liked the sample so much.

Free content can excite potential clients – but also, keep in mind, that free content attracts more than the ultimate consumer. Just as free samples at the farmer's market appeal to children who will then persuade their parents to make a purchase, strong content may attract someone other than the client – perhaps an attorney with a case to refer or the children of an elderly disabled widow who will then persuade the eventual client to make the hire. At least forty percent of the seven figures of business that I earned from my ebook came directly from referring attorneys who either directed clients to my firm or hired me directly as co-counsel.

Lawyers are notoriously stingy; fearful of giving away content, worried that clients won't hire them if they can figure out what they need to do on their own or that others will steal or copy the content. And these are valid concerns – just as vendors take a risk of giving away a few hundred dollars worth of free fruit without ever making a sale. But the risk of losing a few potential clients by giving away content is outweighed by the number of clients that free content can help to attract. In other words, sometimes you need to give a little in order to get a lot more.

For another spin on the value of free content, see Steve Embry's post at Tech Law Crossroads, [Sorry, Sir, You Need to Buy Something to Get the Socks](#)



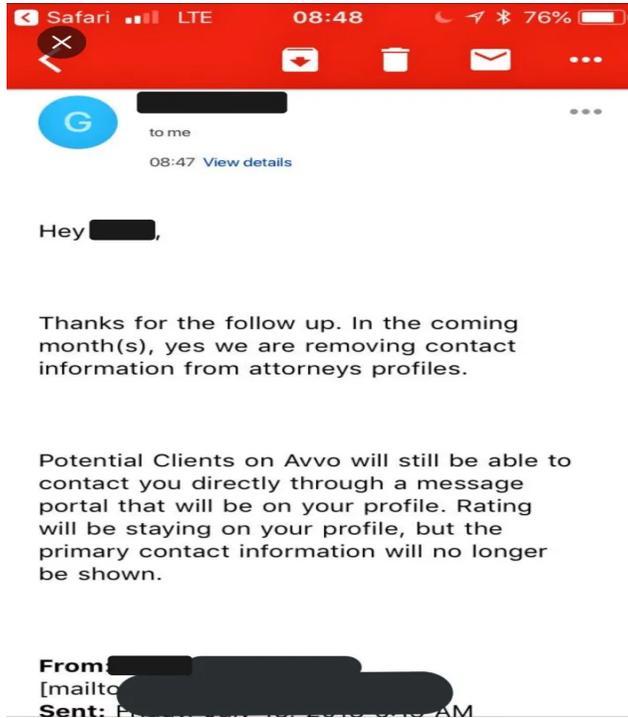
## **Make Money Mondays: Diversify Your Client Portfolio**

If you're not making the money you'd like, the most obvious solution is to find more clients. But before you start spending thousands of dollars on SEO, first take some time to think about what kinds of clients you need to find to create a sustainable practice. This [article by Morra Adams-Mele in Entrepreneur](#) breaks down five types of clients that are common to many service industries, including law. They include:

- Vanity clients – These are big name clients or cases that you can brag about and which give your firm credibility and lead to valuable referrals;
- Long-term clients – The regulars who are either on a long-term retainer or come back year after year for annual tasks like corporate filings or IP audits – and if regular enough, can serve as a bread-and-butter stream of revenue for your firm;
- High-margin clients – These clients who need work done NOW and pay well for the quick turn around;
- Just-for-the-love clients. These are the so-called “passion project” clients – the ones who you represent because they have no other options or because their matter enables you to change the law or simply because they’re decent people. The point is that you can use your law degree to help people who can’t afford it or to change the world and still remain sustainable so long as you build these passion projects into your business model.
- Short-term clients. These clients are the least desirable as they take time to onboard, pay for a small matter and aren’t heard from again. Still, for many firms, particularly those that advertise on line, short-term client revenue is too significant to ignore. And in a best case scenario, short-term clients can eventually become long term revenue sources either because they come back with new business or refer you to their friends.

It’s important to take the time to assess which of these baskets your clients fall into so that you can focus your marketing efforts on bringing in clients who will diversify your firm’s portfolio. For example, if 95 percent of your clients are short-term clients, an SEO campaign will simply deliver more of the same – when it’s probably wiser to balance those short timers with repeat business. Below are some different approaches to diversifying your business to make it more sustainable and fulfilling:

- If you enjoy the quick turnaround that high-margin clients provided, you might change your marketing pitch to emphasize your ability to handle matters quickly. Or you could reach out to referral sources and invite them to send those types of cases to you if they don’t have time to handle them.
- Too many short-term clients? Why not consider some of these [ideas](#) that can help your clients stick around longer?
- Did you go overboard in biting off more pro bono matters than you can handle? Consider whether these [options](#) for helping clients find money to fund their cases can help you get paid. Or if a client is seeking legislative or regulatory reform, why not look to see if there are other similar clients who might get behind the cause and fund it, or if other law firms could help shoulder the work.



## Make Money Mondays: Is It Time to Recalibrate Your Digital Marketing Tools?

Last week, a tweet from [Keith Lee](#) confirmed that [Avvo](#), the controversial lawyer review site planned to remove contact information from attorney profiles. Potential clients can still contact lawyers through a portal (no word about confidentiality precautions there) but lawyers must pay for a profile for contact information to appear directly. Avvo's new policy came as no surprise to me. After all, with Avvo's [recent acquisition](#) by digital marketing giant Internet Brands, changes to Avvo's business model were inevitable to increase profits for the new owner. As a result of Avvo's new policy, lawyers must now ask themselves whether it remains worthwhile to use Avvo to list their credentials or house client reviews unless they pay for a profile. Otherwise, they risk having their credentials bring potential clients to a results page, only to have the client go with the lawyer who is easier to contact.

Avvo's new policy change offers a good reason for lawyers to re-evaluate Avvo's usefulness ten years after the site launched. As my long-time readers may recall, I was an [early Avvo supporter](#) because back then, there were no real options for lawyers to both locate lawyers online and find feedback on their services. Most bar associations didn't even list lawyers at their websites for the public to find or to retain an online database of disciplinary actions. And even if the bars had listed lawyers, many solos and smalls back then did not have their own website or a professional looking online presence. Thus, Avvo filled a void.

Now more than a decade later, the world is different. Websites that once cost \$5000 to develop can be had for pennies. Google and Yelp are robust sources for lawyer reviews that rank higher in search engine rankings than Avvo. Many bar associations have finally made lawyers' disciplinary records available online so the public disciplinary records attached to Avvo profiles are no longer as important to inform clients. In short, has Avvo outlived its usefulness?

I write this post not to criticize Avvo's new policy or even Avvo itself, but rather as an example of the need for lawyers to constantly evaluate all of their marketing tools in a digital age. Sites that were once used for one purpose may change in focus. Take Facebook, for example. Though it's still a top social media site, many [teens no longer join the site](#) – or even sign up to begin with because their parents are using it. Thus, lawyers who dismissed Facebook pages or ads for marketing, figuring they'd only attract high school and college kids may reconsider. Conversely, lawyers who relied on Facebook to target young entrepreneurs or new grads might do well to explore other sites more popular with the younger crowd.

For lawyers of my generation, advertising was never as much of a moving target. That ad on the back cover of the Yellow Pages, the radio sponsorship or local seminar on estate planning worked year after year and could go on autopilot. Not so any more. Social media sites are always evolving and changing and users can afford to be fickle because usage is free. Lawyers can no longer think of marketing as a “set it and forget it” activity. Instead, they must constantly re-evaluate the efficacy of digital marketing tools to avoid paying money for a service that no longer delivers – or like Avvo, may have become obsolete.



## **Make Money Mondays: Start a Legal Subscription Service (Infographic)**

Looking for a summer project to boost your revenues in the fall? There's no better time than now to develop a subscription service for clients. Here's an infographic showing the benefits of legal subscription services and how to go about starting one yourself.

# 4 STRATEGIES FOR CREATING A LEGAL SUBSCRIPTION SERVICE

## BENEFITS OF LEGAL SUBSCRIPTION SERVICES

Here are four reasons why lawyers should give subscription services a try:

- ANOTHER REVENUE STREAM**
- SMOOTH BUMPS IN CASH FLOW**
- MAKE SERVICES AFFORDABLE FOR MORE CLIENTS**
- STAY CONNECTED TO CLIENTS**

### 1 WHAT TO SELL

**LEGAL CONTENT**  
DIY Forms, Guides, Video Tutorials

**TOLL BRIDGE AGREEMENTS**  
Annual Checkups & Preventative Care

**PROTECTION PLAN**  
Monthly fee for covered services (like legal insurance)

**SERVICE PACKAGE**  
Suite of services - e.g., unlimited emails, contract review, copyright & IP filings

**HOURS**  
Flat fee in exchange for set # hours

### 2 HOW TO PRICE

**SALE**

**LOW END**

Most basic level of service. Usually tutorials, DIY & automated forms.

**SWEET SPOT**

Combination of personal service + tech. Best profit/effort ratio.

**HIGH END**

An aspirational price that only a handful will purchase.

Psychology of Pricing:  
With 3 menu options, most customers choose the middle point.

### 3 HOW TO REDUCE RISK

**DEFINE SCOPE OF SERVICE**  
Specify what services are included in a package, to avoid getting locked in to too much work at a loss.

**TERMINATION OF SERVICE**  
If your subscription includes unlimited services, specify that client can be terminated for abusive use.

**ETHICS + PRIVACY**  
Ensure that services comply with bar rules & online privacy and data storage requirements.

### 4 HOW TO GET PAID

**AUTO PAY = ONLY WAY**  
Benefits of subscription services are only realized w/online autopayments

**FEES EARNED ON RECEIPT**  
Terms of service must specify that subscription charges are earned on receipt to gain cash-flow advantages.

**REFUNDS ON DEMAND**  
Grant refund in full to unhappy clients to avoid bar complaints.

Did you enjoy our infographic? Feel free to post it at your site with attribution to Carolyn Elefant at MyShingle.com. And be sure to visit our site for more great law practice tips for forward thinking law firms.



## **Make Money Mondays: Help Your Clients Find Money to Pay Your Bills**

Many solo and small firm lawyers share a common problem: too many clients with too little money to pay legal fees. But before you turn those impecunious clients away, you may want to explore other means to help them pay the bills.

