



*profitable* **LAW  
PRACTICE**

## *Carving Out a Niche Market*

**A**t many firms, the need for diversification and growth has become a mantra. While there are many obvious advantages to expanding into a broad range of practice areas and seeking to appeal to a wide range of clients, failing to define clearly your firm's position in the marketplace can make it difficult to establish your brand in the minds of the public. By contrast, focusing on a particular practice area, and marketing your firm as an expert in that area, can provide you with a competitive advantage over firms with less distinct profiles. Even if the practice remains generalist behind the scenes, advertising your firm's areas of expertise can help it stand out from the crowd, especially among specific groups of potential clients.

Chances are good that the partners and associates of most generalist firms bring a diverse range of legal skill sets, interests, and experiences to the table. Over time, however, you may find that your firm is doing more work in one practice area than in others, or even in one subspecialty within that area. You may

also find your firm is building up a client base within a certain segment of the community, as client referrals spread through social and professional networks. In other cases, you may recognize that, based on the profiles and expertise of your attorneys, your firm has the potential to build up its business in a certain practice area or among a particular market segment, but has yet to take advantage of this opportunity. While niche groups are limited in number, individual members of these groups frequently maintain close contact with each other, thus increasing your chances of attracting business through word-of-mouth

recommendations. And, as your firm's expertise in a given area grows, so will your reputation.

If you are uncertain of which direction to take, there are various ways to assess your firm's current position and develop a strategy for launching a niche marketing campaign. First, assess the skills and interests of your firm's attorneys, including their hobbies, personal backgrounds, and language abilities. Certain lawyers may be better able than others to establish a rapport with, for example, people of certain age groups or members of certain religious or ethnic backgrounds.

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## The Advantages of Hiring a Virtual Assistant

For most businesses, including law firms, payroll is the biggest operating expense. Outsourcing certain functions, especially services that are needed on a part-time or occasional basis, can reduce personnel costs, while providing your firm with the support it needs, when it needs it. As much of the work performed by paralegals and legal assistants can now be done online, many firms are forging relationships with independent contractors known as “virtual assistants” (VAs).

VAs provide administrative and paralegal support to lawyers from a remote location, with most communication between the firm and the VA taking place electronically or by

phone. These assistants may work on their own or as part of a VA service provider group. Depending on their background and experience, VAs may offer a variety of services, such as preparing cases for trial, performing legal research, carrying out investigations, summarizing depositions, creating PowerPoint presentations, processing bills, responding to e-mails, transcribing dictation, and maintaining client files. They may also be responsible for preparing a wide range of legal documents, including the drafting of motions, responses, briefs, stipulations, and summons. To effectively perform these services, VAs must have not only the required skills and experience, but also up-to-date collabora-

tion software and e-mail systems, as well as the ability to send and receive secure messages and data. It is also essential that the IT or office systems of the VA and your firm are compatible, so that the flow of documents and information runs smoothly.

When searching for a qualified VA who understands your practice areas, seek referrals from colleagues, bar associations, or other professional organizations. You can also post job ads on VA or other professional websites. In some cases, you may be able to reach an agreement with a former employee who has retired or who wishes to work from home for family or personal reasons.

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Next, an examination of your firm’s past work and client base may reveal a track record of particularly strong performance in specific practice areas. Finally, consider the state of the marketplace, identifying niche areas that may, as yet, be underserved.

Once you have determined practice areas and market segments of focus, develop one or several marketing campaigns with these specific niches in mind. Then, adjust your public relations strategy to accommodate the shift in focus. If, for example, your firm is concentrating on employment law for small businesses, issue press releases commenting on legal matters relevant to this area, and offer your firm’s attorneys as experts on the subject who are willing to speak to the media.

Consider other ways you can reach out to your target group, such as attending conferences, hosting educational seminars, and informal networking.

If, for example, your firm decides to focus on a certain industry, think about ways you can incorporate the concerns and interests of that industry into your firm’s culture. Attorneys who deal with clients from the industry will get to know its jargon and keep up more easily with industry news and developments. Regular placement of ads in trade publications and on websites can raise awareness of your brand in the industry, as can speaking at trade association events.

The Internet also offers opportunities to get in touch with specific

groups. Posting on relevant blogs and social networking sites can be an effective and inexpensive way to attract new clients. You may even consider building a new website tailored to people seeking representation in your niche market. With professional optimization of content, design, and keyword selection, the site could appear in an online search for legal advice in your target market.

Consider some of these strategies to help carve out a niche market for your firm’s specialties. As your firm’s reputation grows among specific groups of clients, niche marketing can help your firm stand out from the crowd.

## Brainstorming: A Guide to Better Sessions

**B**rainstorming, a technique for generating ideas through group interactions, has been used in business circles and in law firms for decades. When used to address concrete, well-defined issues in a structured manner, brainstorming can be an effective way to tackle specific problems, generate new ideas, encourage teamwork, and build morale.

