

What's the next big thing in lawyer marketing?

A decade ago, blogs were in their infancy. There was no Twitter, no Facebook. I can even remember when *Bates v. State Bar of Arizona* was a landmark case. Today, lawyers think they might as well be cranking out pleadings on an Underwood with carbon paper if they're not tweeting, garnering FB likes, doing the LinkedIn dance, and hanging out on Google+.

What do you see as the Next Big Thing in lawyer marketing? What changes do you see happening in lawyer marketing, particularly for solos and small firms in the coming decade?

Drones.

Jeena R. Belil, New York

Facebook or Youtube

Sandy Van, Nevada

Video, for the following reasons:

1. Video helps personalize lawyers and law firms in ways that text cannot.
2. Many clients want (and soon will expect) lawyers to explain basic legal issues through video, rather than read text about legal issues.
3. YouTube is the second most-searched English site, behind only Google (which owns YouTube). YouTube has more searches than either Bing or Yahoo! People are increasingly going to YouTube to find out information in video format.
4. Once videos are made, they can be easily added to a firm's website, video channels (such as YouTube and Vimeo), social media pages, and other Internet properties. Thus single videos can be used multiple times to connect with potential clients throughout the Internet.
5. Videos are often being shown as separate Google rankings in the search results. For instance, in a Google search for "Dallas personal injury lawyer," there are 2 videos that are shown on the first page of the search results. Google seemingly understands that many of those searching on the Internet want to see information in video format, and thus their ranking algorithms reflect this belief.
6. Videos can often be produced at very low cost or free. Even an iPhone can be used to shoot video. Better video cameras are now available around \$300 or so.

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Full disclosure - while our company produces videos for law firms, we did not produce the videos that show up on a Google search for "Dallas personal injury lawyers."

Regards,

Jeff

Jeff Lantz

Great question!

I think that we are going to see a general trend in all business categories towards a "publishing model" of doing business. It's an reversion to the old "soap opera" model. Television shows were sponsored by a company as a means of building rapport with an audience.

Skipping over a lot of history, we now find ourselves in a place where there are thousands of channels on cable and hundreds of thousands of channels online. Podcasts, blogs and video are all really the same thing. They are content published by one person in the hopes that another person will consume it. And, the import of social media is that everyone has an audience. Andy Warhol was wrong. We are all famous, all the time. We are just "a little bit famous." Some folks are only famous with close friends and family. Others have huge audiences. But, we are all constantly producing content that is consumed by the folks who care about us or our content.

I think successful marketing will require a lawyer to select his intended audience and message with all of the intentionality that goes into crafting a commercial broadcast channel. We will have to define an audience and design content for their consumption. The same way that Oprah served as a daily guide to millions of viewers, introducing them to new products, ways of thinking, life tips, etc., we lawyers will have to serve as the "Oprah" for our audience of prospective clients.

I don't think we should get hung up on the "platform" - e.g. Twitter vs. Facebook, etc. We should instead focus on getting good at creating and curating content.

We need to be able to create a blog post, podcast or video with the same ease that we now create an email. And, frankly, it's all about video. There is a (stupid, as far as I can tell) television show that literally consists of broadcasting VIDEO of radio disc jockeys. Unlike Howard Stern's radio/television mash-up, this program is not specifically intended to include visual elements. It's a pure radio show, just broadcast on television.

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I think it's clear that video is the medium of the future. Print and audio will merely be platform-specific "shadows" of video. In other words, if you can't watch the video, you might read a transcript or listen to the audio. But, the video is still the lead medium.

So, the short version is this. In the future, lawyers will have their own "channel." Clients will hire us because they "like our show."

The specifics of how that plays out are not terribly important. Platforms will come and go. But, the general structure will look like this:

- 1) I hang out HERE. (One place.)
- 2) I publish HERE. (One place, probably your website.)
- 3) I mirror EVERYWHERE.

You could conceivably hang out and publish in different places for different audiences. But, that has to be done carefully.

I think that the key to success is to develop systems to create and publish the content easily and automate our interaction with the folks who show interest in our channel.

At least, that's my vision of all this. And, I feel so strongly about this that I recently took my entire practice and did the "upside-down Etch-a-Sketch" thing, starting over from scratch. That's not necessary, of course. I just wanted to make sure that there were no remaining vestiges of the old system interfering with the process.

Cheers,

David Allen Hiersekorn

I would predict a shift away from legal referral services and towards legal co-ops where each member pays a monthly fee for office space, receptionist, and TV/radio/print/website advertising.

Duke Drouillard, Nebraska

Thinking out loud and it probably makes no sense (LOL)

1) Cyber Counseling or Cyber Consult Centers! Clearly, I don't know what I'm talking about, lol, but with YouTube, Skype videos, gotomeetings, and google hangouts, i am waiting for a new wave of 'Cyber Counseling or Cyber Consult centers' where people can go and login and speak to an attorney based on a list of options.

