



## **2016 Primerus Global Conference** **October 13 – 16, 2016**

### **Effective Collaboration Strategies for In-House Counsel and Primerus Law Firms**

Friday, October 14, 2016 (11:00 a.m. – 12:00 p.m.)

**Presented by:**  
**Bob Weiss – Alyn Weiss & Associates (Lakewood, CO)**

The 4 market rarities law firms provide that result in significantly higher client retention, premium rates, and higher growth overall than competitors.

In this presentation Bob Weiss will discuss new research which reveals the four “market scarce” characteristics of firms that have 33% less client turnover, are able to charge 10-20% more per hour for their services and which are obtaining unprompted referrals from their clients. This report is based on 14,000 in-depth phone interviews with C-level executives. What’s interesting here is that providing the best legal solution possible to the client is not what drives increased retention, higher billing rates and unprompted referrals.

1. Unexpected Developments
2. ABA illustration of the client-attorney relationship “gap”
3. Lateral growth statistics
4. New Model: Laterals, part-time, contract and staff lawyers
5. 2016 National Marketing Effectiveness Survey
6. What lawyers can do on the Web
7. A lawyer’s single most important marketing document
8. Importance of legal rankings, ratings and directories – survey
9. Superior Client Service: Why the effort is worth it



**Primerus**  
*The World's Finest Law Firms*

**2016 Primerus Global Conference**  
**October 13 – 16, 2016**

- a. Unprompted recommendations from executives and owners
  - b. Forget selling, create relationships
  - c. The 4 Rarities
10. What about other ways lawyers are found and hired?
11. Consistent with Cone survey - "Online information equal in importance to offline advice."

# The Inevitable



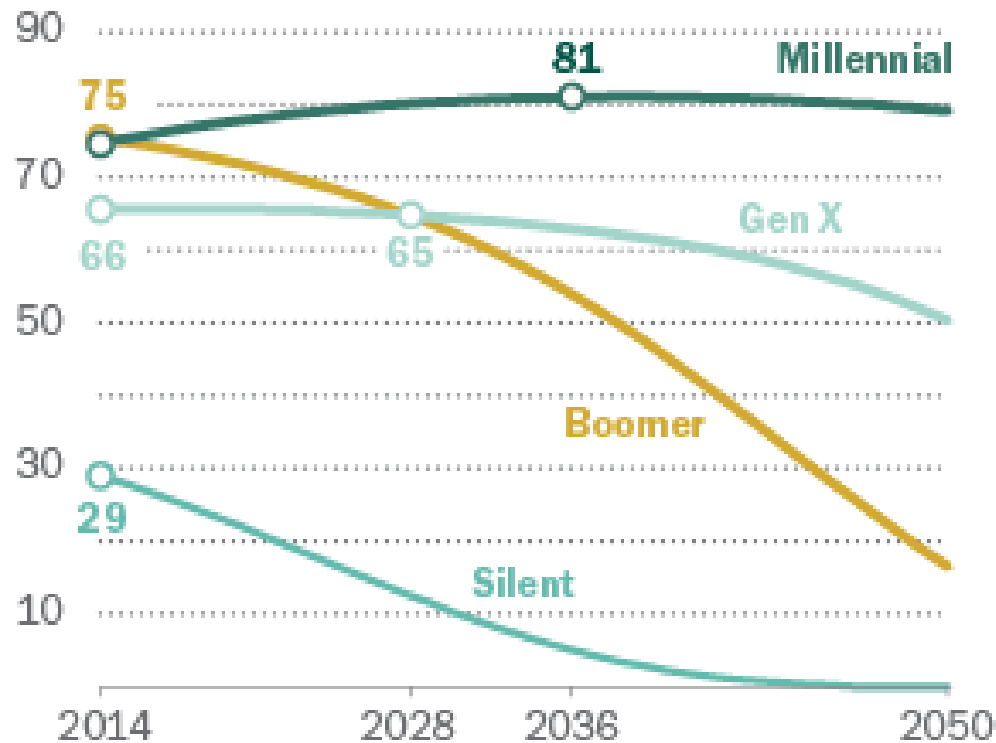
# The client-attorney relationship “gap”





# Projected Population by Generation

*In millions*



Note: Millennials refers to the population ages 18 to 34 as of 2015.

