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**Marketing For Law Firms Via Attorney–Client Matching Services – Part I**

**By Henry Harlow**

What are these new attorney–client matching services? Who are the players? What do they cost?

What is the risk to me? What is the return for me? What is the buzz on them? Are they ethical as marketing for law firms? Will they save me money and are they for me? Will they get me clients I would not have otherwise?

In part one of this article we will look in depth at a relatively new wrinkle in marketing for law firms known as "attorney–client matching services". Part one focuses on the facts about these firms. Part two gives you my conclusions and recommendations as a result of my research. First a little background is in order. The legal services market segment is expected to reach \$82.5 billion in 2008 according to Euromonitor International a market intelligence firm. In recent history consumers have been finding attorneys through word–of mouth or through the yellow pages. Often the word–of mouth advice does not deliver people to the best possible solution for their particular needs and the yellow pages is certainly not a great place to select a lawyer I am sure you would agree. Additionally, according to the Pew Internet & American Life over four million consumers and small businesses currently search for legal services via the Internet every month with these numbers expected to rise to over seven million by 2007. I think you can see this is a huge market getting larger. It is imperative that attorneys understand this marketplace if for no other reason your potential clients and clients are moving to the Internet and yellow page advertising is a dying marketing for law firms vehicle. Understanding attorney–client matching services is one new way to tap into this Internet marketplace.

What I will not be talking about here is attorney–listing services. Please don't get confused between attorney–listing services and attorney–client matching services. The two majors in the attorney–listing services arena are Lawyers dot com or FindLaw dot com that are used by many in marketing for law firms. With attorney marketing one might want to get a minimal listing on one or both of these two major sites. Both do drive a large amount of traffic to their sites for sure (in the millions of visitors per year). If you do get a listing then track your results carefully and see if being in the middle of a pack of listed attorneys actually does produce clients for you. Please don't spend more on them than the basic listing that will run about \$150 or so per month, at least until you can document results with the basic listing. Also, don't buy your website through either of them, even if after testing you find good results, for many reasons that can be found under the Internet marketing tab on my website. One last note

here, you probably don't want to test most of the lesser attorney–listing competitors like LawInfo dot com, LawCore dot com or AttorneyFind dot com is my take, however if you do be sure to track your results. The rest of this article is about attorney–client matching services.

### Attorney Marketing Via Five Attorney–Client Matching Players

In the attorney–client matching field there are five competitors for the attorney marketing dollar offering online attorney–client matching services. The first and originator is LegalMatch dot com and its newer competitor being CasePost dot com as well as a third competitor LegalFish dot com. The two big players that offer almost everything in attorney marketing, Lawyers dot com and FindLaw dot com; have also recently begun to offer a version of attorney–client matching services. Lets begin with LegalMatch that was established in 1999 and is based in San Francisco. LegalMatch uses a double blind matching system. By double blind they mean the consumer does not see identifying information about who the lawyers are and the lawyer does not see identifying information about who the

consumers are although all the cards are put on the table for both to see before any contact is made between them. Through an allocation model LegalMatch makes the decision about which lawyers get the consumer's information. Consumers can opt into "priority service" for a fee to talk with a LegalMatch staff attorney about their case and work with that attorney in selecting the attorney for their case. LegalMatch does have partnerships with the Utah State Bar Association, ATLA and NACDL. Membership fees for this marketing for law firms vehicle run from \$2,500 to \$25,000 per year (they will finance the membership fee if desired) depending on practice area and geographic location of the attorney. For example, a PI attorney in Los Angeles would likely be charged more than a family law attorney in Los Angeles, while the family lawyer in Peoria is likely to pay less than the family law attorney in Los Angeles. Their guarantee consists of extending your membership at no fee until your revenues have exceeded the fee you paid them. The details of the guarantee are available on their website.

### Are There Legal Marketing Ethics Issues with Attorney–Client Matching?

A relevant digression here, since this model is not a lawyer referral program, a pre–paid legal service plan, a joint or cooperative advertising or a directory listing service it is not subject to ethics rules around much of marketing for law firms it has been asserted. Recently the Professional Ethics Committee of the Texas State Bar was looking into these practices and that committee received a seven–page letter (May 26, 2006) from the FTC that was agreed to by a unanimous vote of the FTC commission members that this attorney marketing practice is indeed ethical.