Fee Shifting Statutes

Fee-shifting statutes allow a prevailing party to recover legal fees from the opposing side. You can find a long list of federal fee-shifting statutes in this [2008 Congressional Research Service Report](#) but many states have fee-shifting statutes also, including quirky ones such as a [California statute](#) that allows intervenors to seek recovery of fees for participating in formal proceedings before the California Public Utilities Commission.

Fee-shifting statutes come with risk of course – you may not win the case, or the court may [cut your fees](#). Some lawyers who rely on fee-shifting statutes work on pure contingency, while others charge a reduced hourly or flat fee with the expectation of recovering the rest if they win the case. Either way, fee-shifting statutes make case costs more manageable for clients.

### Insurance Policies

Some clients may have insurance coverage to fund the cost of an attorneys under D& O or business liability policies – and may give the policy holder the right to choose own attorney. In any event, it's good practice to review prospective clients' liability policies – because it's possible they could [sue you](#) for failing to disclose that their insurance policy would have covered their legal fees.

### Crowdfunding

If potential clients are bringing or defending a suit that would benefit their family members, community or the public at large, crowdfunding – which I covered [here](#) is another option.

### Third Party Financing

Third-party financing – increasingly common for medical professionals- is also an option for clients who can't pay by credit card and can't raise enough money up front to pay your retainer fees. In a third-party financing arrangement, clients take out a loan from the financing company for the expected amount of the case, which is then paid directly to the attorney. The client then repays the financing company on a monthly basis. The benefit of third-party financing is that the lawyer is paid upfront, and the client bears the cost of the interest on the loan.

Third-party financing is very different from traditional [litigation funding](#) — typically used in high-value cases — where a company fronts the attorney the funds necessary for the lawsuit and collects a percentage of the proceeds recovered. By contrast, third-party financing involves a loan for a sum certain and does not give the lender a stake in the litigation. Two examples of third-party financing companies are [Legal Fee Lending](#) and [I Qualify Lending](#) [note – no endorsement of either company; these are two examples of many].

## Grant Programs

Many small business clients may not be familiar with federal or state small business grant programs that can provide an influx of cash into their companies. Although the grants themselves may not fund for legal fees, the influx of revenue can free up other cash that the company can use to pay your fees.

Do you have any special tips on helping clients find money to pay your bills. Please share your ideas in the comments section.

Editor's Note: This post updates two earlier posts on the same topic from [2009](#) and [2011](#).



## **Make Money Mondays: Marketing Lessons for Solos & Smalls from the Farmers' Market**

One of my favorite Sunday morning activities during summer is taking my plump little pup Sadie to the weekly Farmer's Market in my town. It's a win-win for both of us: Sadie has a chance to consort with other dogs and leave with a juicy bone, while I can pick up fresh ingredients for a few meals and a couple of [real life marketing lessons](#) for you, dear readers. Here's what I came away with today:

Personal Contact Isn't Dead Yet In today's digital era, consumers can buy anything they want online – including organic produce and meats from [Whole Foods](#) in the wake of its acquisition by Amazon. And yet Farmers' Markets [abound](#) in my area and throughout the country.

So why do people bother with Farmers' Markets when you can buy fresh produce anywhere? From what I've observed, shoppers enjoy the atmosphere and the personal connection with vendors and other shoppers. The Farmers' Market is a source of information too since shoppers can ask vendors for recipes and best practices on food storage.

Now let's face it – a trip to a lawyer's office will never be as pleasant as a trip to a Farmers' Market. But there are times when an in-person meeting or conversation with a client can result in discovering new facts that a client may not have thought to include on a form. Likewise, it's often useful to meet with a lawyer or other potential referral recipient in person before sending a client their way.

Don't get me wrong – just as folks don't rely on Farmers' Markets as an exclusive source of groceries, lawyers needn't limit themselves to in-person meetings only. At the same time, we shouldn't forget that even in a digital world, there's a place for face-to-face.

### Unit Costs Are Meaningless

On today's visit, I was also accompanied by my daughter who decided to purchase some cheese after sampling a few different varieties. She asked the cost, and the vendor quoted a price of \$46/pound. At which point, my daughter turned to me and asked "What's a pound of cheese? A block or a slice?" Though I didn't know the answer either, I told her to ask for a ten-dollar chunk so that at least, she'd know how much she'd be on the hook for.

Quoting clients a billable rate of \$125/hour or \$500/hour is meaningless when they have no idea how much time will be required to complete a task. So provide clients with an estimate of cost. And if clients claim that the cost is out of their price range, ask what they can afford and if it's an amount worth your time, put together a narrower scope of work that you can reasonably accomplish in a \$500 or \$1500 chunk of time. As I've written before, [don't negotiate, but do accommodate](#).

**Accept Credit Cards** When I first started frequenting the Farmers' Market several years back, only a handful of vendors accepted plastic. Not surprisingly, today, every stand is equipped with an iPhone, a machine to run credit cards or an extension to run a credit card by phone. Seriously, any lawyer who doesn't accept credit cards in today's world will find it tough to attract and retain clients.

**Come Back Next Time** Most of the vendors at the Farmers' Market rely on customers returning on a regular basis so they adopt various strategies to make themselves **sticky**. Some of the vendors – particularly for meat and eggs – take orders for customers to pick up the following week. Others remind customers to return for a certain type of pickle or homemade sauce that wasn't available that week. Many of the vendors also greet customers as they meander through the market – just to stay on their radar.

By contrast, most lawyers fail to take the simplest steps to encourage repeat business. Lawyers could easily schedule a meeting with clients six or nine months down the line just to check in, or send them updates on legal issues that might impact their situation. These small steps lay the foundation for a relationship with a client that lasts longer than a one-off transaction.

Do you love Farmers' Markets as much as Sadie and I do? What lessons have you picked up from your visits?



## **Make Money Monday: Pop Up Law Firm**

Believe it or not, the pop-up stores are a \$50 million dollar industry according to [Small Biz Trends](#) . Moreover, as the infographic shows, there are more ways to run a pop-up business than just by opening a kiosk in a mall. Many pop up businesses are taking place within vacant spaces or existing stores.

The pop up option is interesting for lawyers. What about a business lawyer popping up in a Starbucks, or an estate planning lawyer popping up in a nursing home? With the cloud and ability to take credit cards online, there's no reason that a lawyer couldn't offer a full service pop up experience either.

Have you ever thought about a pop up space for your law practice? Here's an earlier [post](#) on the pop up law firm.

# THE RISE OF THE POP UP SHOP

The classic pop-up store offers more than just convenience, but the flexibility and adaptability of a pop-up store offers a number of advantages. These include a lower overhead cost, the ability to test new products, and the ability to reach a wider audience.

## ADVANTAGES OF A POP-UP TO THE RETAILER

- Lower overhead costs
- Ability to test new products
- Flexibility to adapt to market changes
- Ability to reach a wider audience

## THE POP-UP SEGMENT WERE VALUED AT \$50 BILLION IN 2018 IN THE US

### TYPES OF POP-UP

#### STORE WITHIN A STORE

**ADVANTAGES**

- 1. The retailer can reach a wider audience
- 2. The retailer can test new products
- 3. The retailer can adapt to market changes
- 4. The retailer can reach a wider audience

**PLANNING**

Identify the location and the time of the pop-up store.

#### MARKET OF GUESTS

**ADVANTAGES**

- 1. The retailer can reach a wider audience
- 2. The retailer can test new products
- 3. The retailer can adapt to market changes

**PLANNING**

Identify the location and the time of the pop-up store.

#### POP-UP ON AN OPEN VACANT SPACE

**ADVANTAGES**

- 1. The retailer can reach a wider audience
- 2. The retailer can test new products
- 3. The retailer can adapt to market changes

**PLANNING**

Identify the location and the time of the pop-up store.

#### IN LANE SHOPPING CENTRE STORES

**ADVANTAGES**

- 1. The retailer can reach a wider audience
- 2. The retailer can test new products
- 3. The retailer can adapt to market changes

**PLANNING**

Identify the location and the time of the pop-up store.

#### NEIGHBOURHOOD STREET LEVEL SPACES

**ADVANTAGES**

- 1. The retailer can reach a wider audience
- 2. The retailer can test new products
- 3. The retailer can adapt to market changes

**PLANNING**

Identify the location and the time of the pop-up store.

### EXAMPLES OF COMPANIES WHO TRIED A POP-UP

Coca-Cola, Nike, H&M, Audi, Benefit, PRADA, BIRCHBOX, Facebook, FENDI, kate spade, K&N

### TRACKING THE SUCCESS OF A POP-UP

With the growing popularity of pop-up stores, it's important to track the success of your pop-up store. Here are some key metrics to track:

- **Footfall:** The number of people who enter your pop-up store.
- **Conversion Rate:** The percentage of people who make a purchase.
- **Average Order Value:** The average amount of money spent per customer.

### QUOTES FROM INDUSTRY EXPERTS

"Pop-up stores are a great way to test new products and reach a wider audience." - [Expert Name]

"Pop-up stores are a great way to test new products and reach a wider audience." - [Expert Name]

"Pop-up stores are a great way to test new products and reach a wider audience." - [Expert Name]

### REFERENCES

colourfast, colourfast.com



## **Make Money Mondays: Seasonal Marketing – Summer Specials**

I've written previously about the concept of [seasonal marketing](#) for law firms – that is, offering limited-time services that have some connection with a holiday or season. So for example, around Memorial Day or Veteran's Day, a law firm might offer discounted services to veterans. Of course, seasonal marketing can go awry also – as with this attorney who [offered free divorces on Valentine's Day](#) .