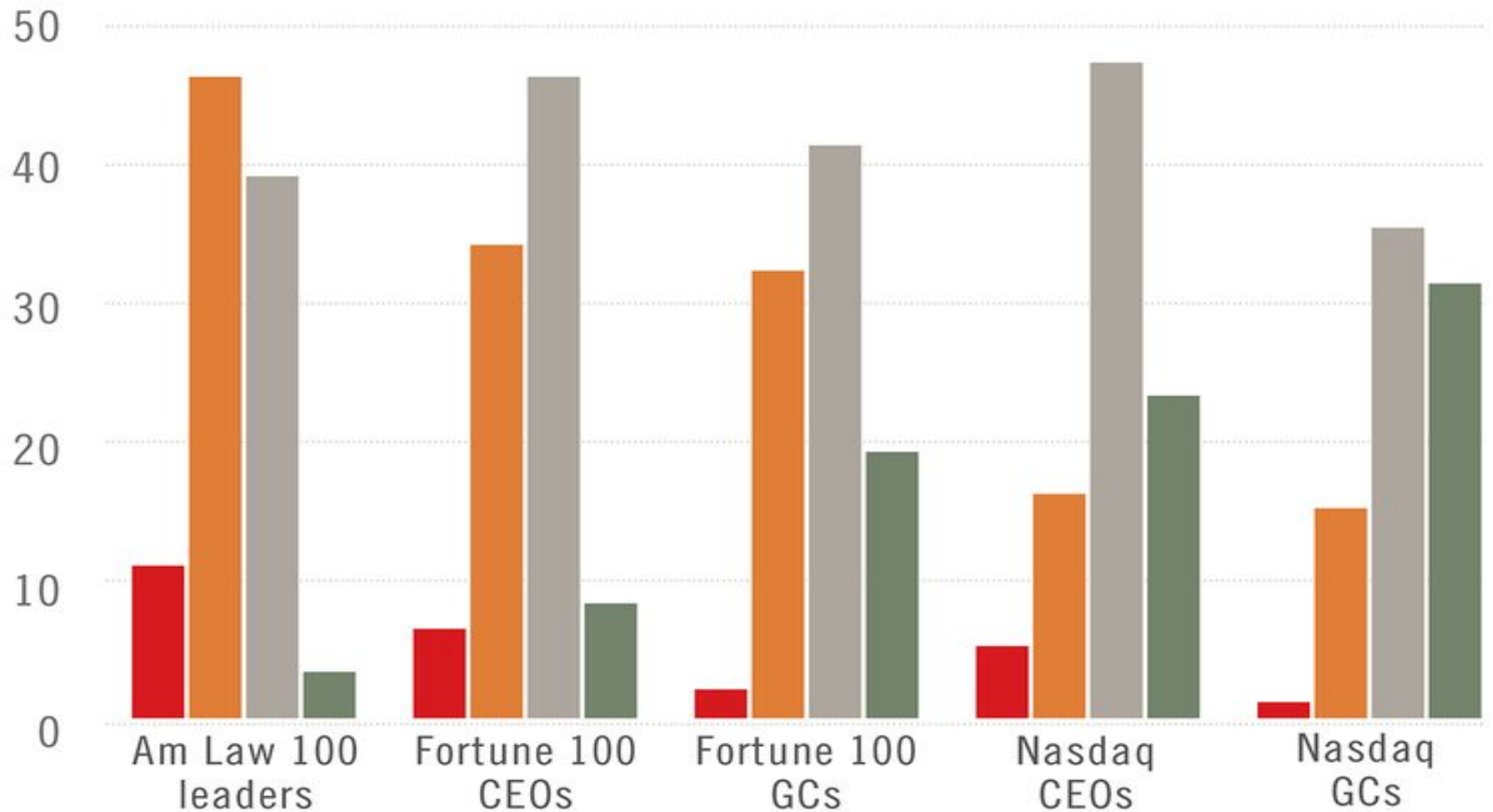
Source: Pew Research Center tabulations of U.S. Census Bureau population projections released December 2014

