



## *Special to Strategies: The Journal of Legal Marketing*

### **Using the Voice of the Client in Developing Marketing Strategy**

**By Merry Neitlich and Anne Gallagher**

There's nothing novel about the concept of using client-centered feedback to structure or enhance a marketing program. The problem is merely in the doing. And, many law firms – probably too many – don't do enough to bring the voice of the client into their marketing programs.

But those firms that do incorporate any of the many types of client-oriented information into their programs find great ways to shape the direction of their firms. Whether the feedback received is gathered informally or through a formal effort such as client feedback interviews, it will yield useful data.

Some specific examples of firms that are incorporating the voice of the client in their business efforts include:

#### **O'Melveny & Myers: The Client as Business Advisor**

For national firms like O'Melveny & Myers, client feedback information has gone beyond just tailoring legal services for clients. "We've come a long way with real-time suggestions from our clients that have helped shape the way we conduct and develop business," said Gary Singer, managing partner of O'Melveny's Newport Beach office.

As part of an effort to enhance their business, the firm conducted one-on-one interviews with mid- to large-sized clients. Among the areas in which the firm was most interested was the big picture of each client's business as well as their industry needs.

With information from these interviews, the firm took action in several areas. First, information from the clients spurred the firm on to reorganize its transactional practice. "This internal organization on the transactional side more properly aligns us with the business world," explained Singer. As a result, the firm's transactional group now has seven lines of business: capital markets, mergers and acquisitions, international, EVT (entertainment, venture and technology), project development, finance and a business group.

Next, the data suggested that O'Melveny needed to fill "gaps" in some practice areas and strengthen others. "We increased our efforts in recruiting lateral partners and associates to fill these areas. We also worked with cadres of partners from different disciplines to focus on our larger clients with a renewed and concerted effort," said Singer.

### **Freeborn & Peters: Client Feedback Interviews**

Chicago-based law firm Freeborn & Peters launched a client feedback program several years ago as a way to get closer to its clients. As part of its program, the firm seeks to create “complete client satisfaction” with selected clients. Based on the work of William Sasser, “complete client satisfaction” addresses the issues of how clients who are not “completely satisfied” tend to defect to other service providers.

Once a client is selected for an interview, the firm sends a “Client Report Card” and asks the client to “grade” the firm in about seven different areas prior to an actual in-person meeting. “The attorney-client relationship, as the term suggests, is a relationship. Like all human relationships, they vary in quality on a wide spectrum – ranging from the fabulously healthy to miserably dysfunctional. The single ingredient that is most effective in improving those relationships is communication. That’s why client feedback interviews are all about,” said Michael Freeborn, a founding partner of the firm, which was formed in 1983.

Before attending the actual interview with the client, partners review concepts of “active listening,” “gender listening” and other techniques for gathering feedback and processing it appropriately. “This may be counter-intuitive, but the criticism is what you want in these interviews. If you get all “A’s” on the client report card, you’re not asking the right questions. It may feel good to get a glowing review. But it tells you absolutely nothing about what areas you need to improve. You know they exist. You just need to find them,” explained Freeborn.

Finding areas of improvement has given the firm direction in all areas of the way they service clients and undertake all aspects of their marketing. While some of the feedback received is individual to the client (i.e. “I’d like to be billed monthly not quarterly.”), a great deal of the feedback helps shape new initiatives (i.e. “If you have a structured finance department, we’d give you business.”).

Yet most important is the way in which client feedback programs enhance client relationships. Says Freeborn: “I came out of one session feeling like I took so many blows to the head that I was bleeding from the ears. It was hard to imagine why the client even kept us on the payroll. But I asked toward the end if any other law firm had ever had a session like this with them. Of course, they said no. Our billings to this seemingly dissatisfied client actually increased.”

