

Reading Prospective Clients

So, I've learned that some clients are looking for a certain personality type in a lawyer. For example, some folks are looking for the bulldog in-the-ring type, while others are looking for the hand holding type.

I'm more down the middle in my consultations. I try to be professional and straightforward, so I probably don't come across as a bulldog, and I might seem cold to the ones looking for a hand holder. But some people seem to like my straightforward, honest approach and feel that they can trust me and that I'm not one to BS them around.

But I also lose clients because I'm not matching their preconceived notions. How are we supposed to know what the client is looking for when the phone rings or they just walk in the door? I think that would be tantamount to mind-reading, which I don't think is possible.

What do you think?

That's a feature, not a bug. :)

Your marketing should be done in your own personal style and personality.

When the PC picks up the phone to talk with you or walks into your office, they should already know what you're going to be like and how you're going to generally approach their case.

The ones who want the bulldog should never call you, if that's not your style.

Let's say you *could* read their mind (or maybe just had a smart phone intake person who asked slick questions to figure this stuff out)... If the PC wanted a bull dog lawyer, would you actually change your consult style to try to portray yourself that way?

Let's say they hired you after that consult. What happens when you don't actually act like a "bull dog" lawyer? You're going to have an unhappy client.

To the more subtle point here - one of the single best questions I've learned to ask: "What are you worried about?" I can tell the PC all about the law, how their facts might play out in court, and what their punishments might be. But maybe this individual PC is just worried about going to jail and doesn't care about anything else. Maybe their case has no realistic threat of jail. If I can find that out and reassure them that they're not going to jail, I'm the hero right off the bat!

Andrew Flusche, Virginia

Are you asking how to be everything to everyone? IMHO, a good match for a lawyer isn't just the person being a prospective client. I want clients who can work with my practice style and personality, not ones for whom I would have to turn myself into a pretzel. That has never ended well for me.

Deb Matthews, Virginia

I'm just wondering if there's something I'm "missing" in this sales game.

Jason T. Komninos, New Jersey

You aren't missing anything. You want to "sell" only to the people who you want as customers. You don't want to sell to the general public. You aren't Walmart or Target.

You aren't Petco. A buddy of mine owns a pet store in town. He is small.

His prices may be a bit more expensive. But, if you want to walk in, have a question, and get an answer, he is the ONLY place to go. He understands that. He doesn't want to sell everything to everyone.

You are the same. I don't want someone who wants an attorney in a suit and tie every day. It isn't my style. I don't want to change for a client. I also don't want a client who expects me to drop everything in the middle of my son's soccer game to call them. It isn't happening. So I am up front with them. I get a

LOT of referrals from other lawyers. I tell these people what to expect. If they don't like it, that is okay. They can find someone else.

Just figure out who you are and who you want to represent. Then be yourself and target those folks.

Jonathan Stein, California

Wise advice by Andrew Jonathan and Deborah. Others may be more successful at converting meetings with prospective clients due to their personality or their salesmanship or physical appearance (Raymond Burr Perry Mason) than you. Although maybe the salesmanship talent in this regard could be taught (?).

Roger M. Rosen, California

Rather than a bulldog or a kitty cat, in my experience, potential clients are looking for a lawyer who is confidence. Do you convey a air of confidence to your clients? Get someone who will tell you the truth to evaluate you. People hire lawyers because they want to solve a problem. How can you solve their problem?

I've always said that many lawyers leave a lot of money on the table because they're not salespeople. The practice of law is as much about sales as it is about the law. My previous sales training has served me well. I would trade the knowledge for anything. There are lots of books and courses on marketing a law practice, but I have yet to find one that rolls up its sleeves and calls the challenge what it really is: sales. Maybe I'll create one. Jonathan and I have created Marketing groups, but they unfortunately died out over time.

If I ever left the practice of law voluntarily or otherwise, I could make more money in sales.

Mike Phillips, North Carolina

Depends on the area of law, to an extent.

I've got probably a 98 or 99% 'closure' rate for ordinary probates; defined as "IF the client needs a probate in Florida then they hire me to bring the probate". Not everyone needs a probate; a significant percentage of my meetings result in me telling potential client, "you don't need a probate, take the death certificate to the banks, etc. transfer the accounts, take it to DMV transfer the car, record the death certificate in county records and that will transfer the house". I spend 10, maybe 15 minutes with them. I don't count that as a lost sale because they don't need a probate. And if turns out there is some sort of later discovered asset that does need probate, they'll call me back and I'll sign them up.