**PEW RESEARCH CENTER**

# HOW OLD ARE THE LEADERS?

*Relative ages of law firm managers, CEOs and GCs*

■ Silent Generation   ■ Leading-Edge Boomer  
■ Trailing-Edge Boomer   ■ Gen X





# **A Seismic Shift:**

## **What Works, What Doesn't, Structure and Spending**

**Ayn·Weiss & Associates, Inc.**

*Marketing | Business Development*

*Be well known to the people who matter. ®*





# The Mix



<b>Website(s)</b>	<b>99%</b>
<b>Seminars/Presentations</b>	<b>88%</b>
<b>LinkedIn</b>	<b>84%</b>
<b>Trade and Community Groups</b>	<b>83%</b>
<b>Legal Peer-Reviewed Ratings</b>	<b>80%</b>
<b>Entertainment</b>	<b>76%</b>
<b>Member of Law Firm Network</b>	<b>70%</b>
<b>Emailed Newsletters or Alerts</b>	<b>68%</b>
<b>Print Advertising</b>	<b>64%</b>
<b>Media Coverage/News Releases</b>	<b>64%</b>
<b>Printed Holiday Cards</b>	<b>63%</b>
<b>Facebook</b>	<b>52%</b>
<b>Blogging</b>	<b>51%</b>
<b>Emailed Professional Announcements</b>	<b>46%</b>
<b>Twitter</b>	<b>43%</b>
<b>Search Engine Optimization</b>	<b>41%</b>
<b>Electronic Holiday Cards</b>	<b>40%</b>

# What Works?



<b>Website(s)</b>	<b>80%</b>
<b>Seminars/Presentations</b>	<b>71%</b>
<b>Trade or Community group</b>	<b>50%</b>
<b>Law Firm Network</b>	<b>48%</b>
<b>Entertainment</b>	<b>39%</b>
<b>Blogging</b>	<b>25%</b>
<b>Emailed Newsletters or Alerts</b>	<b>23%</b>
<b>Martindale-Hubbell Subscription</b>	<b>21%</b>
<b>Search Engine Optimization</b>	<b>20%</b>
<b>LinkedIn</b>	<b>19%</b>
<b>Legal Peer-Reviewed Ratings</b>	<b>17%</b>
<b>Trade Show Booths</b>	<b>12%</b>
<b>Cross-Selling/Targeting Program</b>	<b>11%</b>
<b>Training (networking, social media, sales or coaching)</b>	<b>10%</b>



<b>Seminars/Presentations</b>	<b>71%</b>
<b>Trade or Community group</b>	<b>50%</b>
<b>Law Firm Network</b>	<b>48%</b>
<b>Entertainment</b>	<b>39%</b>
<b>Martindale-Hubbell Subscription</b>	<b>21%</b>
<b>Legal Peer-Reviewed Ratings</b>	<b>17%</b>
<b>Trade Show Booths</b>	<b>12%</b>
<b>Cross-selling/Targeting Program</b>	<b>11%</b>
<b>Training (networking, social media, sales or coaching)</b>	<b>10%</b>

**Website(s)**

**80%**

**Blog**

**25%**

**Emailed Newsletters or Alerts**

**23%**

**Search Engine Optimization**

**20%**

**LinkedIn**

**19%**

# No cases or referrals

- Print Advertising
- Media Coverage/News Releases
- Twitter
- Facebook
- Emailed Professional Announcements

