



**Law Society**  
of Ontario

**Barreau**  
de l'Ontario

**Women's Resource Centre**  
**Guide to business development for women**  
**legal professionals**

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## **1. Introduction**

Business development is critical to the advancement of women legal professionals. This guide has been updated from the original Law Society's Justicia Project and is intended to be a practical resource for women lawyers and paralegals. In it, we have compiled numerous business development strategies after consulting the existing literature and interviewing women who have excelled in this area.

This guide is intended for women who want to improve their business development skills. The strategies outlined are designed to be implemented in firms of varying sizes, including your own sole practice.

### **a) The importance of business development for women legal professionals**

The ability to market oneself is an essential skill for any legal professional. It is not enough to be intelligent and hardworking; in order to be successful, legal professionals must also create a personal brand and learn how to generate client business. Law firms cannot exist without clients, and firms reward those who generate business for the firm. The competitive nature of the legal market today means that it is increasingly important for all legal professionals to focus on business development at every stage of their careers.

It is important for all lawyers, even the newest associates and paralegals, to engage in business development activities. As an associate, beginning to develop a client base will help speed advancement within the firm. The transition from associate to partner will be smoother for those who have already begun to build up a book of business. Most law firms expect partners to maintain a book of business sizeable enough to generate work for themselves and others.

While firm-led marketing programs may provide a foundation to business development, every legal professional who hopes to build a profitable and sustainable business practice should become active and visible in the market in their own right. The personal efforts you make to define, develop, and grow your practice throughout your career will be important to long term success.

Business development can be a source of great personal and professional rewards. Having a client base means having more freedom to manage your own practice.<sup>1</sup> You will be able to control your own workflow since you will not depend on others for work allocation.

Additionally, rainmaking power can give you leverage to negotiate for the things you want, be it a committee seat or a change to the firm's policies.<sup>2</sup> It also brings financial rewards. All of these advantages contribute to greater career satisfaction.

### **b) What Is Business Development?**

At its most basic, business development is about creating and nurturing relationships. It requires creating a personal brand and a marketing plan to build up a professional network. A business development strategy is a long-term strategic approach that enables you to make connections and develop authentic relationships with current and prospective clients so that

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<sup>1</sup> Theda C Snyder, *Women Rainmakers' Best Marketing Tips 2<sup>nd</sup> edition* (American Bar Association, 2010) at v.

<sup>2</sup> Ida Abbott, *Women on Top: The Woman's Guide to Leadership and Power in Law Firms* (Thomson Reuters, 2010) at 67.

you can ask for business in the right ways at the right times.

Tracy LaLonde, a partner at Akina Corporation, explains that business development grows out of two key concepts: (1) developing authentic relationships (2) so that you can solve people's problems.<sup>3</sup> Business development is about more than pitching your services to potential clients. In fact, aggressive pitching can be counterproductive if the authentic relationship is not yet in place. Similarly, Overhaus explains that strong professional relationships are built up gradually, and they can develop in any number of ways.<sup>4</sup>

Ultimately, no one is going to hand you the clients you need to build up your practice; however, with planning and determination, anyone can succeed at business development. The most successful rainmakers have no greater talent for "sales" than anyone else, but they are proficient at connecting with people, and they understand how to turn relationships into business.<sup>5</sup> Selling yourself successfully does not depend on charisma or on having a certain personality type, but it may require that you develop some new skills in addition to the technical legal ability that you are continually working on.

Anyone can acquire the skills to be successful at business development. Even if you dislike networking and self-promotion, you can still market yourself in ways that suit your personality. The business development strategy that you pursue should fit with your values and reflect who you are. Choose business development activities that play to your strengths. For instance, if you dislike making small talk at formal networking events, but are comfortable behind a podium, you might decide to make public speaking a core element of your marketing plan.

Each legal professional will have her own business development strategy that is uniquely suited to her strengths and personality-type. The focus of your business development efforts will also depend on what stage you are at in your career. At the junior level, business development is about internal networking, skills development and establishing a reputation for good work and dependability that will lead to repeat work referrals. It is also about maintaining relationships with your external business and professional networks and building relationships with client representatives at your level. At the mid-level, it is about focusing on a clear target market and keeping existing relationships going.<sup>6</sup>

### **c) Why women succeed at business development**

Business development is neither masculine nor feminine. Successful business development requires behaviours that are stereotypically male as well as behaviours that are typically seen as female. "Strong business developers naturally combine the 'feminine' behaviors of being empathic and asking open-ended questions with the 'masculine' behaviors of confidence and self-promotion."<sup>7</sup> Women are often thought to be skilled at interpersonal relationships. It is essential for you to establish a relationship of trust with a client in order to obtain their business.

Some women decide to emphasize their gender as part of their personal brand. Even without marketing yourself as a "woman legal professional," you can still use your gender to your advantage in more subtle ways. Women Rainmakers' Best Marketing Tips includes the

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<sup>3</sup> Tracy Lalonde, "Coaching Your Lawyers in Business Development" *ALI-ABA Live Video Webcast* (January 24, 2012).

<sup>4</sup> *Supra* note 1 at 123.

<sup>5</sup> *Ibid.* at 193.

<sup>6</sup> *Supra* note 4.

<sup>7</sup> K Brady, "Marketing and Client Development Activities" *Law Practice Today* (February 2009).

following bit of advice: "[M]any women – though not overtly – remind clients of the advantages of their gender. These might include putting the other side off guard or just being a good listener."<sup>8</sup>

Your gender may even be an advantage that helps you stand out as unique in a sea of male legal professionals. Increasingly, the in-house counsel and businesspersons who make up law firms' client base are women. Women clients may prefer to take their business to firms that promote women legal professionals. If your gender helps you get your foot in the door, take the opportunity, and use it to your advantage. For instance, you may be invited to attend a sales pitch because your firm wants to include a woman on the team. If this is the case, it may be a mutually beneficial arrangement both for you and your firm. Once you are on the team, you can show them that they were wise to include you by demonstrating your superior legal, problem solving and relationship building skills.

#### **d) Business development challenges for women**

While women can possess unique advantages for business development, they may also encounter some common challenges. Some of the most common difficulties women face in obtaining client business are addressed in this section.

##### **Self-promotion**

Some women feel uncomfortable talking to others about their skills and achievements. Women may be socialized from a young age to project modesty rather than confidence. Some women may believe that their achievements are not impressive enough to be worth talking about. Imposter syndrome, the belief that you do not deserve the successes you have achieved, affects both men and women, but it is thought to be especially common among successful female professionals.

##### **The "ask"**

If the thought of calling someone to ask for work makes your heart pound, you are not alone. Many successful rainmakers agree that asking for business is one of the hardest parts of their job.<sup>9</sup> Even so, asking for work is crucial. You may have an impressive network and be highly proficient at developing relationships, but it will not serve you well if you never ask for business. The "ask" is how you convert your network of contacts into clients. People will never know that you want their business unless you tell them.

##### **Time**

All legal professionals are busy people. After juggling the needs of the clients and all the other demands on their time, many women realize that they have limited time left over for business development.

Sacrificing business development in order to have enough time for other activities would be a mistake, however. Busy legal professionals must carefully evaluate how they spend their time to avoid low-value work and focus instead on the activities that will lead to the highest returns. Business development is high-value work and should be prioritized accordingly.

##### **Converting personal relationships into professional relationships**

Some women may have a large network of personal friends, but they do not make use of those friends as professional contacts, either because they do not know how to, or they do not feel comfortable doing so. In general, women are less likely than men to see their friends as

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<sup>8</sup> *Supra* note 2 at 22.

<sup>9</sup> *Supra* note 2 at 115.

potential clients or referral sources.

