

T H E P R I M E R U S

Paradigm

A new model for lawyers and law firms

SPRING 2008

Standing Out in the Crowd

Marketing and the Media

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for Marketing and
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Education Advocate

John C. Buchanan



Making the Most of Your Marketing Assets

According to David Aaker, a leading brand expert, “Underleveraged brands are unused assets.” Following that line of thought, I heartily believe that if you are not using the Primerus brand as part of your marketing strategy, you are missing out on one of the most valuable benefits of membership. As outlined in this issue’s lead article, the Primerus brand is an asset that can be used to your advantage in a variety of ways.

“If you are not using the Primerus brand as part of your marketing strategy, you are missing out on one of the most valuable benefits of membership.”

In Aaker’s vernacular, Primerus is an “endorser brand.” Endorser brands provide an added level of credibility that can reassure prospective customers while allowing the endorsed brand (your firm) maximum freedom to create its own associations.

The Strength of an Endorsement

The Primerus brand, by virtue of the organization’s screening process, signals the presence of unobservable service qualities such as integrity, performance, expertise, etc.—the qualities represented by the Six Pillars. A third party endorse-

ment reduces uncertainty and risk perception in the minds of prospective clients. It also helps differentiate your firm from your competitors.

A Reputation for Quality

Aaker says an endorser brand works best when it is well known, is presented consistently, has a visual symbol, and appears on a family of products (or services) that are well regarded. I will be the first to say that

I think we are doing well in some of these areas, but have room for improvement in others. Certainly Primerus is becoming well known, but is not yet a household (or boardroom) name. Through increased usage by members and growing membership, the name will become better known. Every time the Primerus name and logo are used in marketing a firm, it’s like putting money in the bank. The brand equity grows. So too, by staying true to our principles of quality and rigorous screening process. By maintaining these standards we are able to retain our credibility and reputation as an organization of only highly respected, top-quality firms.

Self Praise is No Praise

I’ve always maintained that self praise is no praise. Primerus delivers a level of objectivity and authority that you cannot

project through your own marketing. A few years ago, the Federal Reserve Bank of Atlanta released a study evaluating the influence of Morningstar, the company that ranks mutual funds. Researchers investigated Morningstar’s influence by estimating the value of a star in terms of the asset flow it generates for the typical fund. I found it fascinating to learn that an initial five-star rating results in an average six-month abnormal flow of \$26 million, or 53 percent above normal expected flow. Following rating changes, there was significant abnormal flow in the expected direction, positive for rating upgrades and negative for rating downgrades. It’s no wonder then, that Morningstar has been hailed as having the most influential rating system in the mutual fund industry.

While Primerus is no Morningstar, the influence of a third party rating or endorsement is clear. I encourage you to leverage the power of the Primerus brand to your advantage. Our goal is to help you get the very most from your membership in every way. Let us know how we can help.

A handwritten signature in black ink, appearing to read "John C. Buchanan". The signature is fluid and cursive, with a long horizontal line extending to the left.



Standing Out in the Crowd *Leveraging the Primerus brand.*

When a law firm becomes a member of Primerus it must decide how it will add the Primerus name (brand) to the marketing mix. Whether or not a firm is actively involved in branding practices, it most certainly has a reputation, a recognized name, a marketing strategy. What then, is the appropriate role of the Primerus brand? How can a member firm leverage the Primerus brand? And most importantly, how can the Primerus brand complement and strengthen a firm's overall marketing program?

The Promise of a National Brand

Primerus is known as an alliance of independent, small to medium-sized law firms. A firm's membership is based upon its ability to meet quality standards as outlined by the Six Pillars of Primerus excellence. The initial screening process and annual accreditation ensure consistency of

“Ultimately, we have to prove ourselves, provide an excellent experience; but talking about Primerus, using the Primerus endorsement, that opens the door a bit and gives prospective clients a level of confidence to take the next step.” ~ Mike Weinstein

quality among member firms; this is the “promise” of the Primerus brand. It is what Primerus stands for and serves as a third-party endorsement of member firms.

