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OUT-OF-THE-ORDINARY AND EXTRAORDINARY LAW FIRM MARKETING

By Jeremy M. Evans

Law firm and attorney marketing has generally followed the times. When the distribution platform changes (e.g., technology advances), business owners would be smart to adapt and meet the customer or prospective client where they stand, search and share information, and basically live life. In today's ever-increasing digital age, law firm and attorney marketing has made some unique twists and turns.

Interestingly, most larger firms have traditionally stayed away from direct marketing of their services. As one big law colleague told me once when referencing the general thought on marketing, "It is below the legal profession to market legal services." There may be some truth to that statement, especially where the average viewer cringes at the sight of an attorney advertisement that is funny for all the wrong reasons. On the other hand, marketing is an essential component to building a business, specifically a law practice filled with paying clientele.

As a foundation, it must first be understood that there is a difference between advertising and marketing. Advertising is generally something that is paid for, direct and placed strategically in some type of medium or distribution platform to reach prospective clients. Marketing is generally free and is indirect. Of course, there are overlapping services that touch both advertising and marketing (e.g., a lawyerly article paid for placement in a large distribution magazine platform). However, significantly, advertisement gets the attention of the State Bar of California and specifically California Rule of Professional Conduct 1-400 on Advertising and Solicitation. Again, some marketing crosses the line into advertising, but, for example, a 5 p.m. local television news appearance by an attorney talking about the law is free publicity and not direct advertising.

Below are seven categories of advertising and marketing used by law firms of all sizes and solo practitioners, with "out of the ordinary" and "extraordinary" law firm marketing examples in each category.

1. MEDIA: NEWSPAPERS, PUBLICATIONS (PRINT AND DIGITAL), RADIO AND TELEVISION

Becoming the official legal correspondent of a local or national news network is one of the best ways for free marketing by gaining recognition through established media. This author previously appeared on KUSI television in San Diego to discuss the implications of the Oakland Raiders' move to Las Vegas and was the legal correspondent for an ESPN radio station based in Kentucky, but with a national internet audience. That role led to more confidence, radio appearances, speaking engagements, invitations to publish articles and clientele who loved that their attorney "was on radio and television." Attorneys like Gloria Allred, Harmeet Dhillon and many others have used television, radio and publications to promote brands, ideas and obtain marketing exposure.



If law school teaches one thing generally it is how to communicate better, in conversation, negotiation, writing and speaking. However, when asked to write or speak, attorneys are often too busy. That is probably the biggest mistake an attorney can make in terms of brand exposure. There are simply too many publications and opportunities to share your knowledge and experience to ignore what it can do for your business and in educating the community.

2. TRANSPORTATION: AIRPORTS, BUSES AND RIDE-SHARE SERVICES

Yes, Uber and Lyft vehicles are now installing over the roof digital advertisements like taxis of old. Funny how history has a history of repeating itself. Law firm and attorney advertisements on those digital platforms would be an ideal spot for a personal injury or another lawyer seeing the amount of people who use ride-share services and travel America's roads. The number one business-only litigation law firm in the United States, Quinn Emanuel Urquhart & Sullivan LLP, has advertisements in airports throughout California with a picture of lady justice and the quote: "Justice may be blind, but she sees it our way 88% of the time." Buses and bus benches are the oldest moving advertisements and often are in the language most prevalent to the area of the bus route.

3. NEW MEDIA: PODCASTS AND SOCIAL MEDIA

Podcasts are all the rage today. Podcasts are easy to set up with low cost (a microphone and recorder) and a distribution partner. Often attorneys are now becoming the official legal podcast correspondent or producing their own shows versus traditional radio (which is generally heard once live and never again). The *American Bar Association (ABA) Journal* lists the top 100 legal podcasts, and some of those names are genius, if not funny: "Lawyerist Podcast," "Lawyer 2 Lawyer," "The Legal Geek Podcasts," "Reasonable Doubt," "Sword and Scale," "Un-Billable Hour," and "Undisclosed." In San Diego, attorney Tara Shah has a media and law podcast that helps promote her brand and law topics of her choice.

Social media is a no-brainer. It is the freest and most accessible platform for information sharing in the history of mankind. If a law firm or attorney is not on it, the question is when, not why. Instagram is now used to share photos and videos of law firm events with logos on the pictures or videos.

4. TARGETED MEDIA: WEBSITE AND INTERNET DATA MARKETING

A little more complicated with algorithms, search engine optimization (SEO), and data analytics options (generally contracted through third-party vendors) push information directly to certain clientele (those who have searched for a certain practice area in a geographic region) or cause your law firm or practice information to appear first or toward the top of any given webpage. Law firms and practices will also often use bots and messaging/chats to engage prospective clients when visiting a website: "Hey, may I answer any questions?" Websites can be important landing pages and contact-information gathering spots, but it is generally the other media mentioned herein that drive the most traffic and engagement from marketing. The problem again with direct and paid advertising is the in-person contact and advertising Rules of Professional Conduct that are not necessarily implicated from unpaid generic marketing on social media. This also includes weekly or monthly e-newsletters.

5. TRADITIONAL: BILLBOARDS AND SHOPPING CARTS

One law office in California, now famously, used the free agency of basketball star LeBron James to recruit clients with the hashtag #LABron and the contact information for the personal injury law firm below it. It became a national phenomenon by using a national sports event to recruit and advertise. As for shopping carts, there is nothing better than pushing your kid around the grocery store on top of an advertisement for legal services, right? As that may seem too salesy, it is one of the more practical and economical spots to purchase and place an advertisement.

6. COMMUNITY: CHARITY, EVENTS AND PROGRAMMING

Maybe the most altruistic aspect of marketing, this is where law firms send holiday cards to a large list of folks to say hello and remind people about their services. Events are also a big space for marketing, especially the more lavish ones. This author and many others attended a wonderful Casey Gerry law firm event at the San Diego Zoo a couple years ago that was a big hit. Marketing in this vein also includes sponsoring programming, conferences and the like.

Attorneys can always highlight their organization, knowledge and speaking skills through MCLE programming. Moreover, bringing people together always brings more business opportunities, which leads to the next point.

7. RELATIONSHIPS

Some attorneys have created social media groups and pages just for referrals and networking. Others attend events and keep connected with the legal community. The point is that being involved and taking on leadership opportunities is what builds genuine relationships that leads to business development. As much as technology advances, people will always like or dislike people, and business comes from people. In the end, the key to marketing, like Dale Carnegie once wrote in *How to Win Friends and Influence People* (paraphrasing), is getting people to like you and what you offer. That aspect of marketing — relationships — is fairly easy if your mission is to give back and stay involved. 🙏

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