### **Traditional networking**

For many people, the archetypical client development activity is still men on the golf course or at a baseball game. Women may avoid business development because they do not feel at ease in these environments. Women are also more likely to believe that by engaging in traditional networking they are "using" people.

A further challenge is that traditional networking activities normally take place on evenings or weekends, times when women may have other obligations.

### **Less access to male power brokers**

At a junior level, women may assume that it is not worthwhile to engage in business development activities if they do not have access to influential people. They may feel uncomfortable networking with more senior lawyers, many of whom are men.

For women who are more senior, the issue is somewhat different. Overhaus recounts how, throughout her career, she worked to develop a network of female supporters, only to have many of them leave the profession by the time she became a senior partner.<sup>10</sup> The reality is that women must network and develop relationships with both men and women in order to have access to influential people.

## **2. Elements of business development success**

### **a) Self-promotion**

Getting the recognition that you deserve requires making sure that the right people hear about your achievements. Catalyst research has found that women who did more to make their achievements known advanced more, were more satisfied with their careers, and had greater compensation growth.<sup>11</sup> Do not assume that high-quality work will speak for itself. In order to win clients and generate business, it is important to talk to people about your successes.

Many women are uncomfortable with self-promotion. They tend to attribute their success to other people rather than taking the credit they deserve, or they avoid taking credit for fear of being seen as showing off. However, with well-developed interpersonal skills, it is possible to talk about one's achievements without alienating others.

### **Tips For Effective Self-Promotion**

- **Write down your achievements.** By identifying and recording your achievements you will be able to easily convey the information that you want known about yourself. See **Appendix 1** for a self-evaluation that you can use to map out your skills and achievements.<sup>12</sup>
- **Take advantage of informal opportunities to talk about your accomplishments.** When a client asks you what is new, be prepared with a response. During meetings, highlight your accomplishments in subtle ways, always making sure to pay attention to your audience and be respectful of your listener's time.

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<sup>10</sup> *Supra* note 1 at 337.

<sup>11</sup> Christine Silva & Nancy Carter, "Women Don't Go After the Big Jobs with Gusto: True or False?" *Harvard Business Review* (13 October 2011) online: [http://blogs.hbr.org/cs/2011/10/women\\_dont\\_go\\_after\\_the\\_big\\_jo.html](http://blogs.hbr.org/cs/2011/10/women_dont_go_after_the_big_jo.html).

<sup>12</sup> Peggy Klaus, *Brag! The Art of Tooting Your Own Horn Without Blowing It* (New York: Warner Books Inc, 2003) at 22.

- **Never downplay your successes.** If someone gives you a compliment, thank them. Do not minimize your achievements by saying, “Oh, it was no big deal. I had a lot of help.”
- **Promote others and give compliments.** People will likely return the favour. Consider teaming up with a colleague and agreeing to support each other by making sure that the right people hear about each other’s professional successes.<sup>13</sup> However, do not rely entirely on other people to promote you. Klaus cautions that while it is worthwhile to advocate for other people, you must also be an advocate for yourself.<sup>14</sup>
- **Get a sponsor.** A sponsor is a senior individual who uses his or her or their clout to champion your advancement. You can attract the attention of potential sponsors by doing excellent work, then ask them to help you make sure that the right people hear about your accomplishments. For more information, see [Advancing from associate to partner](#).

## Resources

- [Mastering the Art of Self-Promotion for Lawyers of Color, Part 1](#)
- [Mastering the Art of Self-Promotion for Lawyers of Color, Part 2](#)
- [Clear the Path to Your Own Success: Three Ways Women Lawyers Can Overcome Reluctance to Self-Advocate in the Workplace](#)
- [6 Tips to Becoming a Freelance Paralegal](#)
- [The Associate’s Guide to Creating a Portfolio of Accomplishments](#)
- Peggy Klaus, *Brag! The Art of Tooting Your Own Horn Without Blowing It* (New York: Warner Books Inc: 2003)

### b) Developing a personal brand

Establishing a personal brand is an important part of self-promotion. A brand is what differentiates you from other men and women who offer the same services you do.<sup>15</sup> It is “about being clear on who you are and who you’re not.”<sup>16</sup> You already have a personal brand – your brand is defined by “how you solve problems, how you interact with clients and co-workers and why you do the things you do in the way you do them.”<sup>17</sup> Be strategic about developing your brand so that your brand sends the message that you want to convey.

### Steps for developing a personal brand

- **Determine what your brand is currently.** Your personal values stand at the very core of your brand. They are the center from which everything radiates. These are things that bring out the best in you. This then implies that you already have a personal brand. That is true. You had a personal brand even before your training to become a lawyer or paralegal. The key is figuring out what it is and how to communicate it to clients and your colleagues.

You can conduct a self-analysis of your personal values, as well as your strengths to determine your brand.<sup>18</sup> You can determine your values by doing an exercise [here](#). For

<sup>13</sup> Susan Van Dyke, “Women lawyers, business development and hockey” *Canadian Bar Association Practice Link* (July 2010) online: <[http://www.cba.org/CBA/practicelink/careerbuilders\\_advancement/women.aspx](http://www.cba.org/CBA/practicelink/careerbuilders_advancement/women.aspx)>.

<sup>14</sup> *Supra* note 13 at 11.

<sup>15</sup> Ajay K Sirsi, *Marketing: A Roadmap to Success* (Toronto: Pearson Education Canada, 2010) at 88.

<sup>16</sup> Paulette Nnorom, “B’ is for Branding for the 21st Century Lawyer,” online: <https://21stcenturylawyer.ca/b-is-for-branding-for-the-21st-century-lawyer/>

<sup>17</sup> *Ibid.*

<sup>18</sup> Paulette Nnorom, “C’ is for Parlaying a Career Change,” online: <https://21stcenturylawyer.ca/c-is-for-parlaying-a->



an assessment of your Character Strengths, check out this free survey by registering first [here](#).

Once you come up with your list of values and strengths, check to see if they ring true by answering the following questions:

- What is unique about how you work/do your job?
  - What have your colleagues/partners praised you for?
  - Have you ever been rewarded with any additional responsibility at work? If so, how did that come about and what were you asked to do?
  - What would your co-workers say about you (for any job you have had)?
  - What do you enjoy the most (in life or at work)?
  - Answer this question: “I’m the person people turn to when...”
  - What kinds of people do you most enjoy working with?
  - What life experiences have you had that would be valuable to others and why?
- **Decide what your ideal brand would be.** How do you want your clients or colleagues to describe you to others? Start by answering the following questions for yourself:<sup>19</sup>
    - Who are you?
    - What is your skill?
    - What do you promise to deliver?
    - How will you add value?
    - What is your experience and record?
  - **Create an individual brand message.** Now that you have come up with a list of personal values, strengths and how you want others to describe you, it is time to communicate that message. Sometimes called an “elevator speech,” your brand message is a short statement that encapsulates who you are and what you do. It should incorporate your strengths, talents, and skills. It should not sound like a recitation of your resume.<sup>20</sup> Here is an example:

“I really enjoy helping family-owned businesses as a corporate lawyer. I grew up helping my parents run a grocery store all the way through law school. Family is important to me, and so is communication. The two don’t always mix so well, especially when a conflict arises in the family business. That’s where I excel and help my clients join forces to overcome any obstacle. For example, I was recently asked to help two family businesses merge their operations. This was not an easy task, but with a lot of patience and mediation techniques, the transition happened smoothly. This has definitely been the highlight of my career!”

## Resources

- [B is for Branding for the 21<sup>st</sup> Century Lawyer](#)
- [Building a professional personal brand as a lawyer](#)
- [20 Effective Ways to Build Your Personal Brand](#)
- See the personal branding section of the guide, [Advancing from associate to partner](#)
- Jennifer Overhaus, *Juggling the Big 3 for Lawyers: A Career Building Plan to Develop Your Personal Brand, Client Business, and Leadership Mindset* (London UK:

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[career-change/](#)

<sup>19</sup> *Supra* note 1 at 205.