Consistency and Credibility

Branding expert and author David Aaker says endorser brands can provide credibility and signal consistency of service quality. “The endorser brand represents an organization providing assurance that the endorsed brand (in this case, a member firm) will live up to its claims,” states Aaker in his newest book *Brand Portfolio Strategy*. Endorsements inspire confidence and trust while allowing individual brands the freedom to create their own associations.

Primerus President John C. (Jack) Buchanan, puts it this way: “Self praise is no praise.” He adds, “Law firms can talk about how great they are, but it's what others say about them that counts most.” If there is a compelling reason for member firms to invoke the Primerus name and third-party endorsement, states Buchanan, this is it. “Why do people seek out five-star resorts, vehicles highly rated by *Motor Trend* magazine, and restaurants featured in Zagat's dining guide? In a word, credibility. Endorsements inspire a sense of authority and reliability that self praise cannot.”

Standing Out in the Crowd



Opening Doors

Using the Primerus logo on a firm's stationery and business cards opens the door to a conversation about what Primerus is, what it stands for and how it distinguishes an individual law firm. In an advertise-

In addition to serving as an endorsement, Primerus is becoming known for its nationwide network of excellent lawyers – a great alternative to hiring a big law firm.

ment, the logo can appear with a tagline. In a brochure, a proposal, or on a website, the Primerus logo can be accompanied by text that describes the Six Pillars, the screening process, and benefits of the coast-to-coast alliance.

Overcoming Doubt

Long-time member Peter Bennett of The Bennett Law Firm in Portland, ME uses the Primerus logo on all his materials and takes every opportunity to educate clients about Primerus. He recounts the time when he was one of two finalists being considered as outside general counsel for a college. "It was my firm and the largest firm in the state with 100 attorneys, which already had an established relationship with the school. I was in an interview with the review committee and at one point the conversation came around to trust and confidence." Bennett says a committee member indicated a comfort with the current firm; after all they had an established relationship and as the biggest firm in the state, the school had someone to blame should something go wrong. "My response

to that was to describe the fact that we're members of Primerus and had earned—after a thorough screening process—what is in essence the Good Housekeeping Seal of Approval for small law firms. I indicated that our ability to earn this distinction was

a clear indication of our ability to provide an excellent level of service and earn their confidence." Bennett has been general counsel for the school for more than ten years now.

On the Web

A cursory review of member websites reveals a broad range of approaches to using the Primerus endorsement. The two most common are to include the Primerus logo on the home page or to mention Primerus in the firm's overview. Sometimes these references are linked to a separate page about Primerus and/or the Primerus website. From a user's standpoint, a link to another page on the same site is most direct and efficient. There, in a short statement, a firm can leverage the third-party endorsement by describing the independent screening process for quality and requirements for membership. From this page, visitors can link directly to the Primerus website for more information. To view examples of how firms are using this tactic, visit the websites of The Bennett Law Firm (www.thebennettlawfirm.com) and Donato, Minx & Brown (www.donatominxbrown.com).

Mike Weinstein, of Ferris & Britton, San Diego, CA, says business clients use the internet to learn as much as they can about a law firm before they make the first call. "We're in the process of putting information about Primerus on our website because we know prospective clients are using our site to learn more about us. Ultimately, we have to prove ourselves, provide an excellent experience; but talking about Primerus, using the Primerus endorsement, that opens the door a bit and gives prospective clients a level of confidence to take the next step."

The Alliance as a Branded Service

Weinstein says a visible Primerus logo is also an entree to talking with clients about how the firm has the ability to serve client needs beyond what the firm offers. Weinstein and his partners have tapped the network on multiple occasions to find lawyers to serve client needs in other jurisdictions and have also received case referrals. Weinstein likes the idea of more firms in more cities to "fill gaps" where Primerus may not have member firms. "You never know when something is going to come up and you'll be asked for a referral. Even when the request does not come from a client, it's nice to be able to confidently make a referral to a fellow member."

Jay Downs and Tim Stanford of Downs.Stanford of Dallas, TX, agree. They too have received referrals and called upon fellow members to take cases – both business and personal matters. In a recent case, a national client called in connection with a family issue in a distant state.



“We spoke with a Primerus member in that city who was able to identify an excellent lawyer to handle the situation. Within two hours of receiving the call from our client, we were able to make an introduction,” says Downs. “It was a situation that reinforces the message that we communicate to clients and prospective clients: through the

Endorsements inspire confidence and trust while allowing individual brands the freedom to create their own associations.