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2) The Bridge (between Actual and Virtual)

When I see ads on TV, there is very little to no mention of how people can communicate via social media. Everyone is driven to the website and the person has to search. I expect to see more ads (TV, radio and print) that directs prospects to specific virtual resources that prospects can use.

3) The Virtual Law Firm Television Network! Wooo hooooo

Imagine if you broadcasted YOU litigating a case LIVE on your site as you do it. Talk about REAL TV. A prospect surfs the web. Finds your page.

And when they hit the home page, you are broadcasting LIVE. Talk about TRU TV

4) The Virtual Lobby

Imagine if a client could just walk into the lobby of your office but instead go online and go into a 'Virtual lobby' and meet with the attorney in a virtual office

Wait? You said What's the NEXT Big Thing? I'm trying to get caught up with the LAST big thing! lol

Anthony Reeves, Florida

My hubby just got his Galaxy S5 phone the other day and one of the things it has is the ability to create a virtual tour with pictures.

I am SO doing this when I get my phone. I am going to take a day when I am at both local hearing offices and create a virtual tour of their locations (because at least one of them can be hard to find).

I would love to do a virtual tour of the SSA online application but that would take way to much photo shopping then I care to do

Erin M. Schmidt, Ohio

+ 1 for video. Not just any video though.

I'm not sure if this is the future, but a future I'd like to see ...

I'd like to see legal services moving in the direction of education. For several years education has been experimenting with various online delivery. Throughout education you see a blend of online delivery and brick-and-mortar delivery. I'd like to see a future where legal services are blended.

For example, I've taken several MOOC courses on subjects ranging from Greek heroes to computer science. The structure of the courses allows the learner

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to focus on just those areas of interest and ignore other parts. I think MOOCS will continue to develop in a direction that allows for very customized learning and great autonomy for the learner.

Why couldn't a law firm develop a "course" on their area of expertise? There would be various methods for delivery, various methods for organizing the material. The only limitations would be the law firm's imagination.

Joshua Smith, Idaho

Great idea, Joshua.

Too often the focus of law firm videos are devoted entirely to promoting the lawyers and aspects such as client victories involving large recoveries. The less obvious approach, and one that may be more effective, is to provide the educational content that clients want, then they will be inclined to hire the firm.

Potential clients often want to find out information about their legal matter, and likely have many questions. What often works well is for lawyers to create short FAQ videos focused on answering specific questions (to the extent possible), such as "Who is entitled to bring a wrongful death lawsuit?" Lawyers can then speak to answer the questions, or (for some questions) talk about the various factors that may influence the answer.

FAQ videos should be short - maybe 30-90 seconds for most clients, unless the lawyer knows that his or her clients will want to see longer videos (videos designed to be seen by in-house counsel, for instance, might be longer). Most people only have attention spans for web videos for about this time, unless there are explosions or very cute baby animals involved.

Regards,

Jeff

Jeff Lantz

It may be an optimistic prediction, but it is possible in the next few years that lawyers will learn how to connect microphones to their computers. Some will learn to connect video cameras or webcams. A very small percentage will actually learn how to participate in a Google Hangout, zoom.us meeting, or Skype group video call, which is now free.

Mike Phillips, North Carolina

Video and visuals, and then apps in a few years.

Paul Perez, New York

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"apps in a few years" ????

:-)

Why should apps wait for a few years Paul? Just curious about your thoughts.

As a follow up, what types of app will we see in a few years?

Joshua Smith

There are websites now that help you create your own app and simply provide a platform. I thought about how cool this would be, but couldn't come up with any useful applications for my practice. Has anyone else thought about this at all?

Christopher Vaughn-Martel, Massachusetts

Compared to other small businesses lawyers are not early adopters. Some don't have the time to try new things, others don't care because they're happy with the way things are, and others just don't know.

My mom is in her 60s and got an iPhone this year. She's never been a computer person, but she's on her phone all the time now, playing games, texting and now on Facebook. And so are all her friends.

With the use of apps, small firms can be within arm's reach of clients and potential clients, solving their problems and answering their questions 24/7.

It's really the ultimate marketing tool.

Paul Perez

Paul,

I agree. Lawyers are not early adopters. If you've read the book "Who Moved My Cheese," lawyers would actually be a fifth kind of mouse - a mouse that waits until the cheese has been moved and then goes to where the cheese used to be.

There is a reason that the only people on the planet who use WordPerfect are lawyers. If there is a rotary phone still in use today, I can assure you that it's on a lawyer's desk.