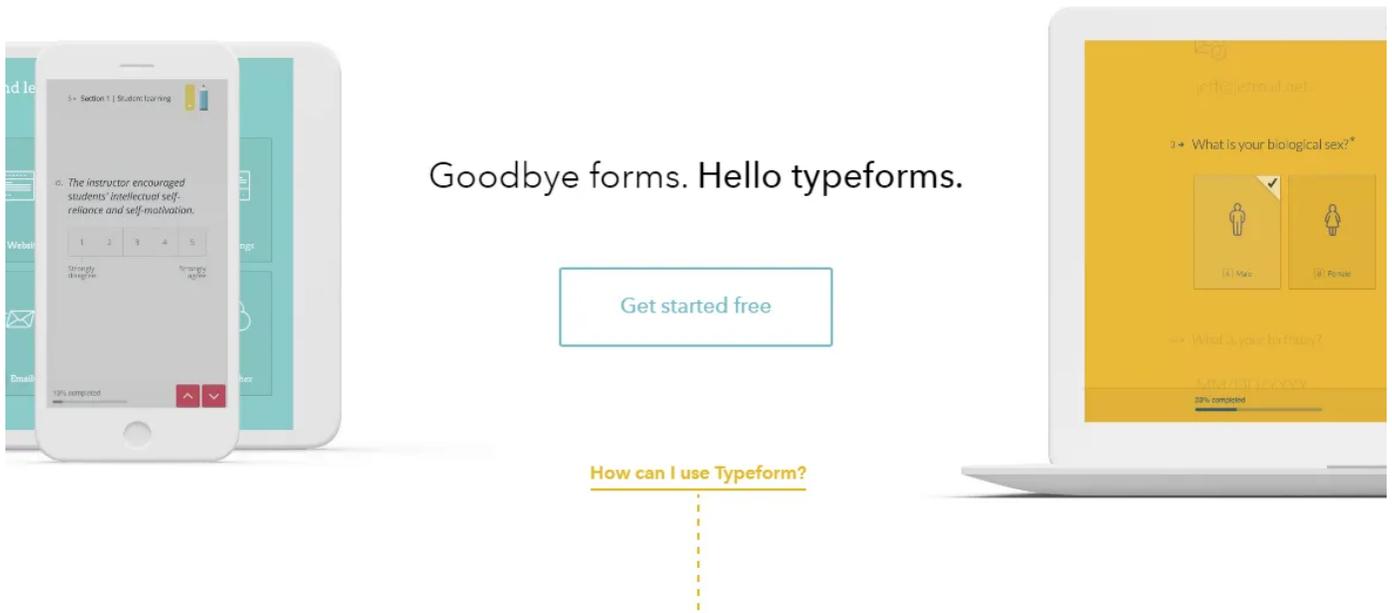
With summer officially here, there's another opportunity for seasonal marketing – especially for lawyers who practice near popular summer tourist destinations. Summer activities involving boating, hiking, amusement parks, outdoor concerts, swimming and outdoor festivals are always a blast – but they're also rife with the potential for accidents, drunk driving and other incidents that might trigger a lawsuit. Moreover, because tourists hail from outside the state and may have an immediate need for legal advice, you'll have access to potential clients who don't know anyone locally who can recommend an attorney.

How can you capitalize on summer seasonal marketing opportunities? Here are some thoughts – some that you may be able to implement for this season; others that may have to wait for next year:

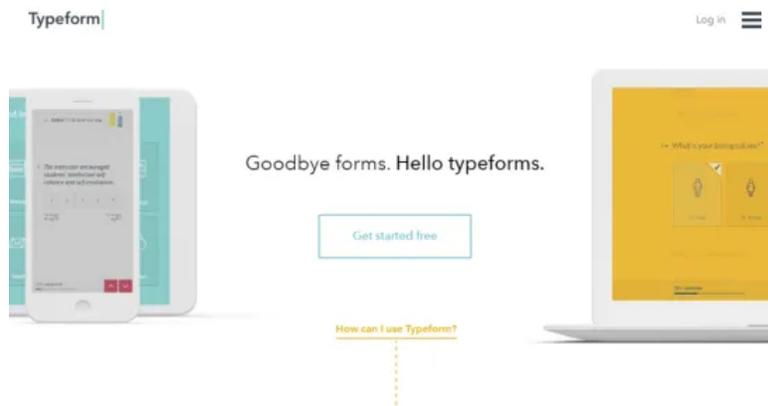
1. Be the summer expert. Yeah, yeah, yeah, we all know that [ethics rules](#) bar lawyers from labelling themselves as experts on the law, but those restrictions can't stop you from holding yourself out on local summer events or popular tourist destinations in your area. So take a break from writing blog posts or articles about the law and instead, pen some personal pieces about your favorite area activities to circulate to travel blogs and other sites where they'll be viewed by a wider audience. Naturally, link back to your website, and include a clever tag line in your bio about your availability to help visitors out of vacation scrapes.
2. Help folks stay out of trouble. Every summer, we learn of tragic events like drownings, boating accidents, fireworks burns and drunk driving deaths. You could put together a list of safety tips for tourists that perhaps your Chamber of Commerce would circulate. Or offer area vendors a flat fee package to review their releases and warnings to customers.
3. Beef Up Your Online Reviews. Today's clients [overwhelmingly want reviews](#) – and nowhere are they more important than in attracting an out of town crowd. Several years ago, I was waiting in our local urgent care clinic, when a woman sat down next to me and asked whether the doctor was any good. I responded that he was excellent, and she explained that she was in town at a conference when she injured herself, she found the office online and after seeing more than a dozen top reviews, she decided to take a chance.

Do you have favorable testimonials online from clients at sites like Avvo, Google or Yelp? With a potential summer influx of out-of-town clients who might need a lawyer, you now have an added reason to gather reviews from past clients (assuming your state ethics rules allow that...)

What does your firm have scheduled for summer?



# Make Money Mondays: Ask A Beautiful Question....



Content marketing is all the rage – but there are so many ways to attract and engage readers besides producing content on blog platforms [like these](#), video or now over-used [infographics](#).

For example, you could test or entertain readers with quizzes and assessment tests. You don't need a fancy system to set up a quiz – I [created](#) a sample quiz on BuzzFeed entitled [What Kind of a Solo Are You?](#)

Now, I've discovered an even more elegant tool for creating surveys and polls- [Typeform](#) . Typeform is free to use, and it allows users to customize test questions and even employ if then logic (i.e., users can be directed to another question depending on the preceding answer). You can also use Typeform to collect ratings from clients (there's a built-in star system) or to register folks for events and collect payments. Typeform also offers a sleek interface for users. Surveys can be cumbersome, but going through a Typeform survey is relatively pain-free.

As these out of the box tools gain sophistication, will they replace legal-specific tools like [Neota Logic](#) less relevant? Five years ago, I longed for Neota to expand into legal, but with Typeform and even BuzzFeed, I can mimic simple versions of Neota out of the box and free.



## **Make Money Mondays: Lessons From Customer Service Can Help Client Service**

Although I don't think that lawyers should treat clients as customers, nevertheless, lessons from customer service can sometimes be useful in managing clients. I found the suggestions in this piece, [The New Customer Service Trend That's Shaking Up the Marketing Industry](#) to be especially on point.

First, the article distinguishes between customer-centric and customer-first marketing as follows:

Customer-centric marketing aims strategies AT the customer. You are looking at the customer as an end-goal. Customer-first marketing revolves AROUND the customer. You are making them an integral part of your marketing, research and development.

This applies equally well to clients. Many want to be part of the team, and make active suggestions about the strategy and goals for their case rather than having the lawyer call all the shots without explanation.

Customers also favor companies that put their needs above the company's business goals. Often, that's the job of lawyers as well. Although no one expects us to go out of business in the name of pursuing a case, but they want to know that a firm has their interests in mind and that they're not just another fee.

For lawyers who want to shift to a customer-first relationship with clients here are some best practices:

**Walk Them Through the Process** Take the time explain to clients upfront how a case will work. You can provide the information in a checklist or even have them view a video. As the case moves forward, respond to questions about where the case is headed. Have your customers done something awesome with your product or service? Why not work with them to share it with the world! Or simply highlight something about your customers – recognition makes everyone feel great about him or herself.

**Be Proactive** Keep clients up-to-date with news, changes and other things they'd find relevant. Let them reach out to you through multiple, fully-staffed channels using whatever method is most convenient to them. As the article concludes, "Customer-first marketing involves a great deal of feedback and discussion. Take the time to get to know your customers and work with them, rather than giving them a number and a ticket and hoping for the best."

Do you have a client-first practice? What else do you do to serve the needs of clients?



# Make Money Mondays: Legal Tech Services That Make You Sticky to Clients

Although most legal marketing initiatives focus on client acquisition – think [lead generation](#) , [SEO-powered blogging](#) and good old fashioned [networking](#) – client retention offers far more bang for the buck. Studies show that there’s a [60 to 70 percent chance of making a sale to an existing customer](#) compared to just a 5 to 20 percent chance of snagging a new customer through diligent marketing and follow-up – plus, it costs [five times more](#) to bring in new customers than to retain existing ones. What’s more, existing customers are also [more valuable](#): as the infographic bears out, existing customers typically spend one third more than new customers and overall, account for between 25 and as much as 95 percent of overall profits.

So what can lawyers do to encourage clients – particularly, consumer clients and small businesses – to stick around. Blogging and newsletters are popular options – but I’ve often wondered how effective these tools are for consumer clients. After all, if clients have just gotten their estate planning wrapped up or finalized a divorce, seems to me they’d rather put it behind them and aren’t likely to have interest in receiving ongoing tips or reading blog posts on how to hire a family law attorney or how a trust differs from a will. Sharing less substantive material – like news of a firm’s charitable activities or photos from the office – on social media sites like Facebook or Instagram may hold slightly more interest – but for privacy reasons, former clients may not want to friend or follow a law firm social media account.

But now, thanks to technology, lawyers can offer useful services to clients to encourage them to stick around. Here’s a sampling:

Corporate [Legalinc](#) – Although lawyers can use this service to easily file annual reports or amend corporate filings for clients, by far the best feature of Legalinc is its registered agent service. By designating Legalinc as the registered agent for clients, lawyers don't have to deal with the associated paperwork. But lawyers will still be notified of any changes in filing requirements in jurisdictions where the company does business or new lawsuits against the company – both of which can generate new business.

Estate Planning [Estate Map](#) and [Everplans.com](#) will store estate planning documents as well as account information and passwords for banking, social media and other services that clients may want loved ones to have access to after their death. [Legal Directives](#) shares the same space but focuses on making healthcare instructions accessible to family members, doctors and emergency personnel. Lawyers can offer to purchase one of these services for clients i- which means they're more likely to reconnect if there's a need to make changes. Of course, many law practice management tools also provide the same storage utility – but because the commercial products are consumer-facing, clients may find them more appealing and easier to use than some of the practice management portals.

Family Law [Support Pay](#) and [Family Law Wizard](#) help divorced couples manage support payments and visitation calendars. (There's a great video on Support Pay's female founder and the rationale for the product [here](#) ). Family Law Wizard markets itself to law firms – and while it's a bit pricey – [\\$899 for 10 clients as a bulk purchase](#) – it enables lawyers to stay on top of what's going on in the case and that makes clients more likely to call them, rather than a new lawyer if a problem arises.