Primerus alliance, clients have access to a national field of excellent lawyers.”

Providing services that span the endorsed entities is another role for a corporate brand like Primerus. In addition to serving as an endorsement, Primerus is becoming known for its nationwide network of excellent lawyers – a great

alternative to hiring a big law firm with a national presence. Members like Weinstein, Downs, Stanford, and others are using the network with some frequency with excellent results and client feedback.

Additional Client Services

Similarly, the Primerus Defense Institute (PDI) is an example of a “branded” service that fills a need for nationwide services more effectively than any single member can provide by itself. The concept is being further leveraged through the development of a subspecialty group focused on trucking. Likewise, the Business/Corporate/International (BCI) Practice Group is formulating specialty practice groups. BCI Chair Brian Davidoff of Rutter Hobbs & Davidoff, Los Angeles, CA says, “These groups are designed to allow individual lawyers in a particular practice area to communicate with each other as a resource and also develop opportunities for client development.”

The formation of a service by members of the BCI group to provide legal opinion letters to clients with business interests around the country is another offering that holds promise.

The Primerus brand is a valuable asset that should play an essential role in every member firm’s marketing strategy. The third party endorsement, the access to a nationwide network of excellent lawyers and the development of specialized services to satisfy client needs are just three ways a Primerus membership can be leveraged to strengthen a firm’s overall marketing program. To learn more about these and other marketing opportunities through Primerus, contact Ruth Martin, Primerus Senior Vice President of Membership Services at (800) 968-2211 or rmartin@primerus.com.

Best Practices



**Marketing and Business Development:
Three Simple Reminders**

Extra! Extra! Read all about it!

Competing with the Big Boys

Rainmaking and Lightening Rods

Marketing and Business Development: Three Simple Reminders

Best Practices



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The modern lawyer does need to have it all. Today, lawyers must be skilled and educated in the area of advocacy and the law; they must understand that the law practice is a business and appreciate the economics; and most importantly, lawyers must know they can be the best in town, but will not have any clients if not purposefully engaged in marketing.

Of the three attributes mentioned above, marketing seems to be the most difficult when it comes to training lawyers and setting forth requirements for participation in marketing. Many lawyers would rather stick their heads in the sand when it comes to volunteering for marketing events.

Following are three tips to ramp up the marketing in your firm:

1. Be transparent in all marketing endeavors and insist that your partners do the same.

Email and announce to everyone when marketing activities are taking place including client entertaining, upcoming seminars being given by firm attorneys, and attendance at association meetings (including Primerus events). I have been at firms where the culture was to entertain clients quietly because lawyers were unwilling share their marketing activities and achievements. The unfortunate outcome of this secrecy was that new lawyers would rarely get the benefit of learning “how it is done.” This coming year I am working to keep a running log of marketing events/contacts that are broadcast to the firm, even if they are very minor matters, as sort of a “score card” to reward those who are actively participating in marketing.

2. Make marketing a part of your day, everyday.

Did you ever say to yourself that you are too busy for marketing? I have, many times. I need to constantly remind myself, first thing in the morning, that if I don’t do anything else all day, I should at least make one marketing call, participate in planning some upcoming event or write some article or a part of an article for marketing purposes. Participating in marketing does not mean investing huge amounts of time. Fifteen to thirty minutes a day, everyday, adds up to a great marketing program. If every attorney in a firm participated in that fashion, clients would be contacted on a regular basis.

3. Track your marketing efforts to gauge what works and what doesn’t.

Several years ago we started to track our marketing efforts, such as our advertising in local papers, church newsletters, Chamber of Commerce materials, and *Fortune* magazine. Our legal administrator keeps track of these costs; the partners discuss what is working based on feedback received. Although there is no exact science involved, one can pretty much tell what is working and what is not. The same is true for golf outings, sports tickets, etc. What worked in the past, might not necessarily work today. Having a record of where our firm has been, and at what cost, helps us to focus on proven methods and assists us in avoiding old mistakes.

Although none of these tips are new, exciting, or different, I believe they serve as a reminder to all of us that marketing is one of the three essential skill sets that every modern lawyer must bring to a law firm.

