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Cold Calls Script

After a thorough search of the archives, I am finally getting the guts to cold call. I need to build my business up, and I think this might be a good technique for me.

What would you think if you picked up the phone and someone said this to you?

=====

Hello, _____. My name is Andrew Flusche, and I am calling to offer you my assistance on a contract basis.

Your legal research and writing needs are prime candidates for outsourcing, allowing you to focus on other duties. I also have availability to take on overflow matters in intellectual property, wills, and probate.

Can I buy you a cup of coffee to see if your practice has needs that I can meet?

=====

I'd love your constructive criticism.

Andrew

I'm actually in the process of drumming up business myself. What I've done is create a "press kit" with a resume, bio with headshot, and cover announcing the expansion of my firm and the ability to accept outsourced work

I decided to do it this way to have the personalisation of the photo as well as the followup of a call after the initial letter.

rai111

Why would I give you the time of day? Seriously. What about that makes me think:

- a. I should talk to you more than the 30 seconds it takes you to get that out;
- b. you have any competence or skill at this;
- c. you know anything about my practice or what I need;
- d.) you are different than the 100 other telemarketers who call me in a week.



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You need to give me some reason to want to talk to you. This doesn't do it. All this does is make me think "Some young lawyer out there opened his own firm and is trying to get work before he goes under." This is not the way to go at all.

If you want to do this work, google "Legal Research and Writing Pro" by Lisa Solomon. (You can also find her on solosez.) She knows how to market this type of work.

Jonathan

Agreed. You sound really desperate, and give no reason to hire you at all.

Drop the sales routine and be honest. You'll get much better results by going to a bar section meeting in your practice areas, meeting everyone, and calling them to have lunch saying "I'm a new, young lawyer and I've just opened a practice. We met on XX-XX-XXXX. Can I take you out to lunch and pick your brain?" In other words, lawyers loved to be asked for advice, so you should do that and then casually drop in you'll take contract work.

I assure you this: there is no lawyer sitting out there thinking "I wish a random person would call so I could pay them to do work for me." There are plenty of lawyers (myself included) who would love to find someone reliable, but I'm not going to hire you off the street with that kind of cold calling.

Also, for what its worth, I've always thought lawyers who don't want to be legal research and writing contract lawyers (some lawyers want to do that and more power to them) should never do it to pick up extra cash. You are much better off marketing your practice then making, what, \$50 or \$60 an hour doing contract work?

As an aside, if you're hurting for work, I think you're insane to restrict yourself to trademarks, wills and probate (if thats what you do).

Best,

John Butler

I very strongly disagree with the views expressed here. While I think that the proposed pitch could use some work and incorporate John's suggestion about "picking your brain," I have nothing but admiration for lawyers who make cold calls. I am far more likely to make time for someone who has the guts to get on the phone and call me and someone who has the stick-to-itiveness to do whatever it takes - including a cold call - to get their practice off the ground.

Also, as it happens, I sometimes do have contract work - small matters - that I need to outsource. If a lawyer doesn't tell me that he/she is looking for contract work, I won't offer it because I'll assume that they're not willing to work for 50 percent of their hourly. In addition, if you are short on cash, making \$50-\$60 an hour for projects can help you get started - I

think that it's a very sensible part of a business plan.

In short, what would make me want to hire someone who calls me for work? The very fact that they had the guts to make the call.

Carolyn

Marketing professional services is a "know, like & trust" game. I think your approach will turn people off. IF you are going to try a cold call & that's if you really have persistently and consistently been practicing your "what do you do" answer, getting out of your office to meet people, going to association and other meetings, speaking where you can, getting published, creating alliances with other professionals that serve the same market & following up on every contact- then try connecting with the simple objective of getting a "next date". Do a cold call with the objective of beginning a relationship, rather than getting work- you'll have more success in the long run.

As an example, ask for an information interview to get some advice on how to create a practice. Most people are willing to help if you ask for it. "I've noticed that you are a "go-to" attorney in the area of _____. My practice is new and I'd love to get your perspective on what I should be doing now. Would you be willing to spend a half hour or so to tell me how you built your practice?" Ask for a face-to-face, offer to come to their office to make it more convenient, or ask them to meet for coffee or lunch. If they are too busy, ask if you can call back in 2 weeks to see if their schedule has cleared somewhat. In another conversation you might explore how they balance their workloads and ask them if they might consider using your services. OR- they'll give you even better advice.

