

These are a few of the brochures and newsletters produced for McDermott, Will & Emery by Daniel J. Edelman, Inc., of Chicago. One brochure is written in English, Spanish and Portuguese.

Making Public Relations Work for You

By Steven A. Meyerowitz

JACK Agnew, the president of the Boston-based public relations firm of Agnew, Carter, McCarthy Inc., had completed the first draft of a law firm brochure that he had been asked to prepare, and he gave it to the firm's lawyers to review.

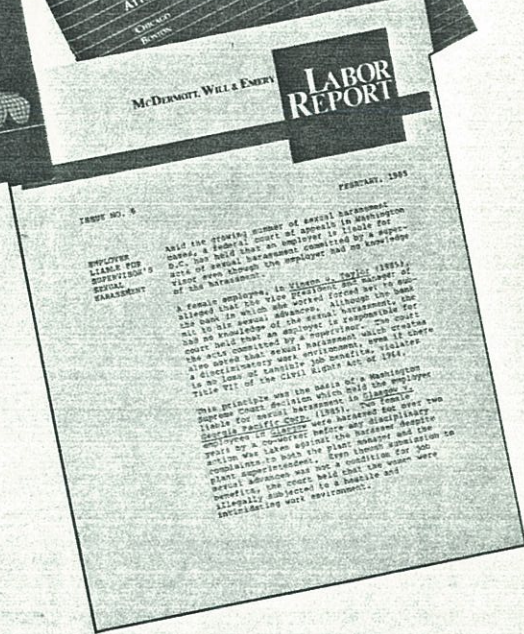
Steven A. Meyerowitz, a lawyer, is a free-lance writer in Cliffside Park, N.J., who writes frequently on legal and business matters.

By the time Agnew incorporated all the changes that the lawyers required or recommended, he was on his eighth draft. It contained only general statements about the nature of the law firm and its practice. The law firm's managing partner, disappointed by the product, complained to him, "You know, any law firm could say this."

That brochure was never completed. Many lawyers are disappointed after their first brush with a public relations firm. But for Minneapolis lawyer Stephen R. Bergerson, and for other lawyers who

know how to select and work with public relations firms, the benefits of having public relations consultants outweigh the drawbacks. The byword is, "If you want results, market; if you don't, don't."

Bergerson marketed. A former account executive with an advertising agency, he joined the law firm of Kinney & Lange several years ago with the idea of developing an advertising law practice for the firm. To do so, he hired public relations consultants to write and place advertisements for the firm. Those ads resulted in several feature stories about the



firm in local business publications. And from that, many local advertising agencies came to Kinney & Lange, rather than to firms in Chicago and New York.

Determine the firm's direction

The purpose of public relations, according to Loren Wittner, a public relations consultant and former practicing lawyer in Chicago, is to "support a law firm's marketing goals" after the firm has decided where it wants to go.

"By expanding a firm's visibility and the opportunities of direct contact with particular audiences," public relations can enable a law firm to represent more clients in more geographic areas or industries, and to obtain more business from existing clients, he said.

Marketing firms—not public relations firms—help lawyers determine where they should position themselves and the type of client they are best able to attract. Once the law firm determines the direction it wants to take, Wittner said, public relations consultants can step into the act.

Public relations firms can try to persuade the media to run favorable stories about law firms. "If the *Wall Street Journal* quotes a lawyer on tax reform, it's saying so and so is good enough to be our expert," Wittner said. "If the *New York Times* does a profile of a firm, it's saying that that firm is important enough to be covered as news." The added exposure could provide that law firm with the additional ammunition it needs to land new clients.

Public relations firms can coordinate other publicity-oriented activities. For example, they can help lawyers prepare by-lined articles for newspapers and professional publications, said Joe Epley, the president of North Carolina-based Epley Associates. These articles can show potential clients that the lawyer is an expert in a specific area.

Direct marketing

Lawyers also can benefit from public relations firms' direct-marketing plans. Public relations firms can help lawyers organize seminars or place them on seminar panels that will highlight their skills, experience and personalities.

Finally, by preparing written material describing a lawyer's practice in language that lay people can understand, public relations consultants can help lawyers dispel the myths that many people have about lawyers and legal procedures. "Lawyers are intimidating as hell to a blue-collar worker," Epley said. "We can help a firm prepare a pamphlet to explain what is involved in preparing a will, or

the effects of a personal bankruptcy." A public relations firm can prepare brochures that describe a firm's general practice, separate brochures that focus on a firm's capabilities in different practice areas, and newsletters that explain current developments in the law, according to Epley.