Extra! Extra!

Read all about it!

Marketing in the media.

Best Practices



By Stephen J. Norton
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Before joining Stewart and Stewart, Norton was speechwriter and a spokesman for the U.S. Trade Representative. Prior to that he covered economic issues before Congress for top publications and served as a legislative aide on Capitol Hill.

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Many of us consume news before coffee in the morning and doze off at night getting one last fix of information. Unwittingly, we spend a good part of every day with one of the best – and least expensive – marketing tools available: the Fourth Estate.

Effective use of the media allows you to shape and inform coverage of issues

Effective use of the media can generate free exposure for your firm's services, reinforce your firm's brand, and create an opportunity to let your clients know you have them in mind.

important to your clients. It can also generate free exposure for your firm's services, reinforce your firm's brand, and create an opportunity to let your clients know you have them in mind.

Certainly, a sense of professional comportment and ethics-based respect for client interests will limit Primerus firms' engagement with the media on some occasions. But when such restraints do not apply, here are some thoughts on marketing through the press.

Cultivating Reporters and Shaping Media Coverage

When reporters get something wrong it is usually because of inadequate reporting or incomplete understanding of an issue. Journalists are not experts themselves but rely on experts to help them do their jobs. Make yourself an indispensable expert a reporter can seek out to confirm his or her understanding of what an environmental regulation means, how probate procedures work, deciphering a city councilman's speech, etc.

Take a reporter and editor to lunch.

Respect the journalists' ethics and agree to go "Dutch" if the publication's ethics policy so requires. Agree to ground rules on attribution. Reporters are generally willing to let you talk off-the-record to get candid insights and then reformulate your thoughts for print or broadcast suitability. For high-profile subjects with a larger audience, host a "brown bag" lunch for a group of reporters and make a more formal presentation. Perhaps compile a binder with some helpful explanatory documents.

Reporters respect people who respect them and trust is a two-way street. When you have cultivated a relationship by educating a reporter, it is easier to pitch a story. Rather than resenting the sales job, the reporter will thank you for offering a new angle.

Naturally, be mindful you cannot control the additional reporting the journalist undertakes for the story and be wary of inadvertently stirring up unwanted controversy. But don't be afraid of reporters. Rarely are they "out to get you." Just know that "no comment" is when the real reporting starts.

Another way to effectively harness the media as a marketing tool is to hold the press accountable. Dash off letters to the editor or write a thoughtful op-ed challenging an editorial. You are not only performing a valuable service to the tradition of free speech, but also demonstrating your expertise on a subject.

In addition, help niche publications fill space with your informed perspectives on legal issues affecting specific sectors or interests. You can differentiate yourself from other firms and reinforce your unique brand by offering insights and sharing experiences on specific subjects.

Exposure and Reinforcement of Firm's Expertise

Once you have cultivated relationships with reporters, they will call on you for pithy, punchy quotes that sum up the point of a story. This is great exposure. In local media markets, at least some readers are potential clients - a select audience that will see your firm as the go-to place for legal advice on financial services, land use, consumer protection, etc.



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Thanks to the Internet, there is no such thing as local exposure. The more you are quoted in on-line journals or blogs, the more op-eds you have written, the more specialty publications you have appeared in, the higher your firm's page ranking, and the more traffic to your website.

Sharing News with Clients

Share your clips with clients and other contacts. This serves a two-fold purpose. One, it shows a client that you have devoted part of your day to thinking about an issue that affects him and took the time to weigh in on it. Two, it creates a reason to touch base with a client, prospective client, or a friend who might have a lead for you.

The same thing applies to news items in which you had no role. The few minutes needed to clip and send is a good investment in time. It alerts clients that they are on your mind and encourages potential clients to keep you on their minds.

Let Primerus Help You Get the Word Out

Primerus will write and disseminate four press releases each year for member firms at no cost. Additional press release services can be purchased at a "below market" fee. Primerus targets the best media outlets for each press release using the industry's largest and most comprehensive source of up-to-date media contact information. To take advantage of this service contact Chuck Runyan at Primerus at (800) 968-2211 or crunyan@primerus.com.