<b>Website(s)</b>	<b>80%</b>
<b>Seminars/Presentations</b>	<b>71%</b>
<b>Trade or Community group</b>	<b>50%</b>
<b>Law Firm Network</b>	<b>48%</b>
<b>Entertainment</b>	<b>39%</b>
<b>Blogging</b>	<b>25%</b>
<b>Emailed Newsletters or Alerts</b>	<b>23%</b>
<b>Martindale-Hubbell Subscription</b>	<b>21%</b>
<b>Search Engine Optimization</b>	<b>20%</b>
<b>LinkedIn</b>	<b>19%</b>
<b>Legal Peer-Reviewed Ratings</b>	<b>17%</b>
<b>Trade Show Booths</b>	<b>12%</b>
<b>Cross-Selling/Targeting Program</b>	<b>11%</b>
<b>Training (networking, social media, sales or coaching)</b>	<b>10%</b>

# How Much?

1.5%



# Why?

- Labor-driven tactics
- Less printing and postage
- In-house site maintenance
- Dedicated in-house personnel

# In-House “Tactical” Support

61%

# Recommended Structure

- Tactical administration
  - In-house marketer
    - Database
    - Website
    - Content/alerts/newsletter
    - Ratings
    - Events



# Outside Help

- Coaching and Training
  - Third-party
  - Legal experience
- Strategic input
  - Law firm network
  - Third-party agency or consultants
  - Legal experience
- One person can't do it all



# More

<b>Website(s)</b>	<b>65%</b>
<b>Seminars/Presentations</b>	<b>63%</b>
<b>Search Engine Optimization</b>	<b>39%</b>
<b>Trade or Community Groups</b>	<b>36%</b>
<b>Training</b>	<b>32%</b>
<b>Client Surveys/Interviews</b>	<b>28%</b>
<b>Blog</b>	<b>25%</b>

# Less

<b>Print advertising</b>	<b>41%</b>
<b>Entertainment</b>	<b>19%</b>
<b>Martindale-Hubbell</b>	<b>19%</b>
<b>Printed holiday cards</b>	<b>17%</b>
<b>Legal Peer-Reviewed Ratings</b>	<b>15%</b>
<b>Mailed Announcements</b>	<b>14%</b>
<b>Printed newsletters/bulletins</b>	<b>12%</b>



# Introduction of Next Gen?

74%

“No”





Coaching?

62%

“Yes”





# Group Training?

52%

“Yes”



# Next Year's Budget?



**LESS**

**SAME**

**MORE**

**1%**

**87%**

**13%**





LINKING LAWYERS AND CLIENTS WORLDWIDE



Peer Review Rated  
For Ethical Standards & Legal Ability™

**PREEMINENT™**

Martindale-Hubbell®  
from LexisNexis®



**203**

# Firm Size

**50%**



**1-24**

**41%**



**25-74**

**10%**



**75 or more**

# Age

30+ years (Boomers)	38%
11-30 years (GenXers)	44%
Up to 10 years (Millennial)	18%

**65%**

**“Influenced”**

# Which Ratings Matter?

Martindale	51%
Super Lawyers	33%
Best Lawyers	27%
Best Law Firms	14%
Chambers	10%
AVVO	9%
LinkedIn Endorsement	8%

# Absence or Low Score “Hinder”?

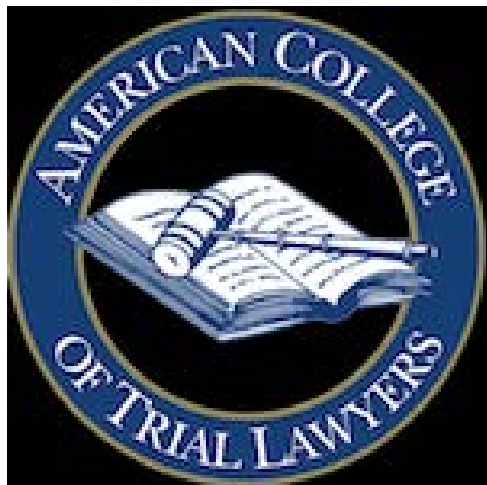
Martindale	78%
Super Lawyers	22%
Best Lawyers	21%
AVVO	21%
Best Law Firms	12%
LinkedIn Endorsement	12%
Chambers	7%

