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In Practice

From 'Mistmaker' To Rainmaker

Coaching Program Teaches The Art Of Attracting Quality Clients

By Amy Johnson Conner

Some people don't need a personal trainer to get in shape or a counselor from Weight Watchers to help them shed those extra pounds – and some lawyers don't need a coach to tone their rainmaking skills.

But if you're not one of the lucky few who have marketing in his or her blood, Mark Powers believes he has the program for you. One part strategy, two parts action plan, the program provides the one key ingredient that every reluctant rainmaker needs – accountability.

Practice Management

"The opportunity to have somebody ride you a little bit and make sure you're doing the job correctly" is key, according to Patrick Francomano, a solo in North Attleboro, Mass., who focuses on personal injury and business law. "Anybody who thinks they can do it all on their own ... is either fooling themselves or a much better person than I."

Powers – president of Atticus, a business coaching program for lawyers based in Winter Park, Fla. – maintains that marketing is as important to a lawyer's success and overall contentment as are legal skills.

Without at least some measure of competence in this arena, attorneys will work harder and make less money while dealing with clients they often don't like.

"Every good attorney who is not marketing in this economy is vulnerable," he said.

"The opportunity to have somebody ride you a little bit and



Powers asserts that becoming a better marketer will improve the quality of your clientele. The goal is to get more referrals and develop sources that bring you good clients – those who pay promptly, at a higher rate, and are interesting to work with. That means you can turn down business that you don't want and stop practicing "threshold law," where you take everything that comes in the door, whether they're timely, high-paying clients or not.

"If you're out there doing lunches and breakfasts and golf games, people are going to be knocking at your door," said Powers. "You can be selective by raising rates, charging re-

tainers and filtering them. If you raise your average dollar per client or file, revenue is going to go up, but you'll be working with less people. It frees you up to have a life and also to find clients."

In the old days, lawyers didn't have to be good marketers because there were fewer lawyers competing for the same pool of clients.

"It used to be, 25 years ago, that lawyers truly loved the practice," said Powers. "They'd claim they'd die at their desks. Today, they're just dying at their desks because of the increased stress. The marketplace has changed and they have to adapt."

The Program

The Rainmakers program, which is conducted entirely by phone, is currently being tested as a pilot project with 60 attorneys from across the country. It will be open to the public on Oct. 1, at a price of \$95 a month. Powers said he already has a waiting list for the first program.

The program starts with an evaluation in which Powers ranks participants based on their proficiency in 21 marketing assets and 5 marketing habits. The assets include skills such as a system to track where your best clients come from and proficiency using contact management software. The habits are such daily practices as consistently making three contacts a week and learning how to be comfortable asking people for referrals.

Participants also receive a Quickstart Manual, which explains these general marketing principles.

The core of the program consists of two conference calls each month: The first is a Rainmaking Roundtable which consists of a group discussion following a presentation by a successful attorney/marketer or other marketing expert. The second is a Coaching Call, in which participants focus on a single marketing asset, with one of the coaches functioning as moderator.

Once every month participants are expected to submit a marketing plan for the coming month. This plan includes the assets and habits the attorney is going to focus on and a list of at least 12 potential referral sources he will contact.

The program does not include any one-to-one coaching, although that can be purchased from Atticus at any time.

Continued on page 2

Continued from page 1

"This is low-end program intended to keep them focused. It's like working out in a gym," said Powers, noting that you can hire a personal trainer at \$850 a month or you can get some guidance and work out mostly on your own.

"The goal is to keep them focused every week and give them structure so they can build their marketing muscle," said Powers. "The forums give them new ideas, fresh ideas, and some level of accountability and motivation."

The key is to keep the marketing plan simple and make sure it emphasizes activities the attorney is comfortable with.

"You're not going to go out and market if you feel like an insurance salesman," said Powers. "If you create a plan around things you like to do, you're more likely going to be able to do it. If you look at successful rainmakers, they're doing what they like and they invite people to come play with them. They're out sailing and golfing and they're making more money."

Excuses, Excuses, Excuses

Attorneys know they need to market but, according to Powers, they don't know what to do, when to do it, how to do it and they get distracted by the little things – a secretary quitting or a trial. It slips their minds and they don't get back into it.

The list of excuses goes on: "There are too many other obligations, there's not enough time, they don't like the clients, they don't know how to market, they have more work than they can handle, they're just an associate so they don't have the responsibility of marketing, it feels like they're begging or desperate, or they do market and then they have to stop because they get too much business, they don't know enough people."

But the real reason attorneys aren't marketing, Powers said, is that they haven't committed to being good marketers.

"Once you're committed and keep an eye on what it takes to be a good rainmaker, the obstacles will start falling away or become less important," he said.

The solution, according to Powers, is to put attorneys in a program where they determine what they like to do with other people, and then hold them accountable for doing it on a regular basis until it becomes habit.

"We decided to build their marketing actions around their personal beliefs and values," Powers said.

So attorneys who love to golf and hate to speak in public should invite

prospective clients and referral sources to the links and give up the Rotary and Kiwanis circuit.

Keep It Simple

The key is that it can't be difficult or challenging or complicated. It has to be simple to execute.