How can small firms compete with the big boys? Use sense, not dollars.

Best Practices



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The legal profession is in an evolutionary state—changing at a more rapid pace than ever before. Competition for both talent and business has become fiercer each year. Large firms dominate the landscape, tipping the scales in their favor through the acquisition of smaller competitors and the expenditure of increasingly large amounts of capital on associate salaries, marketing programs, business development initiatives, and expansion on a global scale. The current economic downturn in local, national, and global markets has forced companies to reevaluate their

well as an evaluation of their potential value to the firm. Why should business development expenditures (both time and monetary) be treated with any less care and foresight?

Plan for Action

Identify your firm's strengths and weaknesses, focus your sales efforts on those areas of practice that provide the highest realization rates, and pinpoint areas of specialization that may differentiate you from your competition. Once you have determined those practice areas and target

Firms obviously need new clients to replenish the “client pool,” but that does not mean that the cultivation of existing client relationships should be given any less attention.

relationships with outside counsel (read: spend less money for the same legal services). How can the small law firm withstand these competitive and economic pressures? Spend more capital – intellectual capital, that is. For small firms, how you spend is much more important than *how much* you spend.

Target Your Efforts

In order to thrive in today's crowded legal marketplace, small firms must learn to focus their efforts and expenditures. Potential new hires are put through a rigorous examination of their merits, as

markets that offer the greatest potential ROI, set goals and develop plans to achieve those goals at both the firm and individual levels. Plans should be specific – including companies, individuals, action items and dates for their completion, financial goals, and cost/benefit analyses. Simply getting a plan on paper and giving some direction and structure to sales efforts can do wonders to improve a firm's success rate in the acquisition of new business, and have a positive impact on a firm's top line.

Evaluate Marketing Expenditures

Take the time to evaluate expenditures to determine your firm's return on its marketing investments. Unless your business name



and logo are in front of your potential clients on a regular basis and with a targeted message, advertising will have little effect. Small firms without large advertising budgets would be much better served by spending those dollars on the cultivation of prospects and existing clients through personal contact and direct marketing, such as mailings, email blasts, lunches and entertainment.

Take Advantage of Networking

Secure speaking engagements at trade seminars and serve as a sponsor at events where there will be plenty of opportunities for networking. Become involved with organizations, such as Primerus and the Alliance of Merger & Acquisition Advisors, that can serve as cross-referral sources (involvement is the key here – don't expect to simply pay your membership fee and have new business fall into

your lap!). In a nutshell, spend your time and money on activities that will directly engage you with the client or prospect, rather than spending and hoping that they will notice you and your firm.

Ask Clients for More Business

Finally, do not undervalue your current set of clients as an important source of new business. There is a general rule of thumb for professional service firms that approximately 80% of business is generated from existing clients while the other 20% is derived from new contacts. Why is it then that we tend to focus the majority of our time and marketing dollars chasing that 20%? Firms obviously need new clients to replenish the "client pool," but that does not mean that the cultivation of existing client relationships should be given any less attention. Not only is it less expensive to generate new business from existing clients, but it is usually more profitable as well.

Be sure that your clients are aware of all of your practice areas and capabilities. Stay informed about your client's business and industry so that you can anticipate any legal needs that may arise, and ensure that you are the first person the client will call upon. Don't be afraid to ask your clients for more business! Client satisfaction surveys are a simple and effective means of doing this, and clients appreciate being asked for their input. Your survey can be short and sweet (web-based surveys are

For small firms, how you spend is much more important than *how much* you spend.

inexpensive and easy to track), and the last question on your survey can simply ask, "Are there any other areas in which you may require legal services?" If the answer is "yes," then you already have one foot in the door.

Despite great economic and geographic pressures, small firms can be successful against their larger competitors. Act thoughtfully, spend intelligently, and target your efforts to ensure the long-term viability of your firm. Intellectual capital and sweat equity are your greatest marketing assets!

Rainmaking, Lightning Rods, and Aluminum Siding

Best Practices



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For a variety of social and demographic reasons, the nature of the legal profession has changed dramatically in the past thirty years, and a few anecdotes should suffice. At one law firm in the late 1970's, associates were told to let the partners worry about bringing in the business; when one associate tried to justify an early departure for an out-of-town reunion by saying that he hoped to renew contacts with college classmates who might send the firm business, he was told he was too young, at 31, for that to happen.