Cheers,

David Allen Hiersekorn

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David,

How did you know that there is a 70 year old rotary phone in my office. . . next to my cordless phone will all the bells and whistles? It is still funny to me when they both ring.

Audrey Kravets

Can you suggest a good website to look at for doing this?

Phil A. Taylor, Massachusetts

Oh Family law app

An app that lets you plus in your parenting plan times/holidays and tells you when you should be getting your child and allows you to collaborate with the other parent to change times, also allows you to put on the "joint" calendar things like doc appointments, ball game,s school activities etc

Camera portion where they can take a picture of a receipt and send it to the other parent for reimbursement, and it also logs the receipt into the app and then they can mark it paid

If you have form calculations for your state for child support, put that in there

for divorce you could also include an inventory section and if you have to do financial forms for court, you could have those on there and a way for them to then email the completed information to you

Erin M. Schmidt

On estate planning

What about an app that does like a mini family tree where they can put in pictures of people and then if they want to make a specific bequest of something to them they can take a picture of that to "associate" with the person. Then the information gets sent to you to create the "documents" and the photographs can then be used to document the inventory and so everyone knows the exact piece

Erin M. Schmidt

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The family law and estate planning apps sound like great ideas, Erin. 'Sezzer Jimmy Verner has already developed apps (see <http://www.vernerlegal.com/>). You should find out how he did it and get started developing your own. You could use them in your own practice and sell them to other lawyers (offering the ability to brand the app with their firm info).

Also, not sure why you said that doing a virtual tour of the SSA application would require Photoshop skills. I think this is exactly what Anthony Reeves is doing (see the recent thread he started with the subject line "Has anyone ever created a youtube video with audio and a pdf document?")

Lisa
Lisa Solomon, New York

Because the only way into the application it appeal process online is to use real info, thus you would have to redacted it all out

Erin Schmidt

Here's one website for Mobile Apps. <http://www.businessapps.com/>

Of course you could also go on www.elance.com and hire someone to build you an app.

Paul Perez

Erin,

This app sounds like a great idea. Please let me know when you have it built. I'd love to see it in action. :-)

Others interested in apps,

Rather than making apps that run on particular devices (Android apps, iPad apps) I think we're much better off focusing on apps that run on browsers, web applications. Browsers are here to stay; everybody has one; they don't require any special coding.

I'm going to propose that our legal apps of the future will be browser-based applications. That means the languages we need will be HTML, CSS, Javascript (jQuery), and PHP.

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I also think we should focus on the types of *processes* that can be automated by solo and small law firms. We're not going to build the next Watson or be able to dabble in artificial intelligence. Nor do we need to. There is plenty we can do without advanced programming.

Here are the types of problems that can be automated:

Conditionals ... if, then
Loops ... For each x, do y
Functions
Variables
Processes that require databases

Just my .02.

Joshua Smith

Here are three other mobile app tools. I haven't tried these out but definitely will report back when I do.

- IBuildApp.Com <<http://www.ibuildapp.com/>> - Platform That Allows You To Create iPhone And iPad Apps.
- MobileDevHQ.Com <<http://www.mobiledevhq.com/>> - Mobile App Marketing And Promotion.
- ShoutEm.Com <<http://www.shoutem.com/>> - Easy-To-Use Mobile-App-Creation Software.

Paul Perez

I'd love an app that would force the parties in a custody case to act like adults.

John Davidson, Pennsylvania

+2 for video. Â

But I also think that lawyer-on-demand service will be a new thing too. Where you can pay a lawyer to give you advice over your phone or computer for 5 minute increments at an affordable rate. Lawyers will be pooled and take questions live when they are available and want to make some cash.

Brian W. Freeman, California

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Product placement in movies (as seen on the Greatest Movie Ever Sold).
Dwayne Allen Thomas, New York

Ditto! It's especially needed when the opposing party in the custody case is pro se!

Pawnee A. Davis, Washington, D.C.

I'm not sure that the difference will be in marketing or business models. But I see potential for Pocket Lawyer - a text app where you can ask a lawyer on call basic Qs before entering into a transaction (there are a few similar emerging models now in medical profession). This will be used for the pro bono crowd as well - since so much pro bono work consists of one off projects that don't cure the underlying problems - language gap, lack of education, feeling of desperation - that give rise to the poor decision making to begin with.

I know that we've been saying video is the wave of the future for years but it still seems to be a slower moving creature than blogs - though I suppose if you look at the recent online world successes, they often come out of YouTube (Gary V, teen girls doing "haul" and segments, etc..)

Carolyn Elefant, Washington, D.C.

The real problem is not a lack of technology. It's that--unlike doctors and many other service providers--there is a relatively low correlation between "perceived difficulty," "perceived value," and "perceived need." That is not true for law.