"Rainmakers have a definitive process or system. Their plans are simple, they're not big, elaborate marketing plans. They plan three lunches, or a golf game and two lunches, per week," Powers said.

But it doesn't have to be the predictable lunch or breakfast or golf game. One of Powers's clients loves to cook and eat, so twice each month he hosts a dinner at his home where he cooks, serves good wine, and invites two couples, at least one of which is a referral source. Another loves to read and started a book club, a Lawyers for Literacy program, and cuts articles from magazines and newspapers and sends them to people within the lawyer's own network of referrals who might enjoy them.

The nothing-too-difficult, nothing-too-fancy approach has resonated with those in the pilot program.

"They don't try to get you to do something that isn't already in your nature, to some extent," said Francomano, the Massachusetts lawyer. "The habits they're asking you to adopt are habits which can clearly complement things you're already doing. We do it anyway by mistake. You ask a couple folks out to dinner, or to a ball game or on a ski trip and, lo and behold, everybody at some point ends up talking about business and law. Some type of referral is going to come out of it. If you're doing it anyway, where's the harm in being smart about it?"

Because he lives near the stadium of the Pawtucket (R.I.) Red Sox, the Triple-A farm team for the Boston Red Sox, Francomano may invite prospects to a game, in addition to setting up breakfast meetings.

"I always thought I had to learn how to play golf," said James Periconi, who practices environmental law with one associate in New York City. "One of the things they stress is do the things you like to do. Transmit your enthusiasms. I go to Carnegie Hall and museums a lot. That's what I like to do. And I always had this fear that I have to be a business lawyer and can't expose the sensitive side of who I am. Atticus says, 'Forget it, be who you are.'"

Accountability

Powers noted that people who work out with personal trainers have

a much higher success rate. And there's a reason why Weight Watchers was recently named the most effective weight-loss program in the United States. It's all about coaching and accountability.

Powers says his clients are very good lawyers but have never learned how to market themselves.

"Nowhere in law school did anyone train you to be a good marketer," he said. "Guidance is critical to help them become good marketers. Guidance and accountability."

You can read all the books you want, but your golf game doesn't improve until you take lessons, until you have someone watching you and telling you to adjust your grip, he said.

"When you don't have somebody pushing you, it's easy to fall back into the old ways of doing things," added Boston personal injury lawyer Steven Schwartz.

To keep his clients focused, Powers has developed a list of 21 assets that make a great marketer. He evaluates his clients in each of the categories and each month focuses on improving one asset that has been identified as deficient.

For example, an effective marketer has what Powers calls "an elevator speech" a quick summary of the services the lawyer provides that is designed to pique the interest of people the lawyers encounters during conversations.

Another example is a marketing assistant – someone in the lawyer's office who is responsible for setting up meetings, planning events or sending thank-you notes.

Clients also work on identifying their target market. To do this, Powers asks participants to evaluate their clients and give them a ranking of A, B, C or D. At the extreme, an A client pays on time, listens to your advice and falls into your main practice area, while a D client always wants to negotiate, doesn't pay on time and needs lots of hand-holding. A target market should be A and B clients.

Using this method, the lawyer is expected to identify 12 people he or she will target during the month. The lawyers then fax that plan to Powers, who, with his staff, holds them accountable to the plan in the bi-monthly conference call.

Schwartz is just starting his marketing efforts.

"The program provides a way to create habits so it's part of the regular routine," he said. "You don't think, 'I have to brush my teeth' every day, you just do it."

Good Habits

Among the habits stressed by the Rainmakers program is becoming a regular marketer, which Powers defines as marketing three times per week.

"We studied our clients. Those that came to us already having some success in marketing were contacting their network [of potential referral sources] three times per week. The ones who were not successful were doing it once per week, and that's being generous," Powers said.

Once lawyers develop a habit of scheduling a breakfast or lunch each week, it becomes institutionalized. Powers' administrative assistant schedules these meetings for him and if someone has to cancel, she automatically reschedules them, then she fills the empty slot with another name.

"I go to lunch because the subject is going to be there," he said.

Successful marketers are also comfortable asking existing clients, friends and acquaintances for referrals. They do it ethically and in a way that matches their own personal style. It can be as easy as telling a great client, "I love working with clients like you, and I want to let you know I build my practice on referrals so, if you know anyone you think I should be working with, don't hesitate to send them my way."

Effective marketers are also discerning. "What's interesting about rainmakers is they learn to distinguish not only good clients, but good referral sources," Powers said.

He encourages his clients to adhere to the 80-20 principle, which says that 80 percent of your business comes from 20 percent of your clients. The same holds true for marketing: 80 percent of new business will come from 20 percent of your existing network of contacts, he said.

Rainmakers helps lawyers identify the 20 percent that will bring in good referrals and develop strategies to find more sources like them. The goal is to increase the percentage of top-rated referral sources.

The average attorney comes to the program with between three and seven good referral sources – Powers wants them to have 20.

Once these habits are ingrained, it becomes easier to develop another habit of successful marketers – doing it constantly.

"[Make] sure you stay in action," said Powers. "Successful rainmakers never, ever stop marketing. They're always contacting new or existing referral sources." **LWUSA**

Questions or comments can be directed to the features editor at: bill.ibelle@lawyersweekly.com