My instinct is not to do the "can I buy you" thing; it changes the tone. The objective of the first contact is to start a relationship and get permission for the next one. And, by the way- that's the genuine objective, don't expect work, go with curiosity, listen and learn. Be genuine.

I think the latest data shows that it takes about 7 contacts with a prospect before they become a client. Most people give up WAY too early. Look at your calendar, look at your contact list- have you been doing everything you can do to be out in the world as a lawyer, talking to people about what you do and demonstrating your expertise? If other lawyers are your target audience, then where are they meeting, what do they read, who do they work with? What do they really care about? Get a good understanding of their problems and be the solution.

Might also find another lawyer and hold each other accountable for moving forward, reviewing each other's plans, etc. Support can be everything.

Best, must go wake up the 9 year-old and get some coffee going! If I can help, don't hesitate to be in touch. (See, people do want to help!) with a smile,

Barbara Nelson

Hi Andrew,

As a marketer and writer, I would agree that "cold calling" is not the way to go. Warm calling - following up after initial contact is a much better approach. Putting together a marketing kit that includes a bio and resume, networking is all good advice. Marketing is truly about engaging your audience and you do this with a targeted, authentic message. You are on the right track but just need to fine tune your methods.

I wish you much success!

Karen Swim

I guess it goes to show that cold-calling could work, but you're going to get a lot of rejections for every person like Carolyn that you run into.

I, for one, LOATHE cold calls. Chances are I wouldn't listen long enough to find out what you're selling. If you got me to listen, I'd be annoyed at you for getting me to listen to a cold call.

Much better approach, in my view, is a letter (perhaps with various enclosures -- resume, writing sample).

Patrick W. Begos

I doubt this phone cold call would be much more effective than a well written letter. In terms of your time unlikely to be as cost effective.

If you want to cold call, go whole hog. Go to the office. Give receptionist your card and say that you'd like to introduce yourself to Mr _____. If you don't get in, thank her and ask that she give your resume for him.

If you get in. Don't sit down unless invited. (That gives you control.) Introduce yourself, say what you are looking for --why you can do it --how you can find ways to help.

If you are not invited to sit, Thank him and leave. Don't beg. Don't sell. If there is a glimmer of interest, ask if you can send more info as a follow-up.

If invited to sit and there is real interest, DON'T BE AFRAID TO ASK THE CLOSING QUESTION: "Is there something I could work on now as a way to help you?"

Always talk in terms of "helping." Better yet, "helping with deadlines" implying he's competent, but busy. "Helping," that's how you want him to remember you--the go-to guy when things get hectic.

John Page

I think that there is merit in what Carolyn is saying (who, by the way, wrote a good section on cold calling in ABA's book, "How to Capture and

Keep Clients"). I used to be in sales, where everything is measured by ratios and numbers. Everything is a numbers game. People who increase their sales calls make more sales--period. True, you have some people who have a higher closing ratio than others, and that is the ultimate goal, but you have to start somewhere. There were times that I won sales merely because I was the only salesperson who had the guts to call on the prospect; perhaps the other salespeople thought that the prospect was inundated by sales calls so they didn't bother to make the effort.

As far as constructive criticism, maybe you'll get more bites (as one person said) by asking for guidance on setting up your practice--offer to take them out for lunch instead of coffee. That may be a greater inducement for them to meet you. Make sure you have cards made up to give them. Ask if they know of anybody that may be looking to outsource work at the moment. Make sure to send out thank you notes if they do meet you. I don't think you'll have any problems.

Doug Harhai

When I first started, I put on a "what to do if you get arrested / what to do if you get pulled over" at a local college that was well-attended by students and that led to a nice amount of business. If you have a local college, offer to speak to writing classes about copyright (with a large stack of business cards of course) or business classes about the importance of corporate formations and trademarks. If you want to do wills and probate, call up the local PTA and offer to do a free presentation at their next meeting on protecting your wealth for your children, etc...

Get out of the office.

You may be right about the contract lawyer thing. It seems to me though that building a practice is hard enough without distractions - and that completely focusing on your goal is a prerequisite. I'd just be scared I'd spend my time on that and wake up 2 years later with a thriving legal research and writing contract business and wonder what happened to my other clients (not that there is anything wrong with a thriving LR+W business, just it might not be what he is setting out to do).