Already the states of North Carolina and South Carolina found the practice ethical. The Rhode Island Supreme Court specifically named in an ethics opinion that online matching services are ethical. Finally, the Utah State Bar (a mandatory bar) has retained LegalMatch as their lawyer referral service clearly indicating their thinking about LegalMatch's ethical nature it seems to me. Naturally you do need to check with your state bar to be sure this is an ethical practice in your state. Now back to the options in the marketplace.

CasePost, based in Southern California, was established in 2002 is a second player in this area of

marketing for law firms. They operate in a similar fashion as LegalMatch in matching clients with lawyers; however, the directory of attorneys is shown to the consumer immediately. The consumer can decide whether they want to remain anonymous or give their contact information to the attorneys. The consumer is limited to four attorney responses. Thus the consumer determines what attorneys will get their information. In May of 2006 CasePost has made a major expansion as a result of their partnership with HandelOnTheLaw dot com that is powered by a successful nationally syndicated radio show on over 120 stations with attorney Bill Handel. This show has been running since 1985. They also have a strategic relationship with LegalZoom dot com that began in 2006 that has increased their reach. Like LegalMatch the membership fees for this attorney marketing vehicle are from \$2,500 to \$25,000 per year (financing is available if desired) depending on practice area and location. Their guarantee to a member is based on a minimum amount of referrals over the year.

LegalFish is a third player in this arena. It entered the marketplace in 2003 and is based in Chicago. It is a bit different than the other two in a few ways. Like the other players the consumer can input their information and post their cases to the site as well give their identifying information or not. In a number of cases LegalFish will contact the posting consumer themselves by telephone or email to delve deeper into the needs of the consumer so they are not totally automated. There is an allocation model used by LegalFish in referring the cases to their members. Another difference is LegalFish charges a monthly fee for this marketing for law firms vehicle ranging from \$180 to \$750 to members that are

non–contingency based practices. For contingency based practices the fee ranges from \$1600 to \$5000+ monthly only if the client retains the attorney. If LegalFish does not deliver a referral to a member that retains that attorney they don't charge a fee to that attorney for the month (a form of a guarantee). Creating something of a "shared risk" system. Naturally, with this type of shared risk system, long–term success for both parties is based on LegalFish's ability to generate new client opportunities and create demand for legal services, and their member attorneys' ability to convert those referrals to paying clients. Both parties have to "pull their weight". Finally, LegalFish reports they are particularly committed to serving the solo and small firm market with ten employees or less.

The next player in this marketing for law firms arena is Lawyers dot com (mentioned earlier in this article about their directory listing or attorney–listing service) with their new Attorney Match Service. If you go to their homepage what stands out on that homepage is their "Find A Lawyer Quick Search". This is their free to the consumer attorney–listing service (this is why you might want to test a listing with them and track results). To get to the Attorney Match Service you have to know to click on "Contact Lawyers" navigation tab or notice it up there at the very top of the home page. Clicking on that takes you to a page where you input your zip code and the practice area you are seeking, however, it also tells you how many lawyers there are listed that "are interested in receiving your request". You are required to fill in the identifying information with other case information. Once you do that you see the attorneys listed and pick the ones you want to send your request to and wait for their replies. The fee for the attorney member is \$495 per year, however, you must have a biographical level listing on the site to be on the Attorney Match Service and that is \$150 and up per month depending on the size of your firm. There is no guarantee for this service.

The final player in this marketing for law firms arena is Thompson's Findlaw (mentioned earlier as an attorney–listing service) with their new attorney–matching website

<http://www.LegalConnection.com>

The FindLaw system is similar to the Lawyers dot com system with three steps of #1 Select your legal need; #2 Tell us about your case; and #3 Choose the attorney that's right for you. It is different from Lawyers dot com's system since they have broken it out of their attorney–listing services completely with its own dedicated website. Their fees generally run from \$500 to \$1000 per month depending on your practice area and geographic location. They do not have a guarantee. They do report that they do set targets for each geographic area as well as practice combination and then will manage their marketing to get positive results for attorneys.