*AGTEC*<sup>®</sup>

THE AMERICAN COLLEGE OF  
TRUST AND ESTATE COUNSEL



American Board  
of Trial Advocates





**46%**

**“Influenced”**

# A lawyer's single most important marketing document



Call 855-801-3800 for a no-cost consultation

## ATTORNEY PROFILES

Christopher Mellino,  
Owner

CONTACT CHRISTOPHER NOW

Christopher has represented clients in medical negligence, truck accident, **wrongful death**, defective product, and birth and brain injury cases for more than 30 years. While with the firm Kampinski & Mellino, the *Cleveland Plain Dealer* said the duo “set the standard for big medical malpractice payouts in Ohio.”

Chris has been involved in several landmark cases, including *Moskovitz v. Mt. Sinai Medical Center* (1994) and *Watkins v. Cleveland Clinic Foundation* (1998). When he started his own practice, the Mellino Law Firm, he **obtained a \$12.5 million settlement** on behalf of a 51-year-old father of five who fell in a persistent vegetative state following heart surgery. Chris has achieved verdicts and settlements against all of the hospitals in the Cleveland area.

A member of the Multi-Million Dollar Advocates Forum, Chris has established a formidable network of experts to consult on cases. Committed to the highest standard of excellence, his peers have recognized him in Best Lawyers and Super Lawyers since 2009. Since 1999, peers have also bestowed Marindale Hubbell's prestigious Preeminent AV rating which is based on legal knowledge, analytical capabilities, judgment, communication ability, and experience. He is the author of the book *Was It A Mistake*, an in-depth guide to medical malpractice in Ohio. He previously served as chair of the medical malpractice section of the Ohio Association for Justice and currently sits on the board of the Cleveland Academy of Trial Attorneys and is co-editor of CATA News.

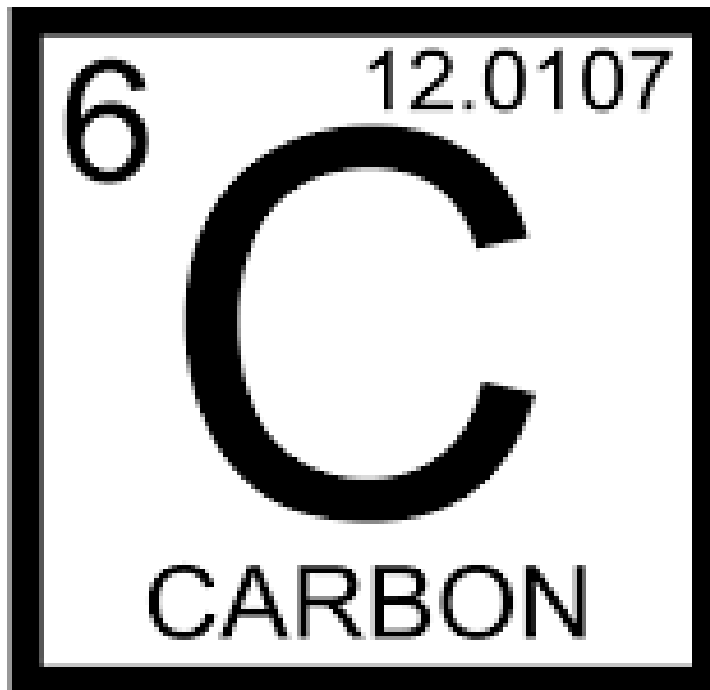
Chris founded and actively participates in a social justice scholarship program in Lakewood