These services can create problems, but fortunately there are some relatively straightforward solutions. One of the first things lawyers should realize is that public relations differs from advertising. Lawyers can direct every detail in the advertisements they purchase and pick where they want their ads to run. They may not realize that they cannot determine all of the details of a story run by the media, or that they cannot, in fact, even predict whether or not a story will be published.

Lawyers in the press

Publications print what they want to print. The fact that "the message in a reporter's story about a lawyer or law firm cannot be controlled may upset lawyers," Wittner said. But a story in the press has more credibility than an advertisement, because a news story has the implied endorsement of some editor or producer who thought the item was important for people to know about. Ads, on the other hand, are often seen as self-serving. Lawyers should realize that a favorable story is likely to be better

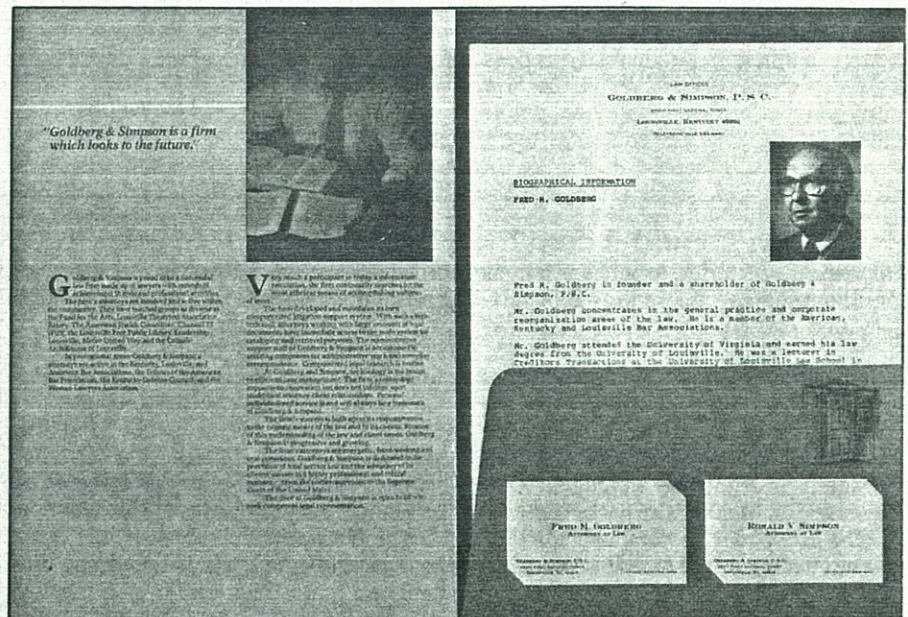
received by existing and potential clients than even a well-written advertisement. And although lawyers may prefer completely favorable stories, "a story that's only 95 percent favorable increases its credibility," Wittner noted.

Lawyers often get upset when, even after hiring a public relations firm, they are unable to place stories about themselves with specific papers, journals, television or radio shows. "They should understand how journalists work," said Alan M. Zachary, a Chicago public relations consultant. "Often they think they can hire a public relations firm who will say, 'Do a story on my client.' Journalists work very slowly; there are hundreds of public relations professionals and news events competing for their attention." Not every story idea will generate a published or broadcast story.

Lack of commitment

If not committed to a public relations campaign, lawyers may be at the root of another problem. Unless lawyers answer their public relations consultants' phone calls promptly, send them the information they need to learn about the firm, its new projects and new clients, and meet with them often enough to keep them involved in their practice, they will hamper the public relations firm's performance.

Lawyers might have to overcome a "leave me alone" mentality and realize



This brochure was produced for Goldberg & Simpson of Louisville, Ky., by Epley Associates of Charlotte, N.C. The brochure includes an eight-page color section that outlines the firm's areas of specialization, biographies of firm members and business cards that are inserted in a pocket of the cover.

that it is in their own best interests to promote themselves, according to Wittner. They must take a "pro-active" attitude toward the press, which "doesn't mean that you're a headline seeker or sensationalist," Agnew said. "We're talking only about communicating with the media."

Lawyers who are committed to a program work closely with their public relations consultants. For effective results, lawyers "must make every effort to see that the agency understands who you are and what you are," Bergerson said. The consultants need access to the lawyer's thoughts and ideas on particular subjects—their written materials, after all, should reflect the lawyer's ideas, not the ideas of the public relations firm. Public relations "is a communications business," Zachary said, which requires first and foremost that the lawyer and public relations consultant communicate.