Waiting for the Phone to Ring

Although some lawyers occasionally wrote and published articles and gave speeches to trade groups, more lawyers seemed to adopt as their business development program the motto of one senior partner: "I have confidence the phone will ring." A senior lawyer at another firm was quoted as saying selling legal services was undignified – he had gone to law school to become a professional, after all, not an aluminum siding salesman.

Those days, of course, are gone forever. America has more lawyers today than ever before, out-of-town firms are routinely opening offices in your home city, and the loyalty that once existed between clients and law firms (not to mention law firms and their partners) is no longer there. As a result, even senior lawyers with perfect pedigrees but without substantial business bases, are increasingly shunned by larger firms. Economists will argue that a successful firm should still benefit from a division of labor, even among partners – with separate finders, binders, minders, and grinders – but to no avail. We are all aluminum siding salespeople now.

Business Development is Everyone's Job

No course, handbook, seminar, or article will turn every lawyer into a rainmaker. At any given task, some people will always be better than others, and a successful firm should take that into account. Still, every lawyer can hone his or her marketing skills, and everyone in the firm is better off when every lawyer in the firm is thinking about how to bring in new business.

Indeed, the popular term "rainmaker" itself may be a misnomer. You can seed the clouds all you want, but conditions still must be right to get any precipitation. A better term might be "lightning rod" – you don't know just when the storm will come, but when it does, you want the lightning to strike you.

Only Three Sources for New Business

The simple truth is that all business comes from three sources: people who know you, people who know someone you know, and people who've heard or read about you. That means everything a lawyer does is really marketing. Dress appropriately – in public and in the office. Keep your name in front of people. Take their calls, and return them promptly. If you say you're going to do something, then make sure you do it. Do it well, and do it promptly. And at all costs, stay out of fee disputes by communicating carefully in advance what you will do and what it will cost. Every unhappy client costs you eight potential referrals down the road.

Keep seeding the clouds, and when the rain comes, maybe lightning will strike you.

Business | Corporate | International

Brian Davidoff

BCI Practice Group Chair



Much has been done within the BCI Group to implement the plans discussed at our meeting in Savannah last October.

We have been researching ways to present the talents of member attorneys to national clients with a need for legal expertise across the country. We plan to start this process by attending the annual meeting of the Association of Corporate Counsel in October. Representing the BCI Group will be Ruth Martin, Bob Brown of Boylan Brown in Rochester and Andrew Apfelberg of Rutter Hobbs & Davidoff in Los Angeles. The plan is to introduce the BCI Group and Primerus to general counsel and let them know that they can draw on the expertise of high quality lawyers throughout the country on financial terms that, let's face it, are less than those charged by the major law firms in the U.S. While we don't expect general counsel will hire us for "bet your company" type matters, there are many other kinds of work that are very appropriate for our members to handle. With increasing push back by corporate counsel on the rates charged by the "majors" we do offer an attractive alternative.

As an additional point of differentiation, we intend to let general counsel know that we have specialty practice groups within the BCI Group. We have begun the process

of establishing these groups with the first two being Bankruptcy and Labor & Employment. These specialty groups are just being formed, so if you or your firm would like to take part, please let us know. Participating attorneys will need to satisfy certain qualifications in order to ensure they are truly specialists in the designated area. We believe this will enhance credibility to general counsel.

The Legal Opinions Initiative (pursuant to which we offer the ability to provide multi-state legal opinions for multi-state transactions) has been completed and a brochure will be available to present to the general counsel at their annual meeting. We do need additional members to participate in this initiative to make it more effective.

Also at our meeting last October we decided to work toward a closer relationship with the Alliance of Merger & Acquisition Advisors (AMAA). We have furthered that goal by agreeing to become an official sponsor of www.midmarketplace.com and a strategic alliance partner of the AMAA. This organization targets middle market business owners seeking an exit transaction. These are the kinds of clients the BCI Group is especially well suited to assist. Primerus members also attended the annual meeting of the AMAA in Las Vegas and established relationships with

their members. Finally, members of Primerus and AMAA have held several "meet & greets" in Chicago, New York and Los Angeles for the purpose of getting acquainted and developing working relationships.