Lawyers can recover the costs of these third-party platforms in several ways. First – if they generate more business then they'll pay for themselves. But lawyers can also pass the cost of the service on to the client as part of a fee agreement. Or they can create service packages – for example, an ongoing checkup or audit that would include access to one of the third-party platforms.

Of course, as with any other type of outsourcing, ethics rules apply when lawyers use these kinds of third-party platforms to serve clients. Lawyers must use due diligence in investigating the security and reliability of the service – and also disclose the firm's decision to use a third-party platform to clients.

Do you use any of these third-party platforms in your practice, and how have clients responded? What other techniques do you use to keep clients coming back?



## **Make Money Mondays...Or Not: The \$17 Incorporation Special**

(FMJ), a seventeen-year old, mid-sized Minnesota law firm is poised to embrace 2017 with a 17-themed special of its own: offering new business incorporations for just \$17.17 – plus expenses, reports the [Star Tribune](#) . The goal behind the \$17-special is two-fold. First, the firm wants to help more fledgling businesses to get up and running and thrive. Second – and not surprisingly – the offer is also a loss-leader, intended to lure prospective small business clients with the hope that they'll reward the firm with more business as they grow.

Is a seventeen dollar special an effective marketing tool? As with nearly everything in law, reasonable minds may differ. On the one hand, some argue that treating clients to bargain-basement rates at the outset creates an expectation that future services will be similarly priced. As a result, these clients may balk when asked to pay full-fare down the line. Moreover, a \$17 incorporation isn't a guarantee of future work: [studies have shown that Groupon deals are often one-offs](#), and there's other evidence to suggest that many businesses that rely on small or local firms at the beginning don't [necessarily dance with the ones who brought them](#) when the business hits the big-time. These drawbacks are evidence that \$17-incorporation isn't a [set it and forget it](#) strategy requiring ongoing outreach and support to even have a shot at keeping these clients for the long term.

On the other hand, a \$17-dollar incorporation can generate free publicity – case in point, FMJ's mention in the Star Tribune. And it allows the firm opportunities to meet clients on their own turn, as opposed to at a trade show or networking function where firm lawyers are competing with the dozens of other firms that show up in search of business. And let's face it, actual nuts and bolts of incorporation aren't all that complicated – heck, if a firm doesn't already have its own incorporation forms, it can pull them off the Internet for free.

As for me, I've long been a strong advocate of the [power of free](#) (and by extension, cheap) as a way to attract and retain clients. The risk of accustoming clients to low cost rates can be mitigated by confining the terms of the deal to a single matter – such as a will or incorporation – as opposed to offering several months of rate discounts. Also, at a time when quite honestly, it's pretty easy to find fill-in forms online, loss-leaders are likely to be most effective if coupled with advice and recommendations from the lawyer. Other ideas for introductory offers are tune-ups or audits e.g, an offer to review a business' Legal Zoom document at no cost, but charge for any changes or amendments that might be necessary.

Have you ever offered similar programs at your firm and what's been the result? And do you think these kind of loss leaders for wills or incorporations are still viable in an era where forms for these matters are readily available online and at no-cost?



## **Make Money Mondays: Post-Election Day Posts**

Although the 2016 presidential race pitting Hillary Clinton against the Donald Trump has dominated the news for the past year, the reality is that the outcome of tomorrow's election is unlikely to have an immediate impact on most voters. By contrast, [thirty-four states have a combined total of 157 propositions on the ballot](#) that will directly affect a large number of individuals and businesses – including many existing – or potential clients.

The referendums likely to affect to widest swath of the population involve the legal status of marijuana. As described [here](#) five states – Arizona, California, Maine, Massachusetts and Nevada will vote on legalization of marijuana, while ballots in four other states – Arkansas, Florida, Montana and North Dakota – take up the issue of allowing use of medical marijuana.

In addition to voting on marijuana, Americans will weigh in on a variety of other issues, according to [Politico](#). These include whether to (1) establish a constitutional right to hunt and fish (to be decided in Indiana with similar issues pending in Montana and Kansas), (2) enact a [carbon tax](#) (Washington State); (2) impose more stringent requirements for background checks for firearms and ammunition (Maine, Nevada and California) and (4) approve “Death with Dignity” legislation allowing assisted suicide by doctors at the request of terminally ill patients (Colorado).

If enacted, these laws may create new opportunities or present new risks for many of your firm’s clients. Consider a state where recreational or medical marijuana is legalized. Doctors and other medical providers will want information on whether and in what circumstances they can prescribe marijuana for a patient, individuals will want to understand understanding the limits of legalization (for example, do DUI laws apply to someone who’s just smoked a joint before driving, would an apartment complex’s anti-smoking rules bar marijuana use, are there limits to the amount of marijuana a person can possess at one time, etc...) and entrepreneurs and investors will be clamoring for guidance on how to lawfully sell. Even lawyers who focus on professional responsibility issues may find themselves responding to questions about the [ethics of counseling on state marijuana legalization laws](#) when federal law still makes marijuana illegal.

The same kinds of questions arise under other proposed legislation, whether related to assisted suicide, background checks for firearms and carbon taxes: providers (such as doctors, firearms dealers or carbon-emitting companies) will always be interested in new opportunities and compliance obligations created by a new law, while consumers will want to understand what they can do, or require representation on matters of first impression if they’re charged with violations.

In short, new laws create new opportunities for lawyers in a wide range of practice areas. However, if you want to maximize future opportunities, keep in mind that there’s but a narrow window to get the word out about hot-off-the-presses news to existing and prospective clients.

For starters, if you wait too long, it's only a matter of time before other law firms and their marketers pounce on the new trend. Thus, by the time you've had a chance to weigh in, your clients will have been inundated with coverage from other sources. Further, by responding quickly, you position yourself as an authority for the media which will report on the new laws and most likely, seek out lawyers to comment on the ramifications.

Unfortunately, many lawyers often hesitate to express an opinion about news topics or make predictions before they have the benefit of seeing what other lawyers or experts say. As a result, they lose out on the change to capitalize on the new opportunities that new legislation can create.

In any event, let's say that you've already made up your mind to write about new legislation. Below are some suggestions on what to say and how to get the word out:

What's the best channel to get the word out about new developments?

Rely on existing distribution methods first. The fastest way to get the word out about new legislation is to rely on your quickest and most-highly followed distribution channels first. For some firms, that might be a [blog](#), for others, [an electronic newsletter](#). If your firm generally shares new developments via a semi-annual printed newsletter or a monthly column in the local newspaper or bar journal, try to go to press earlier (for example, call your editors and ask if they'll print a story in the next few days, or dispatch a special edition of your newsletter) or consider another electronic option to avoid having the story become yesterday's news before you've had a chance to write about it. Same with a weekly or monthly podcast – record a new show as soon as possible, and let your listeners and others know about it via email (if you have a subscribe list) or social media.

One caveat: if you typically disseminate news through a social media channel like Twitter, LinkedIn or Facebook, don't just link to a newspaper story reporting on the new law without any additional commentary. That only tips off your competitors without giving much value to readers. At the very least, include a short post on Facebook or LinkedIn to accompany the link, or put something up on your law firm website and link to it via your tweet.

Get in front of the media Once you've posted or pod-cast about new legislation, circulate the information to the media. If there's a reporter or blogger who's been covering the story regularly, send your materials to them and offer your assistance with future reporting. If possible, try to explain the connection between your take on the legislation with the reporter's previous story (for example, you might say "In your story on marijuana legislation, you noted that it was uncertain as to how long it would take Department X to implement regulations. Here's my article describing the process and my estimated time frames).

Whatever you do, avoid carbon-copy emails in bulk to a dozen publications or asking a marketer to forward a press release announcing your availability for interviews. Most likely, the media will be inundated with all kinds of useless queries and your generic email is destined for the delete button right along with the other junk. You're better off sending out three targeted media requests than two dozen generic emails.

Repurpose, repurpose and repurpose Once you've invested time in writing or broadcasting about the new legislation, you can repurpose that material for several different fora. Or, as I've suggested in the past, [use the whole pig](#) . If you believe that there's a long term market for lawyers to handle issues under the new law and you're willing to invest time in establishing yourself as an expert, you could expand a short blog post into a [law review article](#) . Alternatively, you could record a CLE, present on the issue at an industry conference or convert the material into an [ebook](#). In short, for a small investment of time upfront, you can create fodder for multiple future projects.

What kinds of coverage is most useful?

Focus on your expertise If all you plan to do is summarize the new legislation much as a paralegal would annotate a deposition, don't bother covering it at all because it provides little value to readers. Instead, figure out ways to add a spin that highlights your expertise. So, if you are a criminal defense attorney, you might discuss whether the new law will criminalize new activity, or clarify instances where individuals can still be prosecuted, even if they believe otherwise. A lawyer who handles elder abuse cases might discuss whether nursing homes can dispense medical marijuana, while a family law attorney write a post about whether smoking marijuana could impact a judge's custody decision. By tailoring a post to make it relevant to your practice area, not only will you show your knowledge to prospective clients, but you'll set your commentary apart from the dozens of other plain vanilla summaries.

Experiment with different delivery mechanisms If you're writing or speaking about a new law, try to get inside your target clients' head and imagine the kinds of concerns they have – and then present the material in a format that's responsive to their needs. Some clients may be most interested in an FAQ on the new law rather than a summary, others may want a list of Do's and Don'ts, while still others may be interested in a flow chart of what to expect in the coming weeks or months. And in my view, all clients will want at least the option of reading the new law for themselves so be sure to link to the underlying legislation. You'd be surprised at how few lawyers do that.

### How to Address Uncertainty

As I mentioned earlier, although new laws often resolve uncertainty, at the same time, they may raise new questions. Other times, a new law may speak to a problem in general terms, but its full impact will remain unknown until regulations are promulgated, or until a court interprets an ambiguous term. Yet how can lawyers write about what may happen down the line without looking like total fools if they are wrong?

**Focus on the Process** One way to get around the issue of what's next is to focus on the implementation process. If a rule making lies ahead, explain how the process works, how long it will take and identify key junctures where the public will have an opportunity for input. Or simply divide your blog post or article into two sections – “What we know” and “What we don't know” so at least clients will understand what issues remain unresolved. You can also offer continuing coverage of the unresolved issues so that clients will continue to turn to your materials as a source of information.