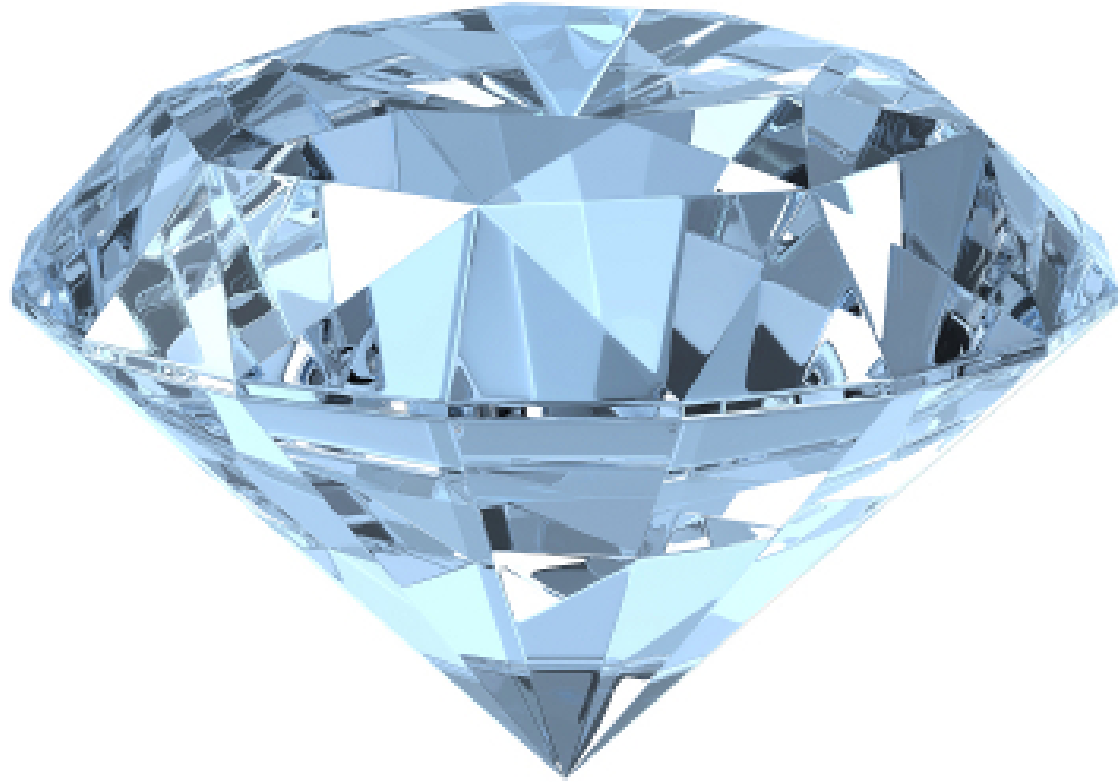
Our Team













# Why the effort is worth it

- 30% percent higher profits
- 7% higher billing rates
- 35% greater retention
- **Unprompted recommendations from GCs, executives and owners**



# 14,000

- 1989
- Longest known continuous survey of C-Level executives
- Defining expectation of their professional services providers, both lawyers and CPAs



455045

**ADMIT  
ONE**

455045

# “I’m a good lawyer”

- Having the skills required
- Meeting scope
- Keeping client informed
- Quality of work product
- Dealing with unexpected changes



# Nice to have

- Anticipate related needs
- Necessary additional practice areas
- Reputation
- Unprompted communication particularly about progress and deadlines

HELLO  
MY NAME IS

AVERAGE



# The 4 Rarities

- Understanding of the client's business
- Client focus
- Commitment to help
- Value for dollar

**“Beyond the bounds of a typical commercial relationship”**

# Understanding of the client's business

- Industry trends
- Regulatory environment
- Top competitors and their moves
- Visit their operations



# Commitment to help

- Match or exceed theirs
- Exceed the client's
  - Urgency
  - Investment of time and psychic energy in the matter