Now, I'm talking ordinary probates here.

Sometimes I get inquiries on 'different' probates, maybe something is already open, maybe it's contested matter, and I evaluate the law, the facts and the client; sometimes it's something normal; client is being asked to sign a waiver and consent to something that is perfectly routine (where PR is nominated in will or is entitled to preference in appointment); sometimes it is very hinky and I say "Woah, Nelly, lets talk about this" (client being asked to sign disclaimer of her interest in estate which would deprive her of any inheritance); but sometimes it's person who doesn't like what's going on and they want to contest Every.Single.Thing. Which they are almost certainly going to lose, or they don't have standing to contest it, or they want to turn it into a 'family law' case; I'll decline representation in those cases. In other words, client has unrealistic expectations of what I can do. You get a read of the client (usually; hopefully, sometimes you don't, you take the case THEN the client turns unrealistic).

Ronald Jones, Florida

I usually ask people about their issue and tell them how I would handle it. After thirty years, I think I do convey a lot of confidence. I usually sell people on my way of dealing with the case.

Why don't you ask them about their expectations when you first speak to or meet with them?

Andrea Goldman, Massachusetts

That's a good idea. Thank you everyone for the advise and reassurance.

Jason T. Komninos

I think Mike hit it right.

Are you a sales person? Do you like sales? If not, you are going to "lose" a few more clients than our fellow lawyers who are naturally sales oriented.

That's okay.

I take the handholders, the people who need explanations, and the ones who just want everything to go smoothly. The really litigious folks and the ones who want to fight over every penny that the creditor lists on a proof of claim just aren't going to pick me, and that's fine.

Now, if you aren't reaching some of the people you want to reach, maybe there's a reason for that. Try recording yourself during a fake consultation. Do you seem confident or unsure? Are you listening to the client? What does your body language say? My former boss used to lean away from people (asserting control) and was very direct when it came to pricing and what he could offer. It took me years to get that direct. My price is X. Unfortunately, no I can't lower it. I'm so glad attorney Y quoted you less. Feel free to go with them. Oh you like me better?

Great. Still X. Here's the retainer.

Corrine Bielejeski, California

I agree with what others have said about knowing the type of client that you enjoy working with and about knowing yourself and being true to who you are. That said, what I'm hearing from you is how can I better read what things a potential client is looking for in a lawyer and, if they are in my wheelhouse, how do I communicate that to the client.

I have represented a wide variety of clients. Some clients are "just the facts" folks. They don't want to talk through the pros and cons and their options. They want my recommendation in a short and sweet manner. They don't want to be bothered by repeated updates. On the other hand, I've also represented clients who want to understand what is happening, why, potential options, pros/cons, recommendations, etc. They want to wade through the case with me at their side, guiding and explaining everything along the way. There are countless other variations. I consider one of my strengths to be my ability to adapt how I communicate to what the client needs.

Getting to your question (or at least my interpretation of it), I think a lot comes down to being able to read the client, situation, and legal needs. Often, it's a matter of asking the right questions, and enough questions, and then really listening not to just the answer but all the verbal and nonverbal cues that come with it. For example, a hesitation can tell you more than the "yes" answer you receive. I find this easier to do in a face to face session (either in person or video chat) but have improved my ability to do the same over the phone.

I prefer to think of it as me having a closet-full of options, each of which are true to me and comfortable to wear. I am me whether I am all dressed up or heading home from the gym. When the client wants a high-powered, formal lawyer, I would choose the "suit" version of me -- using more sophisticated language, perhaps subject-specific or industry-specific language or abbreviations, discuss things in a more cut-to-the chase manner, and so on. I would stress those experiences I have that fit that style they are looking for.

For example, I might mention that I have worked with clients with billions of dollars in annual revenue, international operations, many lines of business, and that I have achieved (or avoided) large settlements or closed on large, favorable deals. If the client is a bootstrapping entrepreneur, they may be put off by the "suit" version and instead want someone who understands tech, knows the entrepreneur lingo, and can explain the legal in a way an engineer can understand. They may be more of a business casual (or even jeans and t-shirt) client. I need to impress on that client that I am approachable and will meet them where they are; that I will make them feel comfortable and supported, and that questions are welcomed and expected.

I hope that helps. I'm happy to talk with you about you, your practice, your particular strengths, and the clients you want to land.

Kristin Haugen