**Take a Stand** Alternatively, you can also take a guess on what's likely to happen in the future based on past experience. That's the approach that I often take to new issues: I'll describe couple of possible outcomes and take a stab at identifying the one that I regard as most likely – and if it's a close call, I'll say so. I've found that this technique gives readers insight into the decision-making process and often generates questions (that lead to business) or discussion with other colleagues (that can also lead to business). Of course, if you're taking a position that readers may rely on, you'll want to include the usual caveats and disclaimers (e.g., that this is just an opinion that should not be relied upon as legal advice, outcome may vary based on specific facts, etc...).

Tomorrow, Americans will go to the polls to choose the candidate who will lead the country for the next four years as well as the policies that will govern for the foreseeable future. By helping the public understand the implications of the elections, you assist them in making another important choice: choosing you as their lawyer.



## **Make Money Mondays: Experience Experiential Marketing**

Welcome to the twenty-first century, where thanks to a mix of rebranding and technology everything old is new again. Thus, yesterday's nomadic fly-by-night lawyers doing business out of the back seat of their car are now glamorously [lean](#), pre-paid legal and [Hyatt Legal Services](#) – once unflatteringly regarded as the McDonalds' of legal services are now the darling of VCs and futurists alike when gussied up with a sleek website and rebranded with cool names like [Avvo](#) and [Rocket Lawyer](#) .

And now, it's the homely little live marketing activities – from perfunctory law firm open houses to [team sponsorships](#) that are making a comeback in the form of [experiential marketing](#) – defined as [the act of creating unique, face-to-face branded activities](#).

In contrast to yesterday's tired work events and sponsorships, today's experiential marketing isn't just an afterthought. To the contrary, as [Stacey Burke](#), a law firm business consultant (and the only one, from what I can tell has [blogged about experiential marketing](#)), companies spent [\\$452 million](#) into experiential marketing in 2015.

So why is experiential marketing gaining hold in an era dominated by SEO, viral advertising and [permission marketing](#) take place online? Burke [explains it best](#) :

People are People. Events can make a huge impression very quickly. Emails and phone calls don't generally inspire immediate action. Events tap into real-time, face-to-face communication with potential clients and potential referral sources. They also help you cultivate and maintain existing relationships with those who have helped grow your law firm so far.

Event Marketing. Events are newsworthy, and can be incorporated into a law firm's public relations and media efforts. Events can even boost a law firm's local SEO via online calendar entries and other digital citations to the event. Firms can also leverage social media to increase attendance, awareness, and brand recognition. Emails lead up to and serve as a follow up to the main event.

Burke offers a couple of law-firm appropriate experiential marketing events. For example, a firm could throw a party, perhaps teaming up with another firm to expand the invitation list and get more bang for the buck by sharing the cost of planning. Firms can also sponsor a charitable or community organization event that furthers a cause that the firm supports. Finally, firms can sponsor appreciation events for its most lucrative clients. Because experiential marketing depends largely on providing a flawless experience, Burke recommends that firms work with event planners to ensure the best possible results.

I know that Burke's article was intended as a way to help acclimate lawyers to experiential marketing and for that reason, most of her suggested ideas were fairly mainstream so as not scare lawyers off, or trigger the typical knee-jerk "that's ridiculous – lawyers can't do that" reaction. But of course, they can.

Consider the example of Eric Turkewitz, an avid [blogger and marathoner](#). Eight years ago, Eric [helped to organize the Paine to Pain Half Trail Marathon](#), which is run on a 13-mile trail created, through [Eric's efforts](#) out of previously separate trails administered by different government agencies. The race has attracted [a loyal following](#) and no doubt, associates Eric's firm as committed to the running and local community.

Even grander, [Hubspot](#) covers what it describes as "the seven best experiential marketing campaigns," (non-law firm, of course!). For example, a recent Lean Cuisine event which curated scales in Grand Central Station and asked women to "weigh in" on what was important to them by writing down those factors that they wanted to be "weighed on." As Hubspot describes, Lean Cuisine's event sent a message that while it makes food that fits with healthy lifestyle, women shouldn't forget about their own accomplishments which matter more than the numbers of the scale."

Meanwhile, Google created a campaign, "Building a Better Bay Area" with large interactive posters at bus shelters and food trucks where members of the public could vote for how Google could distribute the \$5.5 million dollars that it wanted to donate to charities. Granted, these events go far beyond the budget of a single firm, but a few firms – or even a bar association – could arguably band together and cooperate on a bigger matter.

Not surprisingly, one of the most significant objections to experiential marketing is the potential ROI (or lack thereof), particularly for law firms and other B-to-B businesses. Although [71 percent of consumers](#) say that they've shared their participation in an experiential marketing event thus increasing exposure, visibility doesn't translate into sales. And visibility is no guarantee – this year's [How to Manage a Small Law Firm's Law Firm 500](#), celebrating the 500 fastest growing law firms, appears to have been an attempt at "experiential marketing" – but the only reason I knew about the event was because I happened to [attend](#) the HTM meeting where Law Firm 500 was announced. So certainly, that's a risk.

Moreover, visibility doesn't necessarily translate into ROI. In other words, customers won't necessarily flock to your firm or make referrals simply because they attended an experiential marketing event or read about one of them in the news. On the other hand, in a world where we increasingly rely on the Internet and rarely keep contact with colleagues and clients, experiential marketing lets us step out into the world and celebrate, thank and give back to the people and broader community to whom we owe our success. And if that's not enough of an excuse to experiment experiential marketing, I'm not sure what is.



## Make Money Mondays: Marketing Outside of Your Box

We're all familiar with the saying "think outside the box." That phrase came to mind recently when I stumbled across a pair of posts —[Networking With People Outside of Your Industry](#) , Harvard Business Review by Dorie Clark and [Five Smart Reasons to Create Content Outside Your Niche \(Hubspot.com, August 10, 2016\)](#) by Larry Kim — that speak to the benefits of marketing outside the box – or the narrow confines – of your industry, inner circle or niche, albeit in very different ways.

Clark's [piece](#) focuses on the importance of networking with others outside of the usual suspects in your traditional networking circle – which for most lawyers, is comprised of...well, more lawyers. While forging relationships based on commonalities which builds "bonding capital" is more comfortable for most professional, Clark argues that developing bridging capital or relationships built across differences can pay off by opening the door to a wider range of opportunities.

Clark offers a few tips to start building bridges – and though the advice is intended for those employed by a company looking to make contacts outside, it applies equally to solos who can just as easily wind up equally confined to dealing with the same folks in the same bar organizations. These include catching up with past colleagues you've lost touch with, asking existing contacts for introductions to those in other industries and keeping at it for the long haul since you can't predict who knows who or will wind up where.

Just as lawyers can network with others outside of their immediate circle, they can also write about topics outside their immediate niche, as Larry Kim recommends in his [piece](#). Again, while some of Kim's reasons for going outside a niche are relevant to writers only. For example, Kim says writing outside a niche can help reaching bigger audiences. But that's not particularly helpful for lawyers if the audience is outside their target market as I learned from one of my most popular and unintended outside-my-niche post about [whether to use designers working on spec](#) . The post generated significant traffic from the design community but because I don't practice in that area, it didn't convert to business.

But Kim's other reasons may resonate with lawyers. Writing on a different topic provides an opportunity to express yourself, plus you can shake things up a bit to keep your sanity. And you never know where an off-topic post may lead; my Above the Law column on a [self-defense retainer plan for gun owners](#) landed me a [spot on the Daily Show](#) (not to mention, a great photo for my [website](#)).

Of course, most lawyers are busy and don't want to devote scarce hours to chasing leads outside of their comfort zone on the off-chance they might lead to something down the road. And that's certainly a valid view. As for me, I continue to believe that the most wild and amazing successes of many solos' careers happen by sheer accidents that will only come along if you're willing to [get out in the wider world](#) .



## Make Money Mondays: Mini Legal Service Packages, Take Two

Most lawyers are familiar with, and skeptical about offering mini legal services packages – which is really just a fancy name for [unbundling](#) . In other words, in contrast to a full service experience, from advice about a particular corporate entity or estate plan to drafting the plan, filing it with the Secretary or Probate Office and keeping clients updated annually (for an additional fee), an unbundled version of the service tackles a discrete portion – such as advice or drafting – with the client handling the other portions. These days, individual solos who seek to build a practice off of traditional unbundled services face a tough road, with competition from form providers like [Legal Zoom](#) or [Avvo Ask](#) where lawyers dispense 15-minute bites of advice for \$39 which have the advantage of broad name recognition and volume.

But unbundling doesn't have to be limited to low end services. Instead, you can also experiment with dispensing mini-portions of high-end legal services at a premium.

As the [Harvard Business Review](#) reports, mini-consumer products are all the rage these days due to new research known as “price pack architecture” (PPA) which allows consumer packaged goods (CPG) companies to design new product variations based on consumer demand:

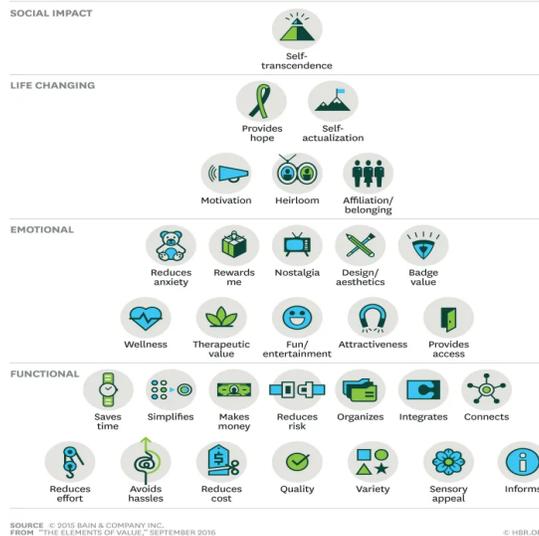
A compelling example of PPA in action is the case of Coca-Cola, which sought to offset the effects of a decline in soft-drink consumption at the start of the decade. Through PPA, Coke discovered that consumers not only liked the idea of a more compact serving size (including 7.5-oz mini cans as well as 8-oz glass bottles), but were also willing to pay more per ounce for a smaller Coke than the traditional 12-oz cans or larger containers. While Coke’s annual revenues for its standard sizes fell 1%-2% from 2011-15, their mini-can counterparts registered 10%-15% increased sales through the period.

How might lawyers create higher-end unbundled legal services? Several ways. First, a lawyer could offer unbundled forms, but for an add on fee, the lawyer could also offer to review the form or answer client questions. Or instead of offering a single one-off \$39/hr 15- minute call, a lawyer could sell a mini pack of book of a dozen \$39 coupons good for a six-month period. The advantage of this kind of pack over an Avvo consult is that clients would speak with the same attorney each time. At the same time, the package still costs a client less than a couple of \$300/hour consultations.