Much has been accomplished but these programs are still a work in progress requiring the participation of all BCI members in order to make them a reality.

We welcome your input and participation and look forward to seeing you on June 12th at the BCI Practice Group meeting in Chicago, IL. Look for more details on this event in the near future.

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Defense | Litigation

Bob Brown

DL Practice Group Chair

Members of the Primerus Defense Institute and Defense Litigation Practice Group are looking forward to the upcoming 2008 Convocation at the Four Seasons Aviara in San Diego, California. The Convocation is the premier event of the year for the Defense Group and is an opportunity that seldom presents itself.

One of the mottos of Primerus is “We Help Good Lawyers Find Good Clients and Good Clients Find Good Lawyers.”™ Never is this more true than at the annual Convocation. Over 30 fine law firms and over 30 great national clients gather together for scholarship and fellowship at an outstanding location. In this age of Enron, the trend is to limit the amount of leisure time that clients spend with attorneys, in fear of allegations of improper relationships. A good attorney client relationship is based on trust. Trust is not easily gained over the telephone, nor is it easily gained through e-mails or status reports. The people we trust most in life are those with whom we have developed a personal relationship, be it family members, friends, or business associates where we have moved beyond a purely professional relationship and have really taken the time to get to know the other person.

My best clients are also some of my best friends in the world. Over the years we have developed a level of trust in one

another that is only in part professional. When you can spend time on a golf course or in other leisure activities, where your world is not governed by the time clock, and you can discuss philosophies of life and business at a leisurely pace, meet one another’s families and develop true friendship, trust will begin to take root. When you follow through with excellent legal work, the relationship grows stronger. Clients become comfortable with you taking a case to trial or settling if need be. This growing bond of trust and faith between lawyer and client results in a formidable team. The clients who attend the Convocation share our dedication to the Six Pillars in their own practices and appreciate our dedication to same.

It is events like the Convocation that begin the process of building relationships based on trust, mutual respect, and ultimately, friendship. I was recently called in at the last minute by a Convocation attendee to take over the handling of a file from another (non-Primerus) firm. The case was set for trial two weeks from the call. I seriously doubt that the client would have had sufficient trust in my abilities to take on such a task had we not developed a personal relationship at prior Convocations. The client had essentially lost his trust in the firm that was handling the file; he felt a case with serious damages had been handed off to an associate with whom he had no relationship. That lack of trust

brought doubt to the client’s mind to the point where he wanted a second set of eyes to look at the file. The case was ultimately continued and will likely be settled well below the authority requested by the prior firm and for a fraction of the demand that was outstanding prior to our involvement. I have no doubt this client would have had the same experience had he contacted any one of the Primerus defense firms. I know the experience of my clients that have utilized Primerus firms have all been positive.

I hope to see all of you at the Convocation and wish you the greatest success in developing friendships that grow into mutually beneficial business relationships.

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Plaintiff | Consumer

Edward Ricci

PC Practice Group Chair



When I graduated from law school 35 years ago, I joined the Federal Trade Commission in Washington, DC. I believed then, and still do today, that advertising and marketing can be abused. The need for honesty in the advertising of goods and services requires constant vigilance. When I went into private practice I committed myself to learning the ins and outs of marketing in ways that are consistent with the high standards of our profession. It is for this reason that the Six Pillars of Primerus quality are intrinsic to a successful marketing program.

As a personal injury lawyer, there are essentially three ways to connect with your target audience: directly solicit the public; seek referrals from other attorneys; or rely on recommendations from former clients, family and friends. All three are legitimate, but the marketing approach for each is quite different.

The most costly and cumbersome is direct advertising. Research conducted over the past 25 years shows that advertising works best when it is consistent and simple. Based on my own literature review and research, I have concluded that the most effective approach is to tie TV advertising to an ad on the back cover of the local phone book. Being buried in the attorney section of the yellow pages is a waste of money and an ineffective way of generating business.

Who responds to TV advertising? In my experience, calls typically come from

hourly workers who are generally not college educated and have never worked with an attorney for other matters such as probate or real estate issues. For direct advertising to yield results, response time must be quick. There is no loyalty among members of the public who respond to a TV ad. If a call back or follow up is not initiated within a few hours, the client is usually lost.