<sup>20</sup> Ritu Bhasin, “Impactful Business Development – How to Capture, Communicate and Build Your Professional Brand” Women’s Law Association of Ontario Hanging out Your Shingle Series (21 February 2012).

ProvechZiel Ltd, 2009)

### c) Best practice: career coaching

Career coaching is an established best practice in law firms. Organizations committed to retaining and advancing women are putting in place coaching and career-pathing programs for new partners and promising associates. Coaching can be especially helpful for women who may self- deselect when they do not observe many women in top positions at their organization. A career coach can help women legal professionals develop their individual brand and improve their self- promotion skills.

### Resources

- Carol Wilson, *Best Practice in Performance Coaching: A Handbook for Leaders, Coaches, HR Professionals and Organizations* (2007)
- [Coaching Lawyers](#) (article about lawyer coaches in the Canadian Lawyer Magazine)
- [How to Achieve More With the Right Lawyer Coach](#)
- [Coach and Advisor Network \(CAN\)](#) by the Law Society of Ontario

### d) Marketing

All legal professionals should know some basic marketing principles and develop a simple marketing plan. This section will show you how.

### Creating a marketing plan

A marketing plan sets out your goals and outlines the marketing activities you will use to achieve those goals. Entrepreneurs with a written marketing plan have been proven to be more financially successful than those without such a plan.<sup>21</sup> You should draft a basic marketing plan for yourself, even if you will be the only person to look at it. The format will be determined by your practice area and by whether or not other people will rely on your marketing plan. If you need to develop a formal plan, there are tools available for purchase.<sup>22</sup>

Marketing plan goals should be tailored to your practice area, your personal strengths, and the stage you are at in your career. You may find it useful to organize your goals into short, medium, and long-term goals. In thinking of appropriate marketing goals, it may be helpful to first come up with a long-term vision for your law practice.<sup>23</sup> Goals should be both specific and verifiable, meaning it is possible to determine when they have been attained.<sup>24</sup> When creating the plan, you should consider what inputs are required to achieve your goals. The following are examples of possible marketing goals that are both specific and verifiable:

- Get 5 new clients by the end of the year
- Increase billings by 15% this year over last year
- Get one high-profile litigation file in the next 3 years
- Cultivate 2 new referral sources over the next 6 months

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<sup>21</sup> *Supra* note 2 at 1.

<sup>22</sup> One US-focused marketing planning tool specifically designed for lawyers is *The Profitable Law Office Handbook: Attorney's Guide to Successful Business Planning*, available for purchase at <<http://www.lawbiz.com>>; see also "Individual Marketing Action Plan" in *The Women Lawyer's Rainmaking Game: How to Build a Successful Law Practice* (West Legalworks, 2007) c 2 at 12.

<sup>23</sup> Sara Holtz, *Bringin' In the Rain* (Granite Bay, CA: Client Focus, 2008) at 11-12.

<sup>24</sup> *Supra* note 2 at 1.

Another useful marketing planning tool for legal professionals is the Marketing Roadmap<sup>25</sup>, developed by the Akina consulting corporation. The Marketing Roadmap sets out your existing network and lists your marketing activities. See **Appendix 2** for this tool.

Finally, remember to revise your marketing plan from time to time. Update your marketing plan at least once a year, if not more frequently.

### **Whom to market to**

Some groups will be more receptive to your marketing efforts than others. People who already know you and know the quality of your work are much more likely to hire you or send you a referral than are people with whom you have no existing professional relationship. For this reason, Sara Holtz suggests marketing to the following four groups, listed in order of priority:<sup>26</sup>

- Existing clients
- Existing referral sources
- Possible internal referral sources
- Strangers

### **Choosing a target**

Your time is valuable, so it is important to focus your marketing efforts on a targeted group of people. The practice of choosing a target market is called segmentation.<sup>27</sup> Everyone has different needs; however you cannot solve everyone's legal problems. Segmenting your potential client base will enable you to employ a focused and efficient marketing strategy by concentrating on potential clients who all have similar legal needs.

If you are unsure about how to choose a target market, start by answering the following questions:

- What type of legal work do you want to do, or do you do?
- What is your ideal client? Think about the following factors: size, geographic location, type of legal work, specific industry focus, individual or institutional clients, and specific ethnic communities.<sup>28</sup>
- Who do you like to work with? If your target clients are people who you enjoy spending time with, then marketing activities will be more enjoyable.<sup>29</sup>

Once you have chosen one or two target markets, fill in the chart at **Appendix 3** and keep it with your marketing plan.<sup>30</sup>

### **Researching Your Target Market**

The next step after deciding on a target market is to learn as much as you can about your client base. Once you have a solid understanding of the needs of your client base, you will be able to offer appropriate services.

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<sup>25</sup> Adapted from Tracy Lalonde, "Coaching Your Lawyers in Business Development" *ALI-ABA Live Video Webcast* (January 24, 2012).

<sup>26</sup> *Supra* note 22 at 18.

<sup>27</sup> *Supra* note 16 at 52.

<sup>28</sup> *Supra* note 22 at 10.

<sup>29</sup> Silvia L Coulter, *The Woman Lawyer's Rainmaking Game: How to Build a Successful Law Practice* (West Legalworks, 2007) at 2-22.

<sup>30</sup> Adapted from Tracy Lalonde, "Coaching Your Lawyers in Business Development" *ALI-ABA Live Video Webcast* (January 24, 2012).

Try to answer the following questions about your clients:<sup>31</sup>

- Who are your clients and potential clients?
- Where do they work?
- What associations do your clients belong to?
- What are they reading?
- What is important to them?
- What are their problems and concerns?

Market research can be done informally.<sup>32</sup> Take every opportunity to talk to your clients about their problems and concerns. Periodically ask your clients how business is going. Follow the news and subscribe to industry publications. Attend industry events or trade shows.

One of the advantages of targeting clients from a particular industry is that you can become an expert on your client's business. This is an effective business development strategy. The most successful women rainmakers report that they have a good understanding of their clients' business.<sup>33</sup>

### **Marketing to referral sources**

Relationships with the people who regularly refer work to you must be cultivated and developed, just like your client relationships. Anyone can be a referral source, not just other lawyers, or paralegals. The following groups of people are likely referrals sources:<sup>34</sup>

- Satisfied clients
- People who have referred clients to you in the past
- Former colleagues
- People with whom you have a strong professional relationship
- Lawyers or paralegals who do not compete directly with you
- Lawyers or paralegals who cannot act in a matter due to a conflict of interest or who are simply too busy to take on more work

Make a practice of always letting clients know that you appreciate referrals. Satisfied clients are usually happy to refer more business to their lawyer or paralegal. Whenever someone refers business to you, send them a personal note to thank them.

It helps to be specific when you request referrals. Describe what kind of referrals you want and tell the other person what you would like them to do.<sup>35</sup> The referral source is more likely to follow through if you ask them to do something specific, such as introducing you to someone.

### **Making time to market**

Making time for marketing is one of the most common business development challenges reported by lawyers.<sup>36</sup> The following are a few steps you can take in order to maximize your marketing efficiency and make the most of your valuable time.

- **Know which clients are most likely to give you work.** A "high-potential" client is

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<sup>31</sup> *Supra* note 16 at 28.

<sup>32</sup> *Ibid.* at 29.

<sup>33</sup> Catherine Alman MacDonagh and Marcie L. Borgal Shunk, "Women Rainmakers: Keys to Business Development Success" (December 2007) CBA PracticeLink, online: [http://www.cba.org/cba/practicelink/leadership\\_marketing/women\\_rainmakers.aspx](http://www.cba.org/cba/practicelink/leadership_marketing/women_rainmakers.aspx).