To continue with the medical analogy, most people innately understand the difference between "really sick" and "just a head cold." Similarly, most people are at least somewhat capable of attending to their own bodies, and recognizing a substantial change.

However, most people don't know enough to understand the difference between "exposure to mandatory triple damages and attorney's fees" and "just something which we can agree on, so long as both parties put it in writing." How could they? The most folks might know is "you can agree to anything in writing." Even if we're pleased that at least they thought to write it down, how can we expect them to know that there's an exception in Mass. for landlord/tenant law, and for consumer law, and for employment law, and for....

The majority of layperson clients, especially those who are looking for low-priced legal services outside litigation, have almost no idea about what their problem actually IS. And sure, for an ongoing client relationship you can set things up so that they can call you and you can explain things in advance, but that doesn't work for on call clients.

Have you ever met a client who thinks they DON'T have a "simple will?" Do you really want to spend 10 minutes for \$20 explaining why the "simple will" isn't actually simple, if you know that in the end they're merely looking to "get it done for \$150?" Do you seriously think that the time spent explaining that to a

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ton of people, which also requires you to generate and deal with content, is going to be more profitable than serving only a few normal estate clients?

Forgive me for saying it, but most of the people who seem to be talking about the beauties of technology appear to be people who make money off of people who use their technology. It's a bit like the marketing folks. I have the tech chops to get as high level as i want, but I'm generally highly unimpressed by the advice that folks are giving w/r/t tech.

What's an app going to do for my clients? Nothing, really. There are certainly things I can do--I'm about to set up secure document access, for example, so that i can more easily share documents with clients. But although I get a decent proportion of clients online, even most of those folks are not necessarily especially savvy--they have browser issues, and web issues, and lose passwords. At some point I can look at the time to set up and maintain a secure document system and say "feh, it's cheaper and safer and more effective to use FedEx, faxes, and the occasional as-needed encrypted upload."

So as for this:

What do you see as the Next Big Thing in lawyer marketing?

Call me nuts, but I think that that marketers are pretty much the last people who we should be asking. They're generally untrustworthy and give atrocious advice. While I'm sure that there are a ton of people ready to announce their solutions complete with wonderful cath phrases of the moment ("access to justice" is a big one, pointless though it may be) the phrasing of the question and the primacy it gives to the "book cover" rather than the "book content," is evidence that the answers won't be worth much.

Erik Hammarlund, Massachusetts

Have you heard of concierge medical care? It would be an interesting addition to this discussion.

I got a call quite some time ago from a company surveying patients of my doctor's medical practice to get our opinions on whether they should offer concierge service. I said no, mostly because our doctor is a very good doctor, things run very smoothly in his practice, and they are very responsive when needed. I didn't see why I should want to make changes to something I think is already excellent. Anyway, those considering offering different packages, you should compare for ideas.

Summary, followed by link:

There are typically three primary types of concierge medicine business models practiced today. Variations of these models exist, although most models usually fall into one of the following categories.

The Fee for Care (FFC™) is an annual retainer model, where the patient pays a monthly, quarterly, or annual retainer fee to the physician. The retainer fee covers most services provided by the physician in his/her

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office. Often, vaccinations, lab work, x-rays and other services are excluded and charged for separately on a cash basis.

The Fee for Extra Care (â€¢FFECâ€¢™) is similar to the FFC model, however, the additional services are charged to Medicare or the patientâ€¢™s insurance plan. Some of the benefits and services typically included in these two retainer models are: same day access to your doctor; immediate cell phone and text messaging to your doctor; unlimited office visits with no co-pay; little or no waiting time in the office; focus on preventive care; unhurried atmosphere; cell phone, text message, and online consultations; prescription refills; and convenient appointment scheduling. Many FFC or Retainer plans may be purchased with pre-tax dollars utilizing HSA and/or FSA accounts attached to patients' insurance plans.

There is also a Hybrid concierge model where physicians charge a monthly, quarterly, or annual retainer or membership fee for services that Medicare and insurers do not cover. These services may include: email access; phone consultations; newsletters; annual physicals; prolonged visits; and comprehensive wellness and evaluations plans. For all covered services, these providers will bill Medicare and insurance companies for patient visits and services covered by the plans.

[4]<http://en.wikipedia.org/wiki/Concierge_medicine#cite_note-4> This model allows the physician to continue to see their non-retainer patients while providing their “concierge” patients a fee for the increased or “special” services. Some concierge practices are cash-only or â€¢directâ€¢™ primary care practices and do not accept insurance of any kind. In doing so, these practices can keep overhead and administrative costs low, thereby providing affordable healthcare to patients.

[5]<http://en.wikipedia.org/wiki/Concierge_medicine#cite_note-5>
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Donna Ireland (paralegal)