Advertising and solicitation of business from other attorneys, i.e. referrals, is a different species of marketing. We have found that advertising in local and state bar journals is a cost effective way to reach practitioners who are potential referral sources. The concept of advertising in professional publications is very similar to advertisements placed in the sports pages of the local newspaper by tire retailers. Consistency is key. To the tire retailer the ads may be the same week after week and look fairly stale. But to the customer who needs a new set of tires, the ad is fresh and easy to locate.

Lastly, referrals come from former clients, family and friends. There is no substitute for involvement in one's community for building a network of contacts. A good rule of thumb for young associates joining a firm is to give them three years to rise to a position of leadership in at least one or two community organizations. Generally, political organizations should be avoided. Social, cultural, educational, church related and similar groups avoid a lot of the old canards of conflict that arise

when politics and law get intermingled.

The last observation I would share is that consistency and persistency are essential. The tortoise beat the hare because he never gave up. He plodded along and eventually crossed the finish line first.

For any marketing program to succeed it must be monitored and reviewed on a regular basis. It needs to be updated from time to time (at least once a year) and given the commitment of time and money that it demands.

The old adage of hanging up a shingle and eventually clients will come is more of a myth than a reality. When marketing and business development are handled properly, we will all succeed. The key to doing well is to first do good.

A handwritten signature in black ink that reads "Edward M. Ricci". The signature is written in a cursive, slightly slanted style.

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“You have to recognize the needs of others and use your expertise by giving your time and talent to help those who are less fortunate or not able to speak for themselves.” ~Shamus O’Meara

Education Advocate: Shamus O’Meara

Combining a demanding professional career with a passion for community service is a balancing act. The demands on one’s time can be tough to manage; but when the two align—as they do for Shamus O’Meara, a partner with Johnson & Condon, P.A. in Minneapolis—the result can be most rewarding.

Speaking on Behalf of Others

“I think the best approach to community service is to look at your strengths and abilities and then match them up with activities where you can move issues forward and make a difference,” says O’Meara. “I’m a firm believer that the time you spend professionally can’t be all about you. You have to recognize the needs of others and use your expertise by giving your time and talent to help those who are less fortunate or not able to speak for themselves.”

Connecting Interests

At Johnson & Condon, O’Meara represents school districts, businesses and local governments in complex liability, construction and transactional matters.

O’Meara is particularly interested in school safety and also special education, having represented students, educators and school districts in these matters over the years. These passions are also the basis for the many of O’Meara’s community service activities. “I’m someone who likes to enjoy what I do. If you can find a way to connect interests with the work you do as a lawyer, it just makes it that much easier,” says O’Meara.

O’Meara’s many affiliations include the Minnesota Legislative School Safety Task Force and the Minnesota School Boards Association Disaster Response Team. Through these organizations, O’Meara works to address safety and violence issues with a special focus on crisis and emergency planning. He presents on these topics to state and national forums on a regular basis and is author of numerous articles on school safety.

O’Meara’s pro bono work also includes the Minnesota Governor’s Council on Developmental Disabilities, a group he chairs, and the Saint Paul RiverCentre Convention & Visitors Authority, where he is founding co-chair and helping to prepare Saint Paul for this year’s Republican National Convention.

Improving the Lives of Others

Among the many initiatives of the Governor’s Council that O’Meara has helped to advance is the development of partnerships involving people with disabilities to provide digital imaging services. Readers of the *Paradigm* may recall O’Meara’s article on the subject last year. Through this program, businesses and governmental units are hiring people with developmental disabilities to digitally scan millions of documents and create searchable, lasting electronic records while eliminating thousands of dollars in storage costs. “This partnership provides people with developmental disabilities good jobs and wages, plus helps employers across the state meet their technological needs,” says O’Meara.

“I believe that professionals who have the good fortune of a successful career have a responsibility to give back to their community,” says O’Meara. He acknowledges that good things also come to those who help others. “The opportunity to interact with other professionals is beneficial to my profession; but that’s not why I engage in community service. I find it personally very rewarding and it helps me be humble in what I do.”



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