<sup>34</sup> *Supra* note 22 at 23.

<sup>35</sup> *Ibid.* at 81.

<sup>36</sup> *Supra* note 28 at 2-21.

someone who is likely to need your services, open to hiring you, and fits the profile of your ideal client.<sup>37</sup> Spend most of your marketing time on these people.

- **Spend less time on low-value activities.** On average, each additional hour per week spent on business development activities results in an additional \$30,000 in origination revenue.<sup>38</sup> Recognize the value of business development and prioritize it over other activities if necessary.
- **Look for ways to turn what you are already doing into marketing activities.**<sup>39</sup> When you read the daily newspaper, look for articles that might be of interest to others and forward them with a brief note. When you attend meetings sit next to someone who you would like to know better and engage them in conversation.
- **Market to people you like.** If your target market is composed of people who you like and enjoy spending time with, then marketing can be enjoyable instead of being another burden on your limited time.
- **Incorporate business development into your personal activities.**
- **Schedule time for business development.** If you say you will get to business development when you have time, it is never going to happen. If you find that you are simply not making time for business development, block off a regular time in your calendar each week for business development activities and stick to it.
- **Decide for yourself why you want to market.** If you are just doing it because your firm wants you to, or because you have heard it is something all lawyers or paralegals should do, you are unlikely to be motivated to make the time for marketing. Know your own reasons for wanting to market, whether it is money, security, influence, or something else.<sup>40</sup>

## Resources

- Sara Holtz, *Bringin' In the Rain- A Woman Lawyer's Guide to Business Development* (Granite Bay, CA: ClientFocus, 2008).
- Ajay K Sirsi, *Marketing: A Roadmap to Success* (Toronto: Pearson Education Canada, 2010).
- [Law Firm Sales: Preparing for Client and Prospect Meetings to Win](#)
- [Make Your Marketing Pitch In A 30-Second Elevator Speech](#)
- [The Beginner's Guide to the Sandler Selling System, According to Sandler's VP of Sales](#)

### e) Effective ways to approach business development

Many lawyers and paralegals engage in writing and speaking to build their profiles and generate business. Another common business development strategy is to increase your visibility in the media.

Think about what you like to do and tailor your business development strategy to make the most of your strengths. By choosing activities that play to your strengths, it is possible to succeed at business development without going too far outside of your comfort zone. Try to go outside of your comfort zone by only 10%, so that you are challenging yourself and developing

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<sup>37</sup> *Supra* note 22 at 24.

<sup>38</sup> *Supra* note 32.

<sup>39</sup> *Supra* note 22 at 85.

<sup>40</sup> *Ibid.* at 94.

new skills.<sup>41</sup>

## Writing and publishing

Writing is a good way to raise your profile and become known as an expert in your field. Writing may also lead to invitations to speak at conferences and events. Writing is time consuming, however, and getting published can be difficult. Therefore, it is important to be strategic in order to ensure you get the most out of your efforts.

- **Tips for writing and publishing**
  - **Choose your topic carefully.** Write about something pertaining to an area in which you want to do legal work.<sup>42</sup>
  - **Save time by converting work you have already done.** Repurpose a legal brief or memoranda into an article. Often you can publish the same piece with minor changes in more than one place.
  - **Make sure your work is seen by the right audience.** Legal magazine or journals are a good place to publish if you are writing for other lawyers or paralegals, but not if you are hoping to reach potential clients.
  - **If unsure what to write about, write a descriptive piece about new developments in your field of law.** Descriptive articles are easier to write than analytical articles, and if you can be the first one to talk about a recent change in the law, you are more likely to get broad readership.<sup>43</sup>
  - **Be timely.** When writing about current developments in the law, do not delay. Publish it as quickly as you can.
  - **When you get published, let people know.** Send the article to anyone who might be interested and include a link to your article on your firm's website.
  - **Have a good picture.** Include a nice professional headshot with your publications so that you become recognizable.

## Public speaking

Writing and speaking frequently go together. Many of the challenges associated with publishing are also true of public speaking. Like writing, preparing a speech is time-consuming and does not always generate new business right away.

- **Tips for Public Speaking**
  - **Weigh the costs and benefits of speaking.** Before you agree to a speaking engagement, consider how long it will take to prepare, and whether the payoff will be worth it. Consider who the audience will be and how much exposure you will get beyond the live audience.<sup>44</sup>
  - **Write your own introduction.** In your introduction, tell the audience how you help people with problems like theirs.<sup>45</sup>
  - **Invite clients and prospects.**
  - **Create a holdback, such as an article or a checklist.** Offer to send it to

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<sup>41</sup> *Ibid.* at 4.

<sup>42</sup> *Supra* note 2 at 81.

<sup>43</sup> *Supra* note 2 at 82.

<sup>44</sup> *Supra* note 22 at 114.

<sup>45</sup> *Supra* note 2 at 83.

- anyone who requests it after your presentation.
- **Spend time talking to people one-on-one both before and after your presentation.**
- **Re-use your speech.** Deliver the same speech at different events, or repurpose it as an article, blog post, podcast, or client alert.

### **Other ways to raise your profile**

Being quoted in the newspaper can be an effective way to raise your profile. Consider working with your firm's communication department to notify the industry or legal media about your publications or speaking engagements. Remember to consult your firm's media policy before agreeing to talk to a reporter.

Another effective way to increase your visibility is to be profiled in the legal media. Several publications, such as Lexpert, Precedent, US News, and Chambers Global, regularly publish profiles of leading lawyers in various areas.

### **Resources**

- [Your Guide to Law Firm Business Development](#)
- [Business Development for Women Lawyers](#)
- [How Women Lawyers Can Share In The Rainmaking Dance](#)
- [4 Business Development Truths for Women Lawyers](#)

#### **f) Online marketing and social media**

Online marketing tools are especially useful for women lawyers and paralegals because they provide new ways for women to engage in business development while balancing work and other obligations. They also offer opportunities for women to stay engaged while away on leave and to on-ramp back into practice when they return. In one example, the authors of *Social Media for Lawyers: The Next Frontier* began blogging as a way to build up their law practices after spending time raising children. For both women, their blogs brought them recognition as experts in their fields and led to further business development opportunities.<sup>46</sup>

### **Why use online marketing?**

Online marketing tools are not ends in and of themselves. They are tools that you can use to achieve your business development goals.<sup>47</sup> Just like any other business development tool, online tools should be approached strategically, with a particular purpose in mind. Below is a list of some of the few possible goals that can be achieved using online resources.

- Generate new clients
- Stay in touch with existing clients
- Conduct research on your clients and competitors
- Expand your network of referral sources
- Raise your profile in the legal and business community

### **Social media**

Social media sites allow users to create online profiles, share content, and connect with other users. There are several, but the popular ones are LinkedIn, Facebook, X, formerly

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<sup>46</sup> Carolyn Elefant & Nicole Black, *Social Media for Lawyers: The Next Frontier* (American Bar Association, 2010) at xvii.

<sup>47</sup> *Ibid* at xxii.

known as Twitter, YouTube, Instagram, and TikTok.

LinkedIn (<http://www.linkedin.com>) is designed specifically for professional networking. It has the largest user base of any business-focused social networking service.<sup>48</sup> Conference organizers regularly use LinkedIn to get ideas for potential speakers, and it has become common for employers to consult the LinkedIn profiles of job applicants. Potential clients might want to consult your LinkedIn profile prior to meeting you for the first time.

