

Lawyers Are Not Salesmen – the Art of Selling Professional Services Professionally

"In Selling the Invisible" best-selling author and advertising guru, Harry Beckwith argues that what consumers are primarily interested in today are not functions and form, but relationships. We are told that first, we must first establish credibility; then trust, and eventually the agreement to collaborate will be won. Because professional services are not a commodity that customers can see, touch and taste for himself, trust is critical to getting new work.

At the same time, being in the business of providing professional services requires lawyers to "sell" their expertise. This puts many lawyers in an uneasy quandry - the distaste for self-promotion kicks in hard every time an opportunity to market your expertise presents itself, for you intuitively feel that engaging in any form of "hard sell" is destructive of trust. "Persuasive marketing" is somehow unbecoming for a lawyer, and degrading to the profession.

This apparent contradiction continues to plague lawyers today; especially solo and small firm practitioners who do not have recourse to the institutionalised and indirect marketing channels (such as free client seminars, newsletters, ads in legal publications) deployed by larger practices. How many times have you heard a colleague declaim – *"I am a lawyer, not a bloody salesman"*?

This article discusses underlying perceptions and mistaken beliefs that hinder marketing efforts by lawyers. Selling intangibles, unlike commodities, requires a different approach. Angst over what you believe is required of you to win new business might be serious impediment to effective marketing.

1. It's Not About Winning

Thinking in terms of "winning" means that there is a winner AND a loser. This brings a needlessly competitive perspective into the professional relationship. If it's either "win" or "lose" in your mind, the insidious message is that you have to beat out your competition, beat down your client and win at all cost. It is no wonder you consider marketing degrading. In selling intangible services, you only win when the client wins too.

Your goal is to serve the client, NOT to make the sale. If you serve the client, you'll probably get the sale. If you don't get this sale, you stand a good chance of getting the next one. See Paragraph 2.

2. Do the Best for Your Client, Every Time

Even if it means referring your client to another lawyer who is better placed to serve him, your client will appreciate your integrity evidenced by your willingness to place his interest above your own. This gesture builds trust more effectively than any number of cases fought and won on his behalf. In winning the case, you are merely doing a job you have been paid to do, and the client will expect no less.

If you subscribe to this mantra - "to do the best for your client, every time" - and live by it; a remarkable result ensues when a business opportunity presents itself that is within your expertise. If you are honest about the value of your service to the client, then it is the very essence of professionalism to aggressively help the client see that value - you are no longer the "salesman spinning the con"; you are, as in all cases, doing the best for your client.

3. It's about the Client; Not about You

When making a pitch, it's natural to feel the pressure personally. After all, the Client is evaluating your trustworthiness, your ability to deliver on your credentials, even your personality; all on the basis of a single face-to-face meeting.

You make it worse by obsessing about how to inveigle a rehearsed spiel of capabilities, past successes and references into the conversation. Come prepared to have these things said, but plan to use none of them. You may believe that such things add to your credibility; the fact is, it either intimidates or bores the client—because it's about you, not about them. Limit yourself to 60-second answers, and then turn your attention back to the client. The client has a legal problem, find out how you can help him. In your interview, focus on the client needs, not on your menu of services.

4. Focus on what you can do for the Client, not on what you have done for others.

Naturally Clients will use experience and credentials as a qualifier and as justification to the Board who might question their choice. But these are merely ways to make the shortlist; they are not foundations for trust and dependability in the relationship.

In your interviews with a prospective client, discussions on your wealth of experience, your credentials, past cases valiantly fought and won are not the most persuasive means for the client to decide if they can trust you. In effect you are saying - "you should hire me because of what I am telling you about other clients I have helped and other cases I have won". Instead you should stay focused on what you can do for THIS client NOW.

You can't sell intangibles by talking about them; you can only do it by giving the client an experience of having you on their team, working with them to solve their problems. The good news is that as soon as you begin to do so, you are displaying your experience, living up to your credentials, fulfilling your professional obligations and marketing your services, all at the same time!

5. Clients Do Not Seek to Trust their Own Expertise — they Seek Experts they can Trust.

Clients may appear to know all the legal issues and what they need. They don't. Clients don't like to display their ignorance for fear of being weak and taken advantage of. So they respond by tightly bounding the problem statement and telling you only what they think you should know.

Only the most self-confident clients admit that they don't fully understand the problem - which is precisely why they seek out experts. A well-defined problem makes the answer look easy. The real expertise lies in ferreting out the underlying anxieties and attendant complexities; and re-crafting the problem in a more realistic and helpful way. Clients will appreciate that you have taken time to really listen and to "knuckle down" on their problem – even if you don't know what the legal answer is at this point.

6. Create New Opportunities to Demonstrate your Usefulness.

It's a myth that if you just do good work, the business will come. Good work on the last project simply says you are best qualified to do the next project. The crux still to be addressed is – what is the next project? Only very occasionally will the client ask you to start work on another project after the successful conclusion of the first; more usually, it is up to YOU to create the opportunity to provide further services to the client.

To sell him on the next project, you will need to be knowledgeable about his business; to be creative and bold; and to believe in the value you deliver to his business. You can suggest ways to reduce risk, tighten contracts, engage more constructively with business partners; in real and practical ways, show them how useful it is to have a lawyer on the team.

In conclusion, there is only one piece of advice here that bears repeating – "It's About the Client, Not About You". Serve the client and you will find yourself effectively "marketing" your professional services professionally, without having to make a sales pitch.

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