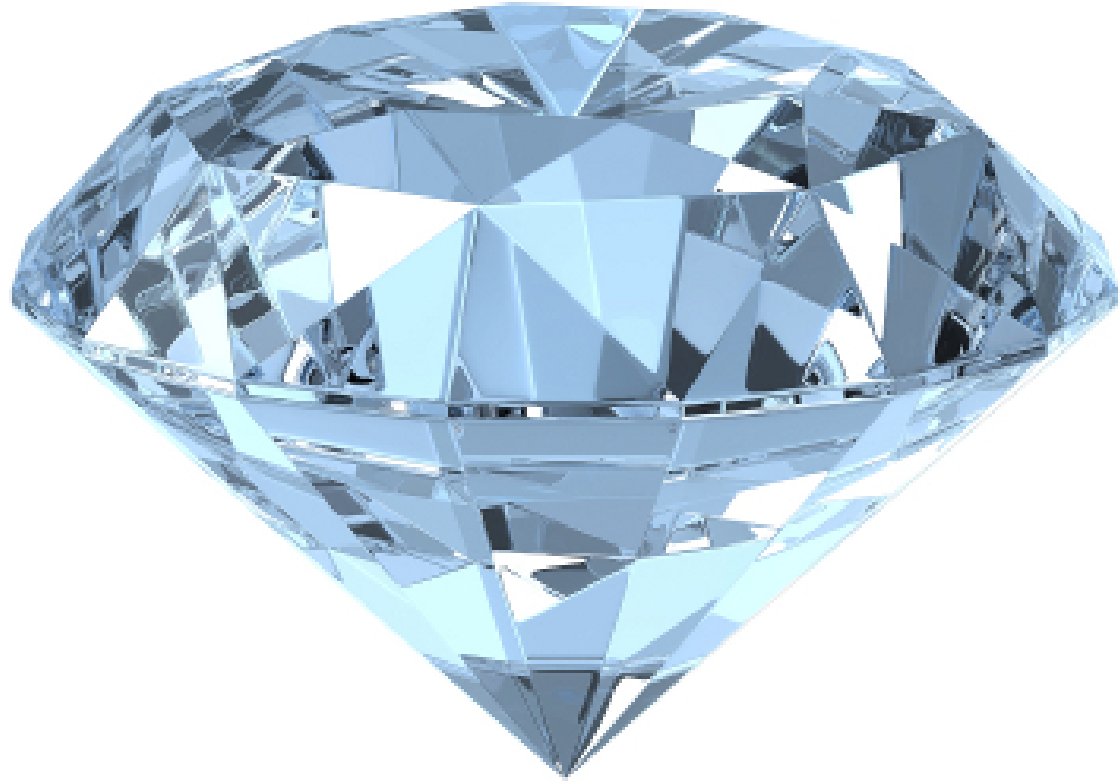
# Client focus

- It's not about the best legal solution
- Clients think it twice (or more) important you understand
  - Their business goals
  - Budget
  - Risk tolerance
  - That you reconfirm this as you go

# Value for dollar

- Universal benefit clients find valuable
  - Time they saved/will save
  - Costs they avoided/will avoid (without reducing your rates)
  - Risks mitigated
  - Better than expected outcomes











Huh?



