

# New York Law Journal

## The Need for Follow-Through in Marketing

*By Steven A. Meyerowitz*

Could Willie Mays have hit 660 home runs if he had routinely checked his swing? Would Columbo be Columbo without "uh, ma'am, could I ask you just one more thing?" What if there were no such thing as a "reply brief"?

The point here is that what often separates success from failure is the follow-through. It is that last bit of effort that may help a ballplayer, detective or lawyer stand out from the crowd.

It is not just necessary and effective in sports, television and litigation. For law firms, follow-through is as important to marketing and new client development as a practice area's marketing plan or a lawyer's published articles.

Without sufficient follow-through, a law firm can waste a great deal of effort and marketing dollars. Poor follow-through can undermine a practice development program.

### Status Checks

Virtually every marketing step that a firm takes requires or can benefit from

follow-through. For instance, a lawyer who submits an article to an editor of a magazine or newspaper should not just assume that the editor received it. Nor should a lawyer simply rely on a Federal Express computer check indicating that someone signed for it.

The article must reach the correct editor's hands. To ensure that, the lawyer should follow up with a quick phone call to the editor, make sure the article was received and tell the editor the lawyer is eager to know if it is going to be published.

Few, if any, articles (other than regular columns) are ever published without the author being contacted by the editor. Accordingly, if the lawyer does not hear from the editor within a few weeks, it is not likely to be because the article is "in publication." More likely, the editor has turned to other things, has not yet made a decision or has decided to reject the article.

The lawyer should follow up again and ask for a decision. Lawyers should not worry about seeming too eager or

being too bothersome. No editor has ever rejected a good article because a prospective author politely inquired as to its status.

By the same token, if the editor sends the lawyer edited galleys or page proofs to review, the lawyer should do so promptly (and should request only those changes necessitated by typos or developments in the law; stylistic changes at this point should be avoided at all costs). The minimal follow-through required can yield great results — a published article.

### Mailing Lists

Suppose that a law firm regularly distributes a newsletter to clients, contacts, friends of the firm and others on its mailing list. For each issue, the firm oversees the preparation of the text, has the newsletter duplicated and brings the printed copies back to the firm so that its support staff can stuff the copies in envelopes and affix mailing labels. Thus, the firm will be completely satisfied with the product before it goes out.

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But if some of the copies of the newsletter are not delivered or are not deliverable, the firm is not maximizing the newsletter's value.

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To limit those risks, the firm should ask the Postal Service to send it change-of-address notices. The firm also should include the names of partners and associates on the mailing list, so that it can determine if and when the newsletter is delivered and the condition in which it arrives; if it is unhappy with either of these matters, it could change the way the newsletter is mailed (e.g., from third class to first class).

And to make sure that clients are receiving, reading and appreciating the newsletter, the firm should ask them, either formally (such as through a reader response fax poll, perhaps) or informally (at a lunch meeting).

Before a law firm places an ad, the firm's partners typically approve the copy, layout and design. The ad then gets sent off by a marketing director or outside consultant to one or more pre-approved

publications. Is it then published in the right issue and in the right manner?

To answer those questions, the firm should make sure it sees "tearsheets," which are actual dated copies of the page of the publication containing its advertisement. It can use these tearsheets to make certain that its ads have been published and to check that they have not run near material that the firm might consider objectionable.

The same goes for public relations. A firm that sends out regular press releases or that has retained a public relations firm should measure success. A pretty press release that nobody reads or uses is a waste.

One way a firm can make sure that its press releases are being put to good use is to have a clipping service send it copies of all stories or articles in which the firm is cited or a partner is quoted. The firm then can decide whether it is getting appropriate notice in the places where it wants to be mentioned.

Although web sites allow "hits" to be counted and charted, not all web sites permit proper follow-through. One simple solution is to set up a system so that people who visit the site can leave their names, addresses and phone and fax numbers. Then, the firm can contact them.

That leads to what some consider the most difficult part of follow-through: telephone calls to potential clients.

When a person asks to be sent a copy of a law firm's brochure, issues a

request for proposals, holds a beauty contest before choosing counsel, or accepts an invitation for a "let's meet each other" lunch, the person turns into a potential client. But these events are just the appetizer. Getting to the main course requires a bit of work on the law firm's part.

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For instance, lawyers at the firm should call the person who requested the brochure, listen to the person's needs and offer to explain what the firm does and how it can help resolve the person's legal problems. The lawyer who responds to an RFP should call to make sure the response was received, and, if possible, should ask if further information might be helpful and when a decision can be expected. These steps require that lawyers get a grip on any "phone fears" that they might have and recognize that a rejection, however one might define it, should not be taken personally.

There certainly are other areas of marketing that demand follow-through. Many will become self-evident to lawyers who develop the proper marketing habits. Any lawyer who asks "what more can be done" with respect to a particular marketing tool or potential client is on the right track.