Well, now we have all the players in this particular niche of marketing for law firms with a lot of information. I think it would be imperative for me to mention one more item. Both Legal Match and CasePost have negative information on the Internet and it needs to be considered. If you go to Google and search just the term LegalMatch and then do the same with CasePost you will be able to find details about the negative information. One location that covers the negative information on LegalMatch with relevant links is at Wikipedia dot org (go to the site and look up LegalMatch) although that is disputed as not being sufficiently neutral in tone, which is one of Wikipedia's requirements. If you want to see a string of negative information on CasePost go to:

<http://counsel.net/chatboards/marketing/topic111/6.23.04.11.34.29.html>

. I am not sure one needs to

be overly concerned about this information since it is mostly in the past and you need to consider it.

See Part II of this article for my conclusions and recommendations as a result of my research. I can tell you now that this approach does have some merit but there are definite cautions as well so do read Part II.

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## **Attorneys Online**

### **By Madison Lockwood**

Advertising is a relatively recent development in the legal profession, and not all law firms engage in it today. Nonetheless, it is advisable for every law firm to take note of the important resource the internet

has become to consumers seeking products and services. Computers are a household standard, and the internet provides information on every profession, in formats from simple 'yellow page' listings to proprietary web pages with audio and video presentations. Even among lawyers and firms that chose not to advertise, the importance of the internet as a consumer resource should not be overlooked.

There is a large assortment of online listing vehicles for attorneys. A lawyer seeking to be included in commercial online attorney listings could pay to have his or her name inserted in such sites as findlaw.com, lawinfo.com, lawyers.com, or the many 'yellow pages' services now online. There are at least four national listing services for personal injury attorneys, and others for family law, criminal law and so forth. Association membership is a vehicle for specialty listings: the Consumer Attorneys Association, the National Association of Consumer Bankruptcy Attorneys, The Council of Parent Attorneys, etc.

Then there are the localized ecommerce service listings for regions that are just as aggressive in seeking exposure on the search engines. In short, an attorney could make a significant investment in listing services alone. However, a simple listing is a hit–and–miss proposition: there is nothing in a mere listing that invites interest from the shopper. A personalized web site for an attorney or a law firm is the highest and best use of the internet.

A law firm with its own hosted website can accomplish a number of things. Most people who are conducting a random search for an attorney are probably somewhat frightened, not certain of the law regarding their problem, and concerned about cost. Moreover, there exists today a widespread skepticism about attorneys, especially among the uninitiated. A hosted website can ease some of those uncertainties, and thus invite contact from the potential client.

The website can describe the firm's areas of legal focus. It can act as an educational tool, explaining the basics of selected areas of law and suggesting some initial steps for the potential client. Eventually the client will end up in a lawyer's office somewhere, so providing some initial online education will give the law firm a benign and positive first impression.

A hosted website can provide an email template for an initial inquiry or invite a telephone call, 'no strings attached'. The website can suggest a few online sources that provide detailed explanations of various legal specialties. Finally, the law firm's web site can address the issue of payment and explain any options that might be available in that area.

As with other forms of media, defense and personal injury attorneys are the most likely to be found using the web as an advertising service. Most law firms with other sorts of specialties that use hosted websites tend to be a little more subtle, stressing the firm's longevity or stability, its successes and perhaps providing biographies of the firm's principal members.

A hosted web site can be an effective introductory tool for an attorney or a law firm. It can provide an initial level of comfort with the firm before any personal inquiries need be made. It can establish the

firm's credentials in its chosen areas of legal specialization and it can make the process of initial contact a comfortable one by explaining how and when fee structures are applied.

Connecting a potential client with a hosted web site can, in part, be a function of the site through the use of keyword optimization. But it is probably more practical to assume that the initial reference will come from some other, more common source such as a former client or the local bar association. At that point, the hosted attorney's website becomes an effective outreach tool, minimizing the intimidating effect of a simple telephone number and a downtown address.

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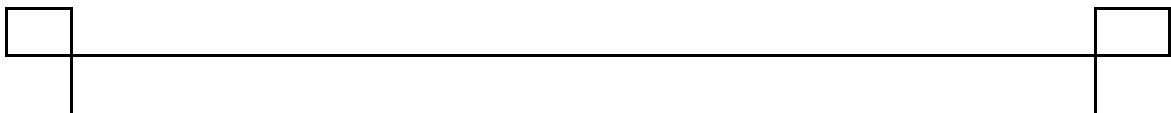
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