Between completely unbundled services and full service, lies a world of untapped variations. Consumer products companies are exploring that turf – and lawyers may want to consider it as well.

### The Elements of Value Pyramid

Products and services deliver fundamental elements of value that address four kinds of needs: functional, emotional, life changing, and social impact. In general, the more elements provided, the greater customers' loyalty and the higher the company's sustained revenue growth.



# Make Money Mondays: Which of These 30 Elements of Customer Value Do You Offer Your Clients?

What makes a product or services appealing to customers or clients? For lawyers, most of us would say that most clients retain us because we're in the business of solving problems. But that response is too limiting and may be costing us valuable business opportunities.

A recent Harvard Business Review piece by Eric Almquist explains that there are [30 Things Customers Really Value](#) . They can be split into categories ranging from services that provide life-changing value to those serve more functional demands such as reducing cost and effort, saving time and cost or adding variety. Research by Almquist and his colleagues found that:

Companies that deliver well on multiple elements of value tend to have stronger customer loyalty and higher revenue growth rates, as Bain & Company's analysis shows. The research documents 50 companies that deliberately added elements over time to improve their propositions, either to turn around a flagging business or to accelerate growth.

The article goes on to supply several examples of companies who added new layers of value:

Throughout 2015 Uber added services to integrate multiple aspects of consumers' lives, from delivering meals and groceries to providing flu shots. Discover added a feature that allows cardholders to instantly freeze and unfreeze their accounts without canceling their cards, reducing risk and reducing anxiety for cardholders. And Spotify added a feature for runners in 2015 that detects their pace and finds music to match it, hitting on elements of wellness and motivation.

The same lessons apply to lawyers. Although many firms reduce risk (functional) and reduce anxiety (emotional), what if law firms added other simple services such as informing clients by educating them as to their rights or helping to organize (perhaps financial or corporate documents) or help clients make or save money. Each time you add another element of value, you add another opportunity to increase and expand your business.

Take a look at the chart. What value does your firm provide and how are you communicating that to clients?

- [A Little Bit of Grace](#)

Archives



## **Make Money Monday: You've Got Some 'Splainin to Do!**

Remember the "I Love Lucy Show" where Lucy would get herself into some kind of scrape that she'd conceal from her husband Ricky – but then be forced to 'fess up when he demanded, in his heavy Spanish accent, that "you've got some 'splaining' to do." In doing so, sometimes Ricky wanted his wife to take accountability for her actions, while other times he truly didn't understand what the heck was going on.

In many instances, our clients are often as flummoxed about the work their lawyers do as Ricky was about Lucy's behavior. Some clients simply don't understand the importance of a well-prepared trust or a strong contract, while others haven't any idea about how a proceeding – whether a divorce or a DUI – will proceed, or how a particular firm will handle their case. In these situations, we lawyers have some 'splainin' to do.

That's where Explainer Videos come in. Explainer videos are a category of videos unto themselves – [those catchy, minute long shorts](#) that cut the core of a matter and show how to solve it. Some explainer videos have narration, others don't but all are short, sweet and compelling to watch.

Lawyers can use Explainer Videos to quickly summarize for clients how a legal procedure might work. Or to share why their firm is different or show off a new product or service that their firm plans to introduce.

What's best about explainer videos, though, is that they're inexpensive to produce. Not inexpensive, as in a few-hundred-dollars inexpensive, but rather, five to ninety-nine dollars inexpensive! For example, on [Fiverr](#) (a service I [described before](#)), there's a full [category of providers](#) who will create and deliver an explainer video for five dollars. There are also a bunch of DIY services, where you can create one yourself – [Powtoon](#), [Animator](#) and [Biteable](#), which is the one that I used for the video below (for a company that I'm launching soon): (Note: I paid the \$99/year to remove the watermark):

Now that I've explained Explainer Videos, get out there and make one yourself. Your clients have questions – and you've got some 'splainin' to do!



## Make Money Mondays: Uber or Lyft Your Clients

A few months ago, I [pondered](#) the ethics of lawyers engaging car services like [Uber](#) to transport potential or existing clients to their office or the courts. (You can bet that if there's an "app for that," there's going to be 37 ethics rules for that as well). Back when I blogged about the ethics of using Uber to transport clients, Uber didn't have a specific feature to allow firms to book rides for clients. But last week, Uber unveiled [UberCentral](#) – "a new app which enables business to book and pay for rides for their respective customers," reports [Fortune](#). Lyft offers a similar service called Concierge, which is [aimed at providing seniors with a simpler way to get rides to non-emergency medical appointments](#) by allowing others to summon the service on their behalf.

So why would a law firm consider using Uber or Lyft as part of its marketing plan? A couple of reasons:

- Five star service on a five dollar budget: One way that solos and smalls can set themselves apart from non-lawyer providers and mill practices is through five star service. And nothing says five-star like complimentary car service from a client's home to your office or court. And while its true that routine use of Uber for every client and every office visit could quickly add up, if a \$20 Uber fare can help secure a \$5000 fee, then it's a small price to pay. Plus, reliance on Uber or Lyft might obviate the need for other firm expenses such as a paid parking space or an office that's in a costlier location for proximity to public transportation.
- Car service makes clients' lives easier Paying for clients' car service isn't just a way to impress them (though it will have that impact); it's also a tool to make their lives easier. It can be stressful for clients, already stressed by their personal situation to navigate to a lawyer's office in a part of the town or state where they've never been. Car service certainly won't solve your clients' legal problems, but it will abate many of the by-products of those legal problems, like personal and financial stress.
- Uber and Lyft help access to justice Many lawyers – particularly those handling criminal defense, bankruptcy or family law – represent clients in lower income areas of cities that sadly, are underserved by the traditional taxi industry. By contrast, [one study](#) showed that across lower income areas in Los Angeles, on average a service like UberX cost half the price of taxis and arrived in less than half the time. Granted, paying for Uber to transport clients who may lack the means to pay may not be the best idea, but a firm could team up with a [low bono incubator program](#) or traditional legal aid organization to sponsor ride sharing for their clients. It's a way to give back to the community – and perhaps generate a little “feel good” PR for your firm (nothing wrong with that.)

What do you think – are you ready to get your firm onboard with ride services for your clients?



## **Make Money Mondays: Encourage Twenty Percent Projects**

Google is famous for its [twenty percent project](#) initiative which encourages employees to spend twenty percent of their time experimenting with their own ideas. Other behemoth tech companies like LinkedIn, Facebook and Apple have adopted their version of similar programs. But so too have smaller businesses outside the tech space, reports [Forbes](#) , describing the experience of craft beer company, Oskar Blues which has:

boosted its revenue from \$100 million to \$120 million through side projects, including a device to make to-go cans for draft beer, using beer cans to package coffee beans, and starting a cattle farm that uses spent grains from the brewery to feed cattle used for beef at the company's restaurants.

Twenty percent projects can help solo and small law firms make money too. For starters, just the very act of asking a potential job applicant to identify a twenty percent project as part of the application process can help you find and hire go-getters willing to take the initiative. When I advertised for a new associate at the end of last year, I asked candidates to propose a twenty-percent project. Shockingly, only about 25 percent did – which at least made the selection process easier. And of course, if the twenty percent project succeeds, you'll enjoy the financial benefits – and retain better and more motivated employees in the process.

You don't have to design a twenty percent project with an employee's interests in mind. For example, what about asking employees – associates, interns and administrative support – to devote twenty percent of their time to marketing initiatives? Could be starting a blog, taking colleagues out to lunch or attending seminars on new marketing practices and implementing them. And even if you don't have employees, you could implement a twenty-percent project for yourself, but setting aside one day a week to devote to marketing or creating systems for your practice.

Have you ever tried a 20 percent initiative in your business?



## **Make Money Mondays: Buddy Up for Marketing**

This article by Carol Roth, [Use the Buddy System to Market Your Small Business](#) is geared towards small business – but a couple of the tips apply equally well to small law firms. Moreover, because these practices are often overlooked by small firms, they can provide a quick path to success.

Roth's first tip is to pair up with complementary businesses to reach a customer base that might be interested in your services but who are not currently served by direct competition. For instance, a law firm that handles estate planning could pair up with a financial planner to write articles for local publications relating to saving for retirement and maximizing assets that can be passed on a spouse or children. Financial planning fits equally well with family law as newly single spouses or parents may need assistance in planning for the future. Pairing works particularly well for lawyers working in newly emerging industries – a marijuana dispensary or a tech company using blockchain technology can write about the benefits of their businesses for potential investors, with a lawyer covering potential legal risks.

Another suggestion that Roth offers is for lawyers to pool their resources to expand their collective marketing budget. For example, the \$1500 cost of sponsoring an event at a trade show or advertising in a popular industry publication may lie beyond your budget, but spread three ways, comes to \$500 per person. Alternatively, you could get together with a few other solos and host an open house or picnic, or chip in for season tickets for a sports team where you can entertain clients.

Of course, when teaming up with someone else, keep ethics rules in mind. Avoid any ventures that involve fee splitting with non-lawyers, payment of referral fees or that have the look of a partnership and could put you on the hook for someone else's liability.

Solo practice can be a lonely road, not to mention, an often disproportionately expensive one due to [the solo tax](#) . Buddying up for marketing addresses both of these problems – and best of all, can make you money in the process.



## **Make Money Mondays: Develop In & Out Legal Services**

Not surprisingly, most lawyers would rather handle one \$30,000 case than 30 one-thousand dollar matters or 60 five-hundred dollar matters. Managing thirty, or worse – 60 – different matters can involve significant transaction costs even when a firm is highly automated.

On the other hand, when you're starting out or if business is slow, a couple of \$500-\$1000 dollar matters in hand are worth more than an elusive five-figure case because at the very least, they'll cover the bills. What's important, however, is that if you're going to open your doors to \$500 or \$1000 matters is to get in and out of them as quickly as possible. That's why I suggest developing what I call "in and out legal services."

In and out legal services are those that you or an associate can complete in a matter of hours. They differ by practice area. In my practice, one type of in and out service that my firm offers is trouble-shooting power purchase agreements for compliance with applicable federal law. Another, now that I have an associate with applicable specialization, involves filing a Freedom of Information Act (FOIA) request or appeal. But it's easy to imagine similar, one-off services. Maybe it's drafting a will for a very small-estate, reviewing a contract that's already been drafted, preparing papers for an uncontested divorce or writing a letter challenging denial of health-care coverage. Or, you can offer [paid client consultations or strategy sessions](#).