**I**ssue (A kills B)



**R**ules (of unlawful killing)



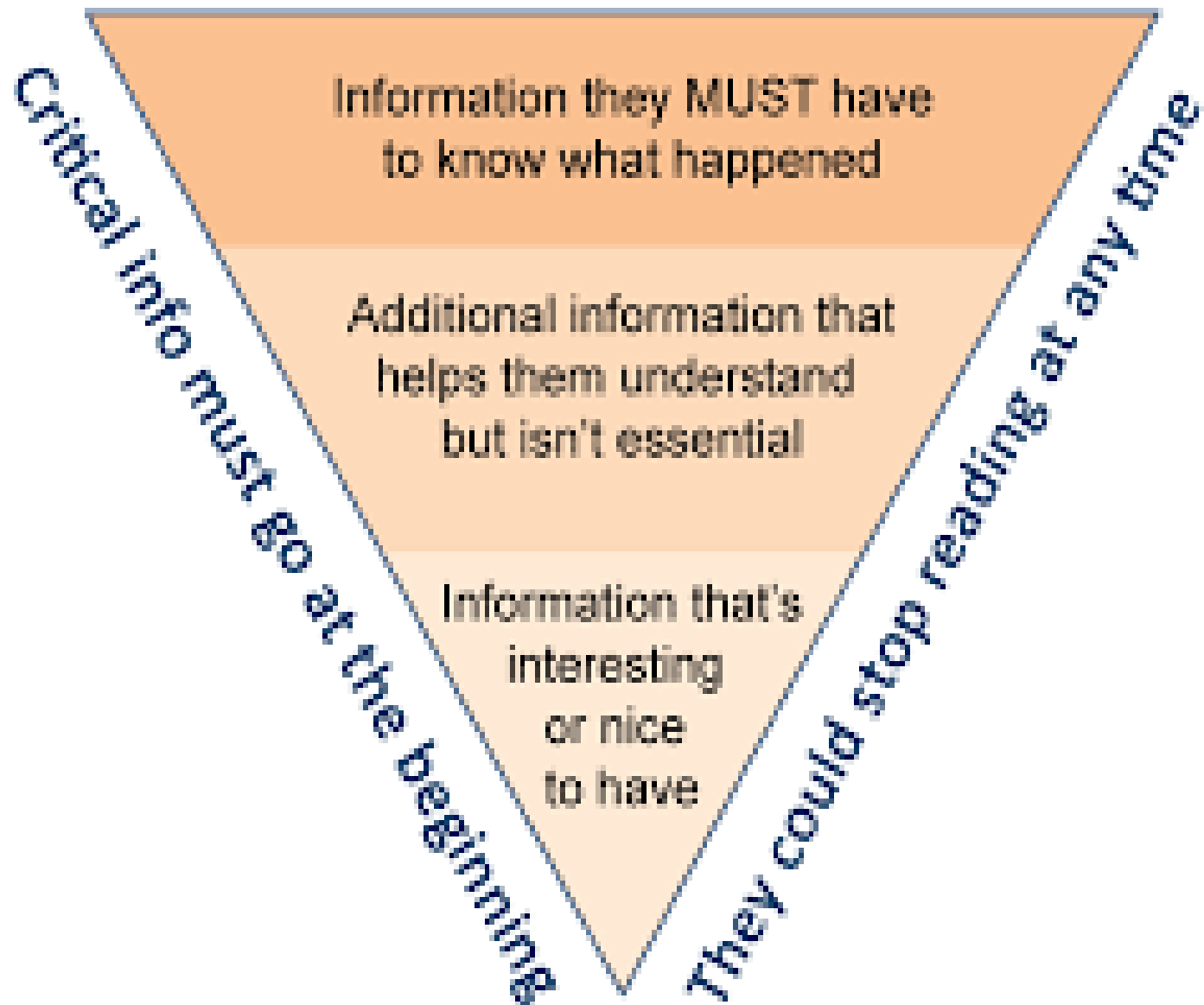
**A**nalysis (of facts and rules)



**C**onclusion (A is guilty or not)

**IRAC** Method: Analysis of legal issues in the light of rules, to reach a conclusion.

# Inverted Pyramid News Writing



# **Wisconsin Court of Appeals Finds Nonsolicitation of Employees Provision Unenforceable Under Restrictive Covenant Statute**

In *The Manitowoc Company, Inc. v. Lanning*, 2015AP1530 (Aug. 17, 2016), the Wisconsin Court of Appeals ruled—for the first time—that Wisconsin Statute § 103.465, which governs the enforceability of restrictive covenants in employment relationships, applies to employee non-solicitation provisions.

Non-solicitation agreements  
not stating protectable interests  
are now unenforceable

Employers should review their non-  
solicitation agreements and ensure they...

That's the effect of a recent state Court of  
Appeals ruling...