LinkedIn users can create an individual profile that functions as an online curriculum vitae. Your profile should include information about what kind of work you do, as well as your past work experience and education. You can also connect with other users and share information with your contacts. Marketing consultant Amy Knapp has created a "LinkedIn Strategy Worksheet" to help lawyers get the most out of their LinkedIn accounts.<sup>49</sup> She suggests considering the following questions:

- In what specific area of law do you want to be the go-to professional?
- What are the titles of people with whom you would like to connect? Who among your existing contacts falls into this category?
- Where is the greatest market opportunity in the next 12 to 18 months?
- Which other colleagues or professionals are doing business with your target group?
- If a potential client were to search for a lawyer or paralegal using Google, what might he or she or they type in the search bar?

In contrast to LinkedIn, Facebook (<http://facebook.com>) has more of an emphasis on personal rather than professional networking; however, Facebook can still be a useful resource for lawyers and paralegals. Facebook provides an easy way to stay in touch with a large group of friends and acquaintances. You can use Facebook to reconnect with former classmates or colleagues that you may have lost touch with over the years. It can also help you remember your contacts' birthdays and milestone events, such as weddings or births. Some lawyers and paralegals are able to use Facebook to generate business. In an issue of *Law Practice Magazine*, Michele RJ Allinotte writes that she uses Facebook for business purposes and that it brings in new clients and leads.<sup>50</sup>

## Resources

- [How To Promote Your Law Firm Using Social Media](#)
- [Digital Marketing For Lawyers: Where To Spend Your Budget](#)
- [Legal Ethics and Social Media: A Practitioner's Handbook, Second Edition](#)
- [The Complete Guide to Social Media for Lawyers](#)
- Carolyn Elefant & Nicole Black, *Social Media for Lawyers: The Next Frontier* (American Bar Association, 2010).

## Blogs and X/Twitter

Legal blogs have become an important source for up-to-date legal news and analysis, and legal bloggers occupy an important place in the profession. Prominent legal bloggers are often

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<sup>48</sup> Adrian Dayton & Amy Knapp, *LinkedIn and Blogs for Lawyers: Building High Value Relationships in a Digital Age* (West LegalEdcenter, 2012) at 1.

<sup>49</sup> *Ibid.* at 20.

<sup>50</sup> Michele RJ Allinotte "Finding Friends (and clients) on Facebook" *American Bar Association Law Practice Magazine* (January-February 2012).



asked to contribute to print journals and invited to speak at conferences. If you enjoy writing, blogging can be an effective way to establish your reputation as a leader in your chosen practice area. However, blogging requires a significant time commitment. In order to be successful, a blog should publish new content at least once a week.

If you decide to start your own blog, first determine what you want to write about. Most successful legal blogs are focused on a specific area of the law. The world of legal blogs is crowded, and "the narrower your niche is the more you can stand out."<sup>51</sup> The authors of *LinkedIn and Blogs for Lawyers* offer some suggestions to help generate ideas for blog posts:<sup>52</sup>

- What challenges are your potential clients facing?
- What interesting articles have you read lately, and what can you add?
- How do other industries deal with the same challenges that your clients are facing?
- What kinds of questions have you received lately from readers or clients? What interests you about your practice area?
- What mistakes have you made and what did you learn? What are some current trends in your industry?

In addition to blogging, lawyers and paralegals can also consider using X/Twitter. X/Twitter enables users to post short statements, called "tweets". Users can also "follow" other users. This format necessitates a form of communication that is very streamlined and direct. Twitter is an effective tool for distributing information to a wide audience, and it is also a useful tool for research as it is possible to track a particular subject and to keep up to date on new developments.<sup>53</sup>

Blogging and tweeting frequently go together. Tweeting is more instantaneous than blogging. While your blog posts can live online forever for future clients to read, your tweets will probably only be read by people who are already following you. You can use X/Twitter to announce when you publish new content on your blog, or you can use it to send out short announcements that do not merit a lengthy post.

## Resources

- [Beyond Twitter: Why Lawyers Are Expanding Their Social Media Presence](#)
- [How to Start a Legal Blog](#)
- Adrian Dayton & Amy Knapp, *LinkedIn and Blogs for Lawyers: Building High Value Relationships in a Digital Age* (West LegalEdcenter, 2012).
- [Canadian Law Blog Awards](#)

## Websites

The world of online marketing has reached a point where every law firm or sole practitioner should have a website. For many people, Google has replaced the phone book. Without a website, you lose the opportunity for clients to find you.<sup>54</sup> Even if all your clients come from

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<sup>51</sup> Jayne Navarre and David Freeman, "Branding Yourself Online: Tips for Spinning Your Story with Blogs and Other Social Media" *Law Practice Magazine* (January-February 2009).

<sup>52</sup> *Supra* note 49 at 83.

<sup>53</sup> Daniel Schwartz, "I Tweet. Therefore, I Am." *Law Practice Magazine: The Social Media Issue* (January-February 2012).

<sup>54</sup> Pat Yevics "Adding New Tools to Your Marketing Toolbox" *ABA General Practice, Solo & Small Firm Division Technology eReport* (June 2010).

referrals, it is still important to have an online presence. Potential clients commonly get more than one name from a referral source and visit the lawyer's/paralegal's respective websites before deciding who to contact.<sup>55</sup>

If you do not yet have a website, you can hire a web designer to create a simple one for you or you can create your own with a website builder. The following are a few things to keep in mind when considering setting up a website.

- **Think about your website through the eyes of your clients.** Avoid legal jargon. Clients want to know how you help people with problems like theirs, so put that information in a prominent place.<sup>56</sup>
- **Write an effective biography.** A good bio should address who you are and how you got to where you are, whom you act for, and what you do.<sup>57</sup> It is important that individual law firm bios be updated at regular intervals.
- **Include your picture.** It is common practice for lawyers and paralegals to include a professional headshot with their online biography.
- **Include your contact information.** Visitors to your website should be able to quickly find out where your office is located and how to get in touch with you.

## Resources

- [How to Build a Custom Law Firm Website Without Coding Experience](#)
- [Best law firm website builder – build your clientele online](#)
- [Law Firm Website Design Best Practices & Examples](#)
- [4 Tips for the Rebel When Building a Website](#)

## Best practices

It should go without saying that your use of technology must comply with the *Rules of Professional Conduct* as well as your firm's social media policy. In addition, the following are a few best practices for social media:

**The biggest concern with social media for most lawyers and paralegals is confidentiality.** You must protect client confidentiality when blogging, just as you would if you were writing an article to be published in print media. The best practice is to not write about your clients at all, even with identifying information removed, unless you have the client's consent.

**All the rules regarding lawyer and paralegal advertising also apply to online activity.** For instance, in Ontario lawyers cannot refer to themselves as specialists unless they are certified as a specialist in the relevant area by the Law Society of Ontario. Ensure that your LinkedIn profile does not state that you are a "specialist" unless you are so certified.

**Read and follow your firm's social media policy.** Your firm may have a policy that limits social media use. Check the policy before you start blogging or interacting with clients online. While it is not against the *Rules of Professional Conduct* in Ontario, it is not recommended to "friend" your clients on Facebook. Additionally, when communicating with clients, keep in mind that online forms of communication are not secure.

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<sup>55</sup> Anne Bothwell, "Web Sites as Branding Tools: Quick tips for Creating a Positive Experience for Prospects" *Law Practice Magazine* (January-February 2009).

<sup>56</sup> Allison C Shields "What Makes a Good Lawyer Biography?" (6 June 2012).

<sup>57</sup> *Ibid.*

## g) Building relationships

At its root, everything you do to develop your business is about building relationships. This section focuses on how to make connections with people and how to develop strong relationships. If you have a large and diverse network of contacts, opportunities and clients will naturally come your way. If you walk into a networking event hoping to land the perfect client, you are likely setting yourself up for disappointment. Your goal starting out should just be to meet new people and get to know them.

There are numerous ways to meet people and build your network. By using your strengths, it is possible to connect with potential clients and referral sources without going too far outside your comfort zone.