Ethics

Lawyers must be aware of the ethical considerations involved in advertising, solicitation and promotion. The provisions of the state codes of ethics that regulate advertising, solicitation, promotion, confidentiality and trial publicity by lawyers vary substantially. A lawyer should confirm that what he or she undertakes does not violate the rules in effect in the lawyer's jurisdiction. By keeping a close tab on the public relations firm's activities, lawyers can ensure they do not go past the point at which they feel comfortable.

A commitment to public relations does not mean that every lawyer in the firm must become involved with the public relations firm. On the contrary, that's

likely to provoke a result much like Agnew faced with his unfinished eight-draft brochure.

Some public relations firms are uneasy about working for lawyers. "A good number of public relations and advertising agency people approach an assignment with a law firm with a great deal of trepidation," Bergerson said. "They want to know 'who am I working for, who's making the decisions, and what is the decision-making process.'" Law firms that have made the commitment to work with a public relations firm and have designated certain partners as contacts with the firm will have ready answers for those questions.

Writing by committee

A good technique is to designate one person or a small team to work with the public relations firm. A team should include a partner with the authority to persuade others that the public relations firm's work should not be edited word-by-word. According to Epley, "They should say whether a brochure is acceptable or unacceptable only, and shouldn't be able to rewrite it their own way." If a committee of lawyers begins redrafting materials, they may never finish.

Selecting a consultant

Lawyers should take care in selecting a public relations firm. "Public relations counsel should be hired on their ability and knowledge and your comfort," Epley said. "Lawyers should have a good rapport with the firm and make sure they understand your instincts," Zachary added.

Before choosing a public relations firm, interview several of them. "Get someone

who has represented a law firm or other professional, because representing lawyers is just flat out different from representing a company that sells steel," Wittner said. "Public relations firms who work for lawyers are helping to sell their services; which is something that's intangible."

Larger firms may be able to insist on a public relations firm that has lawyers as public relations consultants, suggested John W. Bell, a partner with the Chicago law firm of Johnson, Cusack & Bell, Ltd.

"I think you'd almost have to be a lawyer first to understand what goes on in law practice," Bell said. "To ask a lay person to use his imagination to assist a professional is difficult." Wittner, a former practicing lawyer, agreed.

"There's a certain culture, language and atmosphere among lawyers who practice in a large partnership that one can only understand if one has been close to it or a part of it," he said. Lawyers realize that press conferences and give-aways are wholly inappropriate for lawyers; public relations consultants who are lawyers would realize that, too. "Why have a public relations guy or woman waste time thinking about things like that?" Wittner said.

Is it working?

Evaluating results from public relations may be difficult, and lawyers should be prepared for a long-term process. "A one-shot deal won't work," Epley said. "It's not like a motion, where you win or lose and it's over." To evaluate their program, lawyers should look at the work product it has generated rather than the precise clients it has produced.

- Decide whether you are satisfied with the stories that appeared about you in the media, and whether you approve of the publications in which the stories appeared.

- Determine whether you are comfortable with the cost and quality of the by-lined pieces, newsletters, brochures and other written materials that the public relations firm has helped prepare.

- Continually evaluate whether you have a good rapport with your public relations firm.

If you can answer these questions affirmatively, your entrance into the world of public relations probably will succeed and you will develop new clients. As Epley said, "Public relations and positioning yourself in a community is a long-term event." And positive results from that effort can lead to a very long and successful practice in that community.

How much should it cost?

THE expense of hiring a public relations consultant will depend on the public relations firm chosen and on the particular projects it will handle.

Malone Corporate Communications of Akron, Ohio, will prepare a brochure for a law firm only as part of a three-year action plan, said John R. Wirtz, a vice president and general manager. Law firms seeking Malone's services must retain the firm under "a minimum compensation agreement of \$24,000 a year," he said.

Preparation of a small brochure by Bob Fisher of Fisher & Associates, in Sherman Oaks, Calif., can cost a law firm

\$2,000 to \$3,000. A somewhat larger brochure may be necessary if a firm has several practice areas. This could require \$6,000 to \$8,000 of his time, at rates from \$70 to \$150 an hour. Production costs are additional and depend, among other things, on the length of the brochure, the size and quality of the paper, and the number of copies printed.

For a firm of five to 25 lawyers, a brochure, including average production costs and a public relations fee of \$75 an hour, would total "\$10,000 and up, certainly no more than \$20,000," estimated W. David Kosick, public relations director of Pittsburgh's Skirboll & Garber Advertising, Inc.