As a final thought, I think your website could be changed to better attract clients. Lose the picture of yourself, you look too young. Add a picture of the area you serve that is easily recognizable to give people a feeling of home when they come to your site. Nothing wrong with the picture, you just look like you are 26 or so and inexperienced. Also, I'd remove the thing about the blogging contest. Clients don't care and it makes you seem like you have alot of time on your hands.

I'd also remove the part about practicing out of your house. Consider getting into a "real" office, especially if you are going to do criminal work. I'd put that you went to UVA on the front page in big letters. That means everything in Virginia (like Tulane in New Orleans - instant credibility) and everyone knows it is a top school. Don't put your year of graduation.

I hope this helps.

John Butler

I got to say, I get REALLY annoyed by cold sales calls. I'll be barely polite long enough to tell them no, thank you; if they don't take the hint then I get REALLY very impolite very quickly.

I don't see where someone is going to impress me by taking up my busy time o pitch something that I didn't ask for, that I've given no indication that I want, and that I certainly have given no indication that if I wanted it, that I'd want it from THEM.

They really leave a bad taste in my mouth. And, if it's an attorney who's pitching me to hire their services, the thing running thru my mind is Dang, they must be awful desperate to be making cold calls.

I just can' t imagine hiring someone from a cold call.

Ronald Jones

My two cents: While I think cold calling might be hard to do (my introvert speaking, but that was another thread), I know that some law offices would love to have a place to outsource overflow cases to. They want to maintain their position as a go-to firm for that area of law, but sometimes just have more work than they can handle at a given time. So if a lawyer has specific areas where he or she is willing to handle cases referred to him by another law office, it certainly doesn't hurt to let those other offices know of the availablity of the service. I see a lot of such referrals in specialized areas of practice (social security, workers comp., immigration, other), and have no doubt there are others. Whether you do it by cold calling or networking with colleagues or some combination of both, if you are willing to accept peer referrals, let people know. An alternative to calling might be a nice letter with information about your expertise and a business card followed up by a short phone call to selected law firms that you think might have overflow business.

Rob Reid

> "" I just can' t imagine hiring someone from a cold call."

> Right, many people can't. When I get telemarketing calls, I hang up the
> second that I hear the pool of cold callers in the background; but
wouldyou consider letting him buy you lunch if you would give him some
advice on starting up a practice? Do you see the distinction? And, why
are you so busy? It is because you have found out how to make a practice
work, and that first involves getting clients, and that is the knowledge that
he is seeking. You have to eat--why not eat lunch for free and make a
potential new friend/referral contact at the same time? Maybe Andrew
refers a medmal/PI case to you the next week, you never know."

But see, that's not the scenario I understood as being asked. It was if
someone called you up out of the blue offering contract services. Now,

someone wants my advice for starting up a practice; I'll blather on for hours. I've been doing that for years on this list. But that's not what the question was.

I would strongly recommend, if you are opening up an office in a small town, visiting the offices of other lawyers in town and at least dropping off your business card and introducing yourself. In person. That's different. I did that; I got cold shoulder from one lawyer, lukewarm reception from one, and very warm reception from a third. And lawyers who have subsequently opened in my area, if they come by I'll be happy to spend the better part of an afternoon giving them advice; particularly if it's a slow day, as to where to locate, what to buy, who to hire, where to advertise, how to advertise, and I'll offer whatever forms I've got. If they need something, call me up and I'll shoot it to them via email; or if they want to pick thru my Nichols cyclopedia, just call me and I'll let them come in and browse. Whether they buy me lunch or not. Heck, I bend over backwards for people on this list, none of whom I've ever actually met and frankly, it is very unlikely I will ever meet any of them. But I'll help because its The Right Thing To Do, even though I will practically never actually get anything out of it (once in a while someone will shoot me some business, and I appreciate it, but that's not why I do it).

Remember, I said I was busy: it does not necessarily mean that I'm busy with paying work. A lot of times it is, but sometimes it's down time. But given a choice between perusing the current issue of The Economist or talking to someone who I don't know who is trying to sell me their services of unknown quality, guess what, I'm busy. I'm busy reading the economist, maybe, but as far as the cold caller goes, I'm busy.