<b>If you enjoy</b>	<b>....then try</b>
Meeting new people	traditional networking, i.e. cocktail parties
Talking to people one-on-one	taking people out for lunch or coffee
Research and writing	publishing articles or blogging
Public speaking	presenting at conferences or teaching

### **Building your internal network**

A good place to start networking, especially for junior lawyers or paralegals, is within your firm. The following are some ideas for ways to raise your internal profile:

- Join committees and attend events
- Take advantage of professional development opportunities offered by your employer, such as lunchtime lectures
- Eat your lunch in the cafeteria or break room, or make plans to go out for lunch with colleagues

### **Resources**

- [Internal Networking: Why It's Important And How To Do It Well](#)
- [Lawyer Networking Best Practices: A Modern Approach](#)
- [The power and impact of community in the law: How networking helps me become a better lawyer](#)

### **Join external organizations**

In addition to getting involved at work, begin to build up your profile in the legal community. Join organizations and be an active member. Sign up for mailings and attend events. Find ways to get involved in the organization's operations by joining committees or offering to speak at events. Get to know the other members, but do not engage in obvious self-promotion to the other members. It will be seen as self-serving.

The following are some ideas for types of organizations to join:

- Bar associations and other professional organizations
- Organizations that your clients belong to, such as industry associations

- Any organization that you have a genuine interest in.

### Tips for networking at social events

The following are some tips for traditional stand-up networking events. The resources following include networking at a virtual event.

- **Ask open-ended questions to prompt conversation.** Some examples of conversation openers are: “What do you think of the event / the speaker / the venue?” “How are you enjoying the conference?” or “How did you first get involved in this organization?”<sup>58</sup>
- **Be interested, not interesting.**<sup>59</sup> The secret to being a great conversationalist is to figure out what interests the other person. Express genuine interest in what she or he has to say by listening actively. While straightforward in theory, doing this well takes practice.
- **Be positive.** People like to be around positive people, so do not complain or express negativity when you are making a first impression.<sup>60</sup>
- **If you do not know anyone at the event, introduce yourself to someone.** 80% of people consider themselves to be shy in social situations.<sup>61</sup> If you are nervous about approaching someone, remind yourself that the other person is probably shy too, and they will be relieved that you made the first move. Look for someone standing alone and be his or her or their “saviour”.
- **Do not engage in aggressive self-promotion the first time you meet someone.** The first step is to get to know the new contact. Using the hard sell too early is usually counterproductive.<sup>62</sup>
- **Prepare some topics to talk about before you go.** Read up on current events to get ideas for conversation topics. Look at the most commonly read news source in your region so that you will have a common frame of reference with the other attendees.
- **Attend with a colleague.** But make sure that you both understand that you are going to support each other in meeting other people. Do not spend the entire event talking to the colleagues that you came with.
- **Ask someone to introduce you.** Pair up with someone more senior, or someone who is simply good at networking, and ask them to introduce you to their contacts.
- **If someone seems like a good connection, plan a definitive next step.** Try some variation of the following: “I’d be interested to talk more about the challenges you are facing in x industry. Could we continue this conversation over lunch sometime in the next month?” Then collect the person’s card and follow up with them.<sup>63</sup>

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<sup>58</sup> *Supra* note 28 at 3-26.

<sup>59</sup> *Supra* note 1 at 126.

<sup>60</sup> *Ibid.* at 343.

<sup>61</sup> Susan Roane, *What Do I Say Next?: Talking Your Way to Business and Social Success* (New York: Warner Books Inc: 1997) at 237.

<sup>62</sup> *Supra* note 1 at 353.

<sup>63</sup> *Supra* note 4.

## Resources

- Susan Roane, *How to Work a Room* (William Morrow Paperbacks: 2007)
- [How to Turn Any Social Event Into a Networking Opportunity \(Without Being Creepy About It\)](#)
- [15 Networking Strategies To Make A Great First Impression At Events](#)
- [How To Get The Most Out Of A Virtual Networking Event](#)
- [Four Ways To Make The Most Out Of Your Virtual Networking Events](#)

## Follow-up with your new contacts

In most cases a new connection will not become an important business contact after the first meeting, or even the first several meetings. Experts say that it takes an average of seven contacts before a sale is made.<sup>64</sup> Chances are that someone you meet for the first time will not have any legal work to give you right away, but if you keep in touch with a prospect over months or years, eventually some opportunity for work will arise.<sup>65</sup> Therefore making plans to follow-up with the people you meet should be an integral part of any networking activity.

Below is a list of ideas for keeping a new relationship going:

- Send a thank you note after a first meeting
- Send articles of interest with a personal note
- Make plans to meet for lunch or coffee or drinks
- Send information about your firm or practice
- Send your organization's newsletter
- Invite the contact to an event hosted by your organization
- Send holiday cards (if appropriate)
- Introduce the contact to someone you think they should know
- Call to ask for advice about an area of their expertise.

## Use your personal network

Most women already have a large group of personal contacts who could be potential referral sources, or even clients. Yet many women resist networking with their friends out of concern that they might be taking advantage of the friendship. Sara Holtz recommends changing your mindset. If the friend is a businessperson, they will understand the need for people to market their services.<sup>66</sup> Asking a friend for business does not mean that you do not value the friendship or that you do not respect the boundaries between friendship and business. If you do not feel comfortable working with your friend yourself, consider referring him or her or them to a colleague.<sup>67</sup>

### h) Rainmaking

The ultimate goal of all of your business development efforts is to generate client business. The majority of time during the sales process should be spent on relationship building and preparation, but at some point it will be necessary to actually ask for work. This section

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<sup>64</sup> *Supra* note 22 at 54.

<sup>65</sup> *Supra* note 28 at 1-10.

<sup>66</sup> *Supra* note 22 at 77.

<sup>67</sup> Deborah Epstein Henry, "Business Development Beyond Rubber Chicken Dinners."

addresses the question of when and how to make the pitch, and how to overcome objections.

### **Attributes of successful rainmakers**

In a law firm, a rainmaker is a partner who is able to maintain a book of business large enough to generate work for the firm. Some women may think that they cannot be a rainmaker because they do not see themselves as the type of smooth-talking, back-slapping male partner typically associated with the role. However, this stereotype does not accurately describe what it takes to be a rainmaker. The ability to generate business does not depend upon having a talent for sales or being connected to a “good old boys” network. Most rainmakers do not see themselves as “selling” at all. Instead, they see themselves as helping people find appropriate solutions to their legal problems.

There is no single personality type necessary for being a rainmaker, but there are certain qualities that are associated with higher originations. All of these are attributes that can be improved with practice. Furthermore, these qualities are many of the same qualities associated with being a successful legal professional. Rainmakers are:

**Knowledgeable about their clients’ business** – one study found that women lawyers who said they understood many aspects of their clients’ business reported 100% higher originations than those who did not;<sup>68</sup>

**Good listeners** – they give clients focused attention, and make them feel valued and understood;<sup>69</sup>

**Empathetic** – they are able to shift perspective to understand how their clients see the world;<sup>70</sup>

**Confident** – they are comfortable promoting themselves because they believe that the services they are offering will help achieve the client’s goals;

**Effective negotiators** – studies show that rainmakers score higher than service partners on measures of “ego drive,” which is the ability to persuade others for the sake of persuading;<sup>71</sup>

**Resilient** – they do not dwell on rejection, but instead move on to the next opportunity;<sup>72</sup>

**Customer service-oriented** – they genuinely like people and want to help;<sup>73</sup>

**Leaders** – women in leadership positions report higher originations than those who are not leaders.<sup>74</sup>

### **Deciding when to pitch**

Successful rainmakers do not think of selling, or “pitching”, as an isolated event, but rather as the outcome of a multi-step process that involves building relationships and gaining knowledge to understand the prospect’s needs.