### **Ropers Majeski Kohn & Bentley: Hearing the Voice En Masse**

For some firms, hearing the voice of the client directly is one way to raise the bar for providing good legal service. At their recent all-partners retreat, San Jose-based law firm Ropers Majeski Kohn & Bentley conducted a “fish bowl” client feedback interview. During a “fish bowl” interview, all lawyers observe as an actual interview is conducted with the client. After the main interview is completed, all lawyers in attendance are invited to ask follow-up questions.

“There is no substitute for hearing a client share what’s working and what can be improved,” said managing partner Rick Wilson. “Our attorneys have read about this process many times. However, hearing and seeing the client in person left a significantly stronger impression and greater degree of validation about how important the process of client feedback is.” Before the retreat, all partners were invited to participate in client feedback training, which included actual strategies for non-legal questioning and techniques for active listening.

Wilson believes the “fish bowl” process sensitized partners to the realization that all clients have strong opinions about how their matters should be handled and how communication should take place. “We realized that we could improve on the client relationship by owning up to mistakes and complying more thoroughly with their service preferences,” he said. “Most importantly, this interview demonstrated that this process is not open to ‘legal interpretation’.”

### **Fennemore Craig: Concept Testing**

Phoenix-based law firm Fennemore Craig found a unique way to hear the voice of their clients after recently going through a brand development process. The partners were unsure which positioning line most clearly reflected the true essence of the firm. So, the firm decided to test the communications effectiveness of their positioning lines with clients in a formal Brand Concept Testing process.

“We wanted to see if we were correct in our analysis and also be certain about what aspects of our firm were most important to our clients and prospective clients,” said Jay Kramer, the chair of Fennemore Craig’s Client Development and Retention Committee.

In identifying its brand, Fennemore Craig discovered that several factors made the firm distinctive, not the least of which was its status as Arizona’s oldest law firm as well as its reputation for broad transactional and litigation experience and its deep contacts in the Southwest’s business and governmental communities. “Our goal in undertaking concept testing was to make sure our brand was aligned with the interests of our clients,” explained Kramer.

For its concept testing, Fennemore identified six high-level executives including in-house counsels and asked for their participation in a telephone conference call. Each participant received a possible brand line and three advertising applications prior to the call. During the call, each participant was asked specific questions about the communication ability of the brand line as well as each advertisement.

The result? The firm’s clients felt a deep sense of connection to the firm’s history, steadfast service and connections. “Concept testing was one of the most valuable things we could have done. We were surprised by the strength of our client’s convictions. We as a firm

had a perception that they might have associated our history as stodgy. Instead it was an important factor in why they retained us and worked with us.” said Kramer.

The firm plans to roll out its new brand, “A History to Leverage” this fall.

### **Our Clients Tell Us We Really are ‘Collegial!’**

For large firms like this San Francisco-based IP firm, comments gathered informally from clients helped confirm that one of their business goals was indeed working. The firm places great emphasis on its “team” approach and how it can get needed resources to any client as a result of this strategy.

“We’ve always thought of ourselves as a truly collegial and supportive firm.” It's easy to believe that your impression of your firm's culture, and one that I have grown up with in my 17 years at the firm, as a "collegial" place to work— is a fact. But it is only a fact if your firm is perceived to be a certain way by those who matter the most—firm clients.”

The firm informally solicited comments from clients during meetings to determine if it was indeed putting clients’ interests first. In this firm’s case, the partner gathered specific feedback from one of her own clients. Sitting across the table at a breakfast meeting, the Midwestern-based client commented, "What I like about your firm is that I don't get the sense that the contact partner wants to fund his retirement with work from my company. When I call your firm, you put me in touch with the right lawyer for the job—someone who has expertise in the area and who doesn't need hours of research time to get up to speed."

According to the partner, the beauty of collecting informal client feedback is how the process becomes “infectious” throughout the firm. As a result, “Lawyers at the firm feel a deeper connection with each other, and develop a keen interest in learning about their partners’ practice. In a recent example, a client had a specific need to talk to a specialist about an area of law that was fraught with intricate procedural nuances—a trap for the unwary. The partner was able to immediately identify the firm lawyer who had the experience and the knowledge, and put the client and that lawyer together.”

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