Getting bogged down is the worst risk of an in and out service. So you'll need a well-defined standard representation agreement that ruthlessly constricts the scope of work to avoid uncompensated creep-age. Also bear in mind that there are some obligations that you can't contract around – for example, if you prepare a document for a client, you'll need to explain its implications or make yourself available to answer questions – or you may find yourself in this lawyer's [unfortunate situation](#).

You'll also have to adopt a system for prompt payment – either credit card or electronic check, to maximize the time value of bringing money in the door quickly. After all, when cash flow is slow, there's a huge value to pocketing \$500 within 24-hours, but not so much if you can't collect it for three months. As for marketing in and out services, you can decide whether to make it a formal offering on your website – or simply an additional service that you share with colleagues who may not have interest in small matters, or that you present as a fall-back option to clients who don't want or can't afford full-service.

Relying solely on a diet of in-and-out matters is unlikely to serve as a foundation for a sustainable practice. But if you find yourself in a situation where you can't make rent or there's a CLE you want to attend but can't afford, that \$1000 in and out matter will sustain you at least until the next five – or maybe even six figure case comes along.



## **Make Money Mondays: Let Colleagues Know You'll Accept Work On A Contract Basis**

Once upon a time in the legal profession, [networking with more experienced colleagues](#) was one of the quickest and most dependable ways to generate new business referrals. Generally, that hasn't changed.

What has changed, however, is many firms' willingness to refer certain matters. For example, many law firms have relaxed conflicts rules to enable them to retain cases that they otherwise would have referred out. Likewise, many solos and small firms are reluctant to turn down cases even when busy to capacity, preferring to keep the client and work longer hours or bring in freelancers to help out.

For this reason, if you're seeking work through networking, you may want to give prospects another option to straight referrals: taking work on a contract basis. What this means is that instead of representing the client directly, you would work on a temporary or contract basis for the firm and handle most or all of the matter. Most likely, the firm would pay you a reduced hourly rate and subsequently mark-up your cost when passed on to the client to reflect the firm's overhead, malpractice liability and extra supervisory responsibility. (Note: marking up contract lawyers' rates is [ethical](#) in almost all jurisdictions).

We're all familiar with the saying "don't ask, don't tell." But the converse is true as well: if you don't tell colleagues that you're willing to work on a contract basis, they aren't likely to ask if you're interested.

Have you ever offered to take on freelance or contract assignments in your law practice? What types of matters have you handled? Or alternatively, have you ever hired a solo lawyer on a contract basis for overflow work?



## **Make Money Mondays: It's All in the Follow Up**

Every so often, I'll get an email or call from a relatively new solo asking whether to follow up with a prospective client who they spoke with by phone or had a consult. These lawyers expressed discomfort not so much because of fear of rejection, but rather, they did not wish to appear overbearing or desperate. And one lawyer even thought that a follow up call could pose an ethics violation.

So here's a news flash. None of these excuses are valid reasons for failing to follow up with a client at least once. As you're probably aware from your own experience, people get busy and a follow up call would simply remind them to follow up. A follow up also shows that you're interested in taking on the case – and for that reason, I actually prefer receiving a follow up from a service provider.

A follow up needn't take more than a few minutes, and can be accomplished by phone or email. You could either write or say something along the lines of:

I enjoyed meeting/speaking with you last week about potentially representing you in a [MATTER]. I shared some of my ideas about the case, and provided you with a representation agreement that I haven't yet received back. I was just following up to see whether you have any questions for me or concerns that I might address.

Your follow up communication should take place three to four days after your meeting. If you follow up once, and either radio silence or stalling continue, you could try another round of follow-up. Any follow up after that point can become intrusive or stalkerish.

In my case, I've picked up at least a half dozen clients over the years simply as a result of following up. Give it a try, and share your results in the comments section.



## **Make Money Mondays: Sweat the Small Stuff**

This past Sunday, I introduced my young nephews to the joys of Uber. Though initially skeptical — (What do you mean, Aunt Carrie – some random guy we don't know is going to pick us up in a strange car?), by the end of the ride, their driver, Arnold won them over with free sodas and a discussion about politics. My nephews never saw the bill, so they don't know how the cost of Uber compares to cab fare (same or cheaper), nor are they familiar enough with the area to know whether Arnold took them on the most direct route or for a proverbial ride. Yet, they'll be forever recommending Uber to friends because of the personal experience.

Contrast the Uber experience with most law practices. When I visit other lawyers' offices for personal business, I'm often shocked by how uncomfortable the experience is. Though meetings can run an hour, they rarely offer water, coffee or other beverages or have snacks available. I've never been asked whether I need to charge my phone or another device or if I'd like a pad of paper to take notes. And while perhaps a routine meeting doesn't merit fanfare, the treatment is no different in atypical situations either. For example once during a visit to my mom's estate planning attorney, we waited nearly three hours in a cold, windowless cubicle for the firm to make corrections to a trust document (that I'd caught), without anyone even checking in on us during that period.

For lawyers, tiny hospitalities can make a difference. Charging stations, beverages and snacks and other small amenities can transform an uncomfortable or simply middling experience into a memorable one that clients will recommend to others. Stocking up on snacks at a big box or warehouse store, or ordering online isn't very expensive but yields great returns. Moreover, you can also take small stuff a step farther- for example, if you have a [hyper-local practice](#), you could reach out to local coffee shops or cafes and ask whether they might supply you with their products at a discount in exchange for distributing information about those products to your clients. (Incidentally, the same approach works for [Meet & Eats](#) – see if a local restaurant might be willing to negotiate a deal in exchange for getting its name out to other lawyers who might host similar events).

It may seem as if these tiny touches glorify style over substance. But that's not necessarily the case? Little amenities show [attention to detail](#), which is a sign of a good lawyer. So perhaps it's not such a bad thing when clients judge lawyers on these seemingly superficialities – because really, what else do they have to go on?

My nephews still can't stop raving about Uber, and I'm guessing that their enthusiasm will have a few other kids asking their parents to try it out. For the price of a cup of coffee and a granola bar or bag of chips, you just might be able to generate the same word of mouth for your law firm.

What kinds of amenities does your office provide to clients? Has it made a difference? Please take a look at our [Make Money Monday](#) series and send any tips that have worked for you our way. If we post a tip, we'll give you a link and a short profile at MyShingle.



## **Make Money Monday: Shed Unnecessary Expenses**

A perennial question for businesses facing tough times is whether to prioritize [cost-cutting](#) or [revenue growth](#). But cost-cutting and revenue growth aren't mutually exclusive. Shedding unnecessary expenses can quickly free up funds to invest in initiatives to propel your firm's growth. Below are some relatively painless ways to cut costs:

**Ineffective Paid Marketing** Although it might seem counter-intuitive to cut marketing costs at a time when you need to bring more business through the door, the key is to cut those programs that don't work. So if you're paying \$200/month for a paid listing in a lawyer directory, without a single call in three months, you should think about cutting your losses rather than throwing good money after bad. Same too with SEO services or paid blog content. If you've committed to a long-term contract, see whether you can negotiate an early exit with the vendor. Otherwise, ride it out until the end of the year – and avoid binding yourself for more than three months to a program moving forward.

Potential Savings: \$200/month

**Unnecessary Subscription Costs** It's no wonder that most vendors love subscription products. How many times have you signed up to subscribe to an online program or service, and then forgotten to discontinue it when it's outlived its usefulness. Take a few minutes to comb through your PayPal Account or credit card statements, and terminate those services that you haven't – or possibly never – used.

Next, make sure that your level of service continues to match your need. While it's penny-wise and pound-foolish to shut down mission-critical systems like phone service, or law practice management platform to save a few bucks, you may be paying for extras that you're not using. For example, maybe you've moved from relying on your smart-phone for calls to a VOIP system. In that case, you may not need an unlimited smart-phone plan. Likewise, most LPM and online document portals charge on a "per seat basis" – and you may be continuing to pay for an account for an employee who departed months ago and hasn't and won't be replaced.

Potential Savings: between \$20 – \$100/month

**Malpractice Insurance** Take some time to review your malpractice insurance policy when it's up for renewable. Though you probably won't want to adjust your coverage levels, assess whether bumping your deductible up or dropping a high-risk practice area that accounts for only a tiny percent of your practice can make a difference in monthly premiums. Also, because malpractice coverage can be a big-ticket item, it might be worth shopping around. My original malpractice insurer which was then the D.C. Bar's preferred provider went under as a consequence of 9/11, forcing me to look at other providers. And even at a time when rates were going up, I procured \$250,000 more coverage for 60 percent of what I'd been paying before.

Potential Savings: between \$50 – \$100/month.

**Bar Association Dues** For lawyers who practice in multiple jurisdictions, the cost of mandatory and voluntary bar memberships – ABA, state and local bar and practice-specific bars – can easily add up to \$1500/year. And unfortunately, many of these membership fees are an unnecessary expense. That's unfortunate too, because many bar associations *could* have leveraged the collective purchasing power of their members to negotiate meaningful discounts for everything from office supplies to malpractice insurance, web design and law practice management systems. Instead, many bar associations instead have adopted the “preferred provider” approach – where a single vendor pays the association for the privilege of free advertising to members. While that provides a nice chunk of change for the bar associations, their members don't realize any benefits. Bars have tried to change – offering access to legal research like Fastcase as a benefit of membership – but if your only rationale for joining a bar is to access Fastcase, you might be better off subscribing to [Jenkins Law Library](#), which for \$150/year buys you Fastcase and an array of other free legal research resources.

So take some time to consider the dues that you're paying to multiple bar associations. How often do you attend conferences and networking opportunities – and are those events open to non-members? Does the association provide other services – like law practice management or an ethics hotline – that benefit members? Finally, does the bar association provide equal opportunities to solos and smalls to advance through the ranks – or are big-firm lawyers and those who are well-connected to the establishment favored over newcomers? After subjecting your bar association to this test, you'll probably be able to cut a few memberships from your list.