The best time to make a pitch is when the prospect has a problem or opportunity that you can

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<sup>68</sup> *Supra* note 37.

<sup>69</sup> Ed Poll, “How Women Lawyers Can Make Rainmaking Work” American Bar Association Law Practice Magazine (August 2010).

<sup>70</sup> *Supra* note 28 at 10-5.

<sup>71</sup> *Ibid.* at 10-3.

<sup>72</sup> *Supra* note 37.

<sup>73</sup> Kathleen Brady, “Marketing and Client Development Activities” American Bar Association Law Practice Today (February 2009).

<sup>74</sup> *Supra* note 37.

help with.<sup>75</sup> It would not be unusual for months or years to pass before such a problem or opportunity arises.

In some practice areas, you may be invited to respond to a Request for Proposal (RFP). If you are invited to respond to an RFP, you should always do so. Even if you do not believe you are likely to be hired, submitting an RFP can be a way to get your foot in the door and could lead to more opportunities later on.<sup>76</sup> Be aware that most firms have a protocol for responding to RFPs, so if you do receive an invitation, forward it to the appropriate person in your firm to learn about the proper steps to take.

### **Making the pitch**

Asking for work is one of the hardest parts of most lawyers'/paralegals' jobs. Everyone faces rejection from time to time, and while it never feels good, women can be more likely than men to take it personally. If this is a problem for you, practice separating yourself as a person from the services you offer. Just because someone does not need your legal services does not mean they do not like you as a person.<sup>77</sup> The more times you ask for work, the easier it becomes.

When the time comes to make a "sales pitch," prepare for it as thoroughly as if you were preparing a case on behalf of a client. There is no single way to ask for business. Some people are comfortable making a direct ask by saying, "I'd like to do your work." Other people ask more indirectly. Observe how others do it and experiment with different techniques until you find a way that feels genuine for you.

### **Tips for successful pitching**

Figure out who makes the decisions regarding hiring a lawyer or paralegal. This is the person whom you should make your pitch to.

**Ask questions to assess the prospect's needs with respect to the specific legal issue.** Spend no more than 20 percent of the time talking and listen the rest of the time.<sup>78</sup> Ask the prospect about their goals, the challenges they face, and their expectations. Refer the article at **Appendix 4**, "20 Questions You Should Ask Current and Prospective Clients" for ideas of what to ask.<sup>79</sup>

**Describe the benefit that you can provide.** Explain the features of the services that you or your firm can provide and how it addresses the prospect's identified needs.<sup>80</sup>

**Be enthusiastic.** Show that you care about what the client is doing and express your desire to help.<sup>81</sup>

**Sell the whole firm.** Even if a prospective client does not need your services at this time, he or she or they might need a different kind of legal assistance. Be prepared to refer them to other practice areas at your firm.

### **Overcoming objections**

If a prospect turns you down, your work is not done yet. Ask open-ended questions to determine the source of the objection and use your negotiation skills to try to address their

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<sup>75</sup> *Supra* note 4.

<sup>76</sup> *Supra* note 28 at 6-7.

<sup>77</sup> *Supra* note 22 at 133.

<sup>78</sup> *Supra* note 28 at 4-7.

<sup>79</sup> William J Flannery Jr, "20 Questions You Should Ask Current and Prospective Clients."

<sup>80</sup> *Supra* note 28 at 4-3.

<sup>81</sup> *Ibid.* at 7-5.

concerns. Negotiate to overcome objections, just as you would if you were advocating on behalf of a client.

Try to anticipate possible objections and prepare your responses.<sup>82</sup>

**Common objection** - The prospect already has a lawyer or paralegal.

**Possible response** - Ask under what circumstances they would be open to working with other firms.

**Common objection** - The prospect is not in a position to hire you.

**Possible response** - Ask who is responsible for making decisions for hiring a lawyer or paralegal.

**Common objection** - The prospect says you are too expensive.

**Possible response** - Ask if they would be open to hiring you if cost were not an issue. This will help you to determine whether the price is the real concern.

**Common objection** - The prospect wants a more diverse group.

**Possible response** - Ask questions to figure out what kind of diversity is important to the prospect and why. Be prepared with statistics and information about diversity initiatives at your firm.

**Common objection** - The prospect wants service in another language.

**Possible response** - Tell the prospect which languages are spoken at your firm.

If the prospect ultimately decides not to hire you, stay in touch anyway. In a few months or years, they may have a new problem or opportunity that you could help with, or they may decide that they are not happy with their current representation and switch firms.

### **The consultation process**

Many law firms and sole practitioners offer a free or paid consultation for prospective clients to discuss their legal issue to be able to decide if that lawyer or paralegal is the right match for them. Making a pitch is necessarily part of this process. However, many legal professionals struggle with the consultation process. The following are a few reasons:

- They do not understand the purpose of a consultation.
- They feel the urge to solve the person's legal matter during the consultation.
- They do not apply the usual principles of building client loyalty.
- They focus solely on their competence.

From the prospective client's perspective, they have a problem, which happens to be legal in nature, and are looking for someone to help them. This means that like any other transaction, the decision of a prospective client to choose one lawyer or paralegal over another comes down to warmth and competence. Research has shown that as much as 82% of customer behaviour can be predicted by these two categories.<sup>83</sup> In other words, a prospective client likely expects to see both qualities of warmth and competence before retaining a legal professional.

So, what does this mean when making a pitch during the consultation process? For one thing, it means that legal professionals need to remember they are human first. Showing warmth is not about giving a hug, it is about demonstrating your intentions – why you are a lawyer, “why

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<sup>82</sup> *Ibid.* at 7-12.

<sup>83</sup> Chris Malone and Susan Fiske, *The Human Brand: How We Relate to People, Products and Companies* (San Francisco: Jossey-Bass, 2013) at 4.



you do the things you do in the way you do them.”<sup>84</sup>

The good news is that you have already done this work in the section, **Developing a personal brand** [hyperlink]. Your personal values and strengths give insight into your intentions as a human being, which is something that most prospective clients want to understand before hiring a legal professional. Knowing your personal brand can help you design the consultation process in a way that is genuine for you.

Lawyer Coach Paulette Nnorom gives an example of a lawyer who applied this information when designing their consultation process:

“Take ‘Mary,’ for example. Mary’s personal values include respect, concern for others and meaning. After a series of workshops with me, Mary was able to come up with a checklist of Initial Client Meeting Retention Strategies. For each of her values, she listed specific action items or things she could say to demonstrate that value. Mary looks at this checklist before each client interview and reports that this holistic approach has drastically improved her client acquisition rates.”<sup>85</sup>

## Resources

- Silvia L Coulter, *The Woman Lawyer’s Rainmaking Game- How to Build a Successful Law Practice* (West Legalworks, 2007)
- [A is for “Adapting” to the Client Interview](#)
- Cordell Parvin, *Cordell Parvin Blog: Developing the Next Generation of Rainmakers*, online: <https://www.cordellblog.com/>
- Theda C. Snyder, *Women Rainmakers’ Best Marketing Tips, 2nd ed* (American Bar Association, 2003).
- David H. Sandler, *You Can’t Teach a Kid to Ride a Bike At A Seminar* (Bay Head Publishing Inc., 2015)

### i) Maintaining client relationships

In most law firms, existing clients are by far the biggest source of new work. On average, 80% of new business comes from existing clients.<sup>86</sup> Therefore marketing to current and former clients should be a large part of any lawyer's or paralegal's business development strategy. If you work for a large firm make sure you get to know existing clients, and that clients get to know you.

Do not take your clients for granted by assuming that they will continue to give you work just because they have in the past. Every time you do work for a client is an opportunity to build client loyalty by demonstrating the quality of your work and providing superior service.