While attorneys and staff members have a wealth of knowledge, they may not necessarily share that knowledge with colleagues on a regular basis. In an effort to capture the diverse information of individuals within the organization, some firms have implemented knowledge management systems designed to record this information and make it accessible to more people. But, while these systems can be useful for capturing and storing information like contact details or formal reports, they are less effective in recording less tangible information, such as the personality of a key client or an idea about how a particular process could be streamlined.

In the course of a brainstorming session, these less tangible ideas can be shared and used more broadly within the organization. Unlike a formal presentation on a particular subject, brainstorming encourages people to think “outside the box,” taking a more creative and less rigid approach to addressing an issue or solving a problem. An insight offered by one person can stimulate the thought processes of others in the group, thus inspiring the formulation of new ideas and solutions that individuals may not have come up with on their own.

For a brainstorming session to be most effective, however, consider the following guidelines. First, the issues posed should not be too general. For example, a group should not spend two hours generating ideas about how to better serve clients over the coming year. As this is a general goal toward which all employees are presumed to be working already, responses are likely to be broad and uninteresting. Instead, the group may be asked to consider a more focused issue, such as how the firm can improve client satisfaction in an area of the practice that has received complaints or how to break into an untapped market.



Second, it may be helpful to invite a facilitator from outside the firm who is trained in brainstorming techniques to lead the sessions. Having an external, objective moderator may make participants feel more comfortable in expressing themselves. An experienced facilitator will also know how to get everyone involved, to present and summarize ideas in an easily comprehensible form, and to ensure that the session progresses at a steady pace. Additionally, a facilitator from outside the firm may offer a fresh perspective, prodding participants to view the issue from a variety of angles.

Third, remind participants that brainstorming does not require conventional boundaries, and that creative ideas are welcome. To promote openness, avoid criticism, especially in the initial round of brainstorming. The quality of the ideas can be evaluated at a later stage in the process.

Fourth, a brainstorming session does not need to include everyone in the firm. The lawyers and staff members should be selected for participation based on their knowledge and experience of the issue at hand, as well as on their ability to think and express themselves in concise terms. If possible, include people who are most likely to make constructive contributions.

Fifth, brainstorming sessions should not be allowed to drag on. Time limits are needed. If it appears that a particular issue needs more attention, another session can be scheduled for a later date. Participants may also contribute additional ideas and continue the discussion on an online forum, for example.

Finally, after an issue has been thoroughly discussed and the best ideas have been identified, a list of actions may be compiled. Individuals or groups can then be assigned to implement them. Set a date for meeting to review the outcomes of these actions, so that strategies can be evaluated and adjusted accordingly. When participants see tangible results emerging from their brainstorming sessions, their enthusiasm for participating in the future may improve, and the brainstorming sessions may become more focused and productive.

## News In A Nutshell

### RELATIVELY FEW WOMEN RAINMAKERS AT BIG FIRMS

Women remain significantly underrepresented in the ranks of the rainmakers at America's leading firms, and women have been greatly affected by recent layoffs of part-time attorneys, according to a survey released by the National Association of Women Lawyers.

The 2009 survey of the nation's 200 largest firms found that, at every stage of practice, male lawyers continue to out-earn their female counterparts, although the size of the gender difference has decreased in the last year. For example, results

showed that male equity partners earn on average nearly \$66,000 more per year than female equity



partners. In addition, nearly half of the firms polled reported that they have no women among their top ten

rainmakers, while another third said they have only one woman in this group. Researchers noted that a correlation appears to exist between the number of top women rainmakers at a firm and the size of the gender pay gap, as firms with more women rainmakers reported smaller compensation differences between genders.

The survey also found that, while men and women have been equally likely to lose their jobs as associates, counsel, and income partners during the economic downturn, women made up almost all of the laid-off attorneys who practiced part-time.

## The Advantages of Hiring a Virtual Assistant

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In negotiating an arrangement with a VA, it is important to remember that, even if the assistant works solo, you are not hiring an employee, but an independent business owner. Ask the VA to provide evidence of the necessary qualifications and professional experience, as well as professional references, but not a complete resume. Look for signs that the VA has a high level of professionalism, such as a well-designed website and a market-appropriate price structure for services.

While it is theoretically possible to retain the services of a VA who is based anywhere in the world, a firm may prefer to establish relationships with VAs who are familiar with state and local laws and court procedures.

In some cases, it may be appropriate to test the candidate or ask for samples of his or her work. Especially if the VA is working solo, be sure to inquire about availability and the amount of time it will take to turn around certain types of assignments. Depending on the needs of your firm, you may wish to work with a VA provider that has several people on staff or develop relationships with a number of solo VAs with different skill sets and work schedules.

In some cases, a VA may take on many of the functions of an on-site administrative assistant, including answering the phones and managing attorneys' appointments and calendars. If the VA is performing large

amounts of work for your firm, be sure to include the VA in any internal office communications that may be relevant to the work he or she is doing. Because VAs are not in the office, they must be provided with the resources and information they need to do their jobs. VAs who are working on time-sensitive assignments may require access to a contact person at the firm who can answer questions or provide information quickly.

As long as communication is maintained effectively, the working relationship with a VA can prove to be as rewarding as having an extra member on staff—but at a fraction of the price.