Potential Savings: Between \$20 and \$75/month

As this exercise demonstrates, cost-cutting can result in real savings – as much as \$500/month even for a small operation. Which means that after two months, you'd have enough to hire a freelancer to give your website and logo a nice facelift. After four months, you'd have enough to attend a bootcamp to add a new practice area to your firm, or to hire a high-end consultant whom you've wanted to work with. Alternatively, even if you don't have immediate plans to reinvest your savings right now, you could use the additional cash flow as a cushion so that you can be selective about the clients and cases you take on. Above all, don't treat cost-cutting as an end in itself, but instead, as a means to the end of a more successful, growing practice.



## **Make Money Monday: Host a Meet & Eat**

Getting together for coffee or lunch with a colleague is a great way to generate business. But setting a date to meet **can be hassle**. And finding the time to squeeze in lunch dates can be difficult, particularly for lawyers who work from home or who have families and tend to skip lunch to make it home in time for dinner.

So instead of getting together one-on-one, why not host a meet and eat for a group, and catch up with a group of colleagues all at once? Not only is the meet and greet more efficient for you – but your colleagues will appreciate the opportunity get to know the other guests. Typically, they'll be so grateful that they'll reciprocate with a lunch invitation or, has been my experience, with business referrals.

If you decide to organize a meet and eat, here's how to do it:

1. Set your budget – since that will determine how many people you can afford to invite. For around \$100, you should be able to afford either bagels and coffee or sandwiches, pizza or take out for a group of 8-10 colleagues.
2. Find a venue. Once you've set a budget, locate a venue like a conference room in your office or at the local bar where you can meet. You can meet at a coffee shop or restaurant – but that's potentially more costly, plus, noise levels may preclude good conversation.
3. Set an agenda. Figure out what you'd like to do at the meet and greet. It can consist entirely of introductions and informal discussion, or you could pick a specific topic – perhaps a new case of note, or favorite tech tools. At one meet and greet I sponsored, I invited guests to bring their favorite business books for a book exchange.
4. Invite your guests. Don't send a mass mailing; personalize your email for a better response, or place a call. Two weeks lead time is generally optimal – though be sure to ask for RSVPs as you don't want to have just 2 people show up. Your invite should also instruct guests to bring enough business cards to distribute to a group of 8-10, and to prepare a short “elevator speech” to introduce themselves.
5. At the event, set out the food before guests arrive and invite them to begin eating. After about 15 minutes, welcome your guests and make introductions and proceed with the activities.
6. At the conclusion of the event, thank participants and determine how you'll follow up with them.

I've organized about four meet and greets but each time, they generated a new piece of business, or a solid referral within a month of the event. A great return on a hundred dollar investment and two or three hours to prep and hold the event.

Have you ever held a meet and eat? What kind of results did you experience?

Monthly Team Status Report				
Completed Items				
Project	Task	Team Member(s)	Date Completed	Notes
In Progress				
Project	Task	Team Member(s)	Estimated Completion Date	Notes
Assigned But Not Started				
Project	Task	Team Member(s)	Estimated Start Date	Notes

# Make Money Mondays: Client Updates and Status Reports

If revenues are a little slow this month, personalized client updates and status reports are guaranteed to jump start cash-flow. Client status reports work because they keep you at the forefront of the client’s mind, and they can be used to identify new issues that a client may decide to pursue. Here’s the most efficient and effective ways to make client status reports work for you.

1. Work in Bulk Set aside a chunk of time so that you can send out updates all at once – ten or fifteen all at once. By working in bulk, you’ll increase the odds of a favorable response.
2. Choose or Create a Format You can provide client updates via emails – it’s an approach that I often use, though it’s not particularly efficient. For a bulk project, you’re probably best off creating a template: you can use Excel to generate the version above, or check out this [stylish template](#) that Matt Homann created several years back that can be modified to dispatch updates.

3. **Decide What to Cover** You'll want slightly different subject headings for clients with pending matters and clients whose cases have since closed. For clients with pending matters, you'll want to include a summary, current status, next steps and future to-do options. If a client's case has closed out, you may want to send a quick note labelled "new developments" and describe the implications for the client.
4. **Use a Personal Touch** A client update or status report ought to be personalized. That's fairly obvious for existing clients – but it's true for communicating updates to past clients as well. So even if there's been a change in probate law or child support regulations that may impact a dozen clients, don't just send a news release, but take the time to explain how the changes may impact clients. You'll get far better results from a dozen personal updates than 50 news dispatches.
5. **Make It Easy For Clients to Get in Touch** Before sending the update, offer several ways for the client to contact you by providing a phone number and email and inviting them to follow up.

Other than a few hours of your time, there's no real cost to client updates and plenty to gain. Invariably, client updates have always generated several new matters fairly quickly – and hopefully the same will be true for you.

Do you send client updates or status reports? How have they worked for you? Please contribute your tips in the comment section below.

Make Money Mondays is a new feature of MyShingle. Every Monday, we'll share an easy-to-implement money making tip to generate quick cash. These tips aren't a substitute for a comprehensive marketing program but the hope is that they will bring money in the door quickly to reinvest in your practice.



## Join the waitlist

Avvo Legal Services is growing every day. Enter your information to receive an invite when there's availability in your area.

Email \*

Mobile phone number

I can send and receive SMS messages with my mobile phone.

# Make Money Monday: Paid Client Consults Without Avvo or the ABA

[Note: Minor changes to post as of 2/9, 1 pm] Both Avvo and the ABA have recognized the need for individuals and small business owners to get quick answers from lawyers. To this end, Avvo launched [Avvo Advisors](#) last year where a user can pay 39 bucks for a fifteen minute Q and A session with a lawyer, while the ABA teamed with [Rocket Lawyer](#) to create [ABA Law Connect](#) where small businesses can have their questions answered for just \$4.95 a pop. Right now, Avvo passes the full \$39 fee from callers directly to the responding lawyers, and for this reason the Avvo program is currently oversubscribed. As for ABAConnect, it's not clear whether participating lawyers are compensated at all (hard to divvy up that \$4.95) – but the state bars want their share of the crumbs too, [arguing that the ABA shouldn't have jilted state referral programs to hook up with a new model](#) .

Both the ABACONnect and AvvoAdvisor services expand access to law by giving consumers and small businesses a way to ask questions about the law, before they violate it. Many consumers and small businesses often have fairly simple legal questions, as any lawyer knows from personal experience (how many times has a relative or stranger at a party, approached you by saying “You’re a lawyer, you should be able to help me..“) Yet despite the current glut of lawyers, there aren’t many options for help with simple or routine legal matters other than pre-paid legal plans (and those are usually purchased by companies for their employees rather than by individuals).

Think about it. Although some believe that a free consult is [a good way to get questions answered on the cheap](#), most consumers (at least those you’d want as clients) are ashamed to schedule a free consultation with a lawyer without any intention of hiring them. On the other hand, those same consumers are reluctant to seek a paid consultation to ask a few questions – not so much because of cost, because it’s a cumbersome process (book a meeting, drive to the office, fill out intake). Moreover, most consumers assume that a paid “consultation” isn’t an appropriate forum for addressing simply legal problems since the term itself suggests that consumers will receive an evaluation rather than an answer. At the same time, full service representation seems like complete overkill.

On demand Q&A platforms like AvvoAdvisor and ABACONnect fill the gap between free consult and full service representation. In this regard, AvvoAdvisor and ABACONnect aren’t merely a discount version of an existing legal service, but a different category entirely.

Which raises the question: why should lawyers cede the market for on-demand solutions to platforms – whether sponsored by Avvo, the ABA or anyone else? The answer: they shouldn’t. Many lawyers simply don’t offer Q&A sessions because they entail too much complication (open the file, schedule the meeting, prepare and sign limited representation) for too little gain. But today, the same technology that supports non-lawyer owned Q&A platforms enables lawyers to automate scheduling of paid consultations – making it just as easy for lawyers to offer paid Q&A sessions through their own websites as it is on a platform. Below are just two of many options available:

## Clarity

There is one drawback to Clarity, however. The site collects a 15 percent cut of fees paid for the call which technically, constitutes fee-splitting. While the ABA has relaxed its ethics rules to [permit both pay-for-click and pay-per-lead schemes](#) such that the Clarity scheme would likely be acceptable, not all state bars will agree. So proceed with caution.

**Acuity Scheduling** : The Acuity Scheduling platform allows users to easily automate paid consultations or Q&A sessions directly from their website. The Acuity set-up is simple and intuitive: users are prompted to synch the Acuity calendar with the one they're using and choose dates and times to make available for a paid consult. Next, users create the services you want to sell – perhaps a Q&A or strategy session or a traditional paid consultation by phone. There's also a feature to create a list of questions that prospects must complete before the call – this gives lawyers a chance to check conflicts check, gain familiarity with the prospect's case and transmit terms of representation. Once a payment option is selected, users can generate a link to include on their website.

I test drove Acuity by mocking up an ad below (I wasn't crazy about the look of the calendar as an entry point) – you can click through to see how the calendar works in action:



**MY SHINGLE SOLUTIONS**

*Got questions about starting, running or marketing a solo or small law practice? Want a second set of eyes on your business plan, website copy?*

**Schedule a 20-minute MyShingle Solutions Session for just \$39 and get real answers and advice.**

**Schedule Now!**

(By the way, the ad is real – feel free to go ahead and schedule a \$39 consult with me!)

Acuity starts at \$10/month, and the low-end version is probably suitable for most solos and smalls. With the explosion of practice management systems, you'd think that at least one of them would offer this kind of self-scheduling feature out of the box, but I've not found one that does. And while it's possible to cobble together a self-scheduled paid consult using LPM tools, Acuity simplifies the process.

By automating the consult process, Acuity eliminates many of transaction costs – and allows lawyers to capture money otherwise left on the table – for example, in those situations where it's just easier to answer a caller's question by phone than to open a new file.

What's more, in contrast to ABAConnect and Avvo, lawyers keep full control with Acuity. I can charge my full hourly rate for a consult if I want, I can create coupons and gift certificates for my clients to pass on to friends. Best of all, I don't have to worry about fee-splitting because I pocket the full amount. And a firm could even use Acuity to expand its scope of service – for example, by setting up after-hours or weekends consults, and assigning associates or part-time to take the calls and let them keep the revenue as a bonus or a supplement to their pay.

Technology is truly leveling the playing field. Online platforms and directories and pay-per-click and referral services will always have a place – they're too entrenched and deep pocketed not to. But let's not forget that platform sites can't function without lawyers, while with technologic advancements, we lawyers – and potential clients – can do just as well without third party platforms.

Make Money Mondays is a new feature of MyShingle (though we're late to press with our inaugural version). Is this an idea that you would consider using in your practice?