Ronald Jones

I've been reading through this thread and wondering why all of the answers revolve around marketing one's services to other attorneys. Why not market to a client base rather than a colleague base? I realize that his initial cold-call script was to sell his services for contract work, but I'm guessing that the overall idea is just to get more work. I'm happy to talk with and meet colleagues, but wouldn't my marketing efforts be better spent if I targeted potential clients?

Nanette J. Gould,

If you can find a way to do it ethically, sure; but the professional rules make it very difficult to do direct marketing, at least here in PA. You can't call anybody directly, can't meet anybody face-to-face (with limited exceptions), so you are really limited to sending letters, emails, etc. There are no such restrictions on soliciting other attorneys because the law presumes that attorneys are sophisticated enough that they are likely to be immune to our Svengali-like, client-retaining powers.

Doug Harhai

If you are a lawyer, be very very careful about soliciting clients, especially

with direct contact or calls. Double check your jurisdiction's ethics rules about soliciting clients.

Naomi C. Fujimoto

I wasn't necessarily talking about cold calls or direct contact. I was thinking more about social networking, handing out your card, website SEO, etc. I realize the thread was about cold calls, but I was talking about where to focus my marketing effort and dollars. Sorry for any confusion. I'm really just saying that I'm not sure how having a huge network of other attorneys is going to result in a good source for clients. In my opinion having non-lawyers who know me and who know I'm an attorney seems more likely to bring business my way.

Nanette J. Gould, Esq

I'm not sure what's wrong with coffee or lunch if you're trying to get acquainted with colleagues that you want to get to know you, I would think most people wouldn't mind getting out of the office? If it's an attorney that works out of their home, that setting may be preferable.

Lesley Hoenig

If you're going to cold call, you have to separate you and your firm. It's an odd semantics game.

You, personally, calling and asking for work for you, personally, sounds desperate and a bit unusual. i would not hire anyone who made that call.

But you can state things differently. Maybe your firm is "offering contract legal services to local attorneys, to fill a perceived need." Or whatever. And you can improve that as well: Of all the cold calls I WOULD listen to, the ones that are personalized are the best. If they know what I do, where I am, and have at least an intelligent reason for why I, personally, would want to hire them, specifically... I'll listen much more often.

In the first instance, you're an out of work attorney. In the second instance, you're an intelligent businessman. And that seems true even though it would be you doing the work either way.

That said, I hate cold calls, but your initial suggestion seemed even worse than a cold call.

Erik

I probably wouldn't take your call without some introduction.

But this reminds me of another thing that people often do: They send a letter of introduction and say they will call to follow up, AND THEY NEVER DO. If someone sends a letter and says they will call to follow up, even if I would otherwise be interested, I won't call them.

Just something to think about.

Lisa

Check with your state's ethics rules. Direct solicitation of clients (even attorney clients) may be a violation.

Terry Berger

Doubtful. Solicitation of lawyers by other lawyers has always been considered permissible. Even in the dark ages of the ethics rules, when pricing your services below the local minimum fee schedule was unethical (!) because it was considered "solicitation," lawyers soliciting other lawyers was OK. Asking a lawyer for work is not asking him or her to become your client; it's asking the lawyer to become your employer, so to speak. And asking a fellow lawyer for referrals is not soliciting a client.

If anyone has a cite to a particular state's rule or ethics opinion that says otherwise, however, I'd be very much interested in receiving it. It shouldn't surprise me, though it often does, how the ethics committees go through intellectual contortions to keep their constituents from earning a living.

Richard Burt

I have to say that I surprised anyone said a positive word about cold calling. Leaving aside the improper solicitation ethics issues in many jurisdictions, I used to hate the fledgling stockbrokers who had nothing better to do than go down the phone listings for lawyers figuring "lawyers had lots of money, right?" I usually felt obligated to share with them that they appeared naive and desperate and brought discredit on themselves and their firm. But i would save their name in case one of my clients mentioned using them in the future.

Now that is a far cry for stopping by the other lawyers' office as you start in a community. That's professional and is multi-faceted. They may have overflow to give you, you might have referrals for them or maybe you're just smart enough to recognize that it is good to share a few kind words before meeting over a contested client matter.

You will hardly ever get a good client from a cold call. You may well get to be the tenth lawyer someone has not paid or complained to the bar about, though.

Do real networking where you build relationships and get introduced to people! Leave spams and cold calling to those who have no other options.

Jim Calloway

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