### Some strategies for building client loyalty

Distinguish yourself by providing excellent customer service. Each year BTI Consulting publishes a list of lawyers at firms around the world who have been identified by corporate counsel as "client service all-stars." The report includes the key attributes of client service leaders.<sup>87</sup>

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<sup>84</sup> Paulette Nnorom, “B’ is for Branding for the 21st Century Lawyer,” online: <https://21stcenturylawyer.ca/b-is-for-branding-for-the-21st-century-lawyer/>.

<sup>85</sup> Paulette Nnorom, “A is for ‘Adapting’ to the Client Interview,” online: <https://21stcenturylawyer.ca/a-is-for-adapting-to-the-client-interview/>

<sup>86</sup> *Supra* note 22 at 18.

<sup>87</sup> Report for 2012 available online: <<http://www.bticlientserviceallstars.com/>>.

- **Express a genuine interest in your clients and their work.** Try to put yourself in your clients' place and understand their perspective. Ask questions and listen to what they have to say.
- **Learn as much as you can about your clients' business.** Most clients state that they want their lawyer or paralegal to learn more about their work, and studies show that the most successful rainmakers are the ones who have a good understanding of their clients' business.<sup>88</sup>
- **Know who your top clients are.** Top clients are not only the ones who generate the most revenue for the firm, but also those who are the most loyal.
- **Keep in touch with your existing clients at least 4 times a year.**<sup>89</sup> Visit them at their office or take them out for lunch. Give them tickets to events. Send them your firm's newsletter and send holiday cards (if appropriate).
- **Ask clients how you can serve them better.** Take their feedback seriously.

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<sup>88</sup> *Supra* note 37.

<sup>89</sup> *Supra* note 28 at 8-2.

## Appendix 1 - BRAG! Take-12 self-evaluation questionnaire

From Peggy Klaus, *Brag! The Art of Tooting Your Own Horn Without Blowing It* (New York: Warner Books Inc, 2003):

1. What would you and others say are five of your personality pluses?
2. What are the ten most interesting things you have done or that have happened to you?
3. What do you do for a living and how did you end up doing it?
4. What do you like/love about your current job/career?
5. How does your job/career use your skills and talents, and what projects are you working on right now that best showcase them?
6. What career successes are you most proud of having accomplished (from current position and past jobs)?
7. What new skills have you learned in the last year?
8. What obstacles have you overcome to get where you are today, both professionally and personally, and what essential lessons have you learned from some of your mistakes?
9. What training/education have you completed and what did you gain from those experiences?
10. What professional organizations are you associated with and in what ways: member, board, treasurer, or the like?
11. How do you spend your time outside of work, including hobbies, interests, sports, family, and volunteer activities?
12. In what ways are you making a difference in people's lives?

## Appendix 2 - Marketing roadmap

Adapted from Tracy Lalonde, "Coaching Your Lawyers in Business Development" ALI-ABA Live Video Webcast (January 24, 2012).

<b>Existing Network</b>	<b>Internal Network</b>
Clients	Cross-selling
Prospects	Internal relationship building
Referral sources	
<b>Events/Associations</b>	<b>Thought Leadership Campaigns</b>
Professional associations	Publishing
Industry groups	Speaking
Other organizations	Teaching

### Appendix 3 - Client research chart

Adapted from Tracy Lalonde, "Coaching Your Lawyers in Business Development" ALI-ABA Live Video Webcast (January 24, 2012).

Target market	Titles of potential clients	Client's problems or concerns?

## **Appendix 4 - 20 questions you should ask current and prospective clients**

Adapted from William J Flannery Jr.:

1. What do you want your organization to look like in one year, two years or five years?
2. Do your plans involve new offices or plants in new locations?
3. Will you be developing important new products, services or making major changes in your offerings?
4. What kind of research and development do you see as necessary for you to meet your strategic objectives?
5. Could you profile your typical customer?
6. What are your employee relations concerns?
7. Who are your main competitors?
8. What has the financial climate been like for your business?
9. How are you organized, what does your organization chart look like, and who are the key executives?
10. How are decisions made, and who are the decision-makers?
11. What is the leadership style here?
12. Is there a legal department, and how is it organized?
13. What do you see outside counsel accomplishing for you or your organization?
14. Are there any recent uncertainties affecting your business, or changes of any sort that have particularly concerned you in the last few months or so?
15. What sort of legal services are you currently using, and do you expect that to change?
16. What dissatisfies you about the level of legal services you've been getting?
17. How much detail do you like to get from your lawyers or paralegals?
18. How do you perceive our firm in particular?
19. What criteria do you use in selecting lawyers? What makes a good lawyer or paralegal?
20. How does your budgeting for legal services compare to what you spend on other resources?

## Appendix 5 – Useful tips from this guide

### Tips for effective self-promotion

**Write down your achievements.** By identifying and recording your achievements you will be able to easily convey the information that you want known about yourself. See **Appendix 1** for a 12-question self- evaluation that you can use to map out your skills and achievements. You can purchase [The Associate's Guide to Creating a Portfolio of Accomplishments](#) to record your accomplishments.

**Take advantage of informal opportunities to talk about your accomplishments.** When a client asks you what is new, be prepared with a response. During meetings, highlight your accomplishments in subtle ways, always making sure to pay attention to your audience and be respectful of your listener's time.

**Never downplay your successes.** If someone gives you a compliment, thank them. Do not minimize your achievements by saying, "Oh, it was no big deal. I had a lot of help."

**Promote others and give compliments.** People will likely return the favour. Consider teaming up with a colleague and agreeing to support each other by making sure that the right people hear about each other's professional successes.<sup>90</sup> However, do not rely entirely on other people to promote you. Klaus cautions that while it is worthwhile to advocate for other people, you must also be an advocate for yourself.<sup>91</sup>

**Get a sponsor.** A sponsor is a senior individual who uses his or her or their clout to champion your advancement. You can attract the attention of potential sponsors by doing excellent work, then ask them to help you make sure that the right people hear about your accomplishments.

### Steps for developing a personal brand

**Determine what your brand is currently.** Your personal values stand at the very core of your brand. They are the center from which everything radiates. These are things that bring out the best in you! This then implies that you already have a personal brand. That is true. You had a personal brand even before you went to law school. The key is figuring out what it is and how to communicate it to clients and your colleagues.

You can conduct a self-analysis of your personal values, as well as your strengths to determine your brand.<sup>92</sup> You can determine your values by doing an exercise [here](#). For an assessment of your Character Strengths, check out this free survey by registering first [here](#).

Once you come up with your list of values and strengths, check to see if they ring true by answering the following questions:

- What is unique about how you work/do your job?
- What have your colleagues/partners praised you for?

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<sup>90</sup> Susan Van Dyke, "Women lawyers, business development and hockey" Canadian Bar Association Practice Link (July 2010) online: [http://www.cba.org/CBA/practicelink/careerbuilders\\_advancement/women.aspx](http://www.cba.org/CBA/practicelink/careerbuilders_advancement/women.aspx).

<sup>91</sup> *Supra* note 13 at 11.

<sup>92</sup> Paulette Nnorom, "'C' is for Parlaying a Career Change," online: <https://21stcenturylawyer.ca/c-is-for-parlaying-a-career-change/>.

- Have you ever been rewarded with any additional responsibility at work? If so, how did that come about and what were you asked to do?
- What would your co-workers say about you (for any job you have had)?
- What do you enjoy the most (in life or at work)?
- Answer this question: “I’m the person people turn to when...”
- What kinds of people do you most enjoy working with?
- What life experiences have you had that would be valuable to others and why?

**Decide what your ideal brand would be.** How do you want your clients or colleagues to describe you to others? Start by answering the following questions for yourself:<sup>93</sup>

- Who are you?
- What is your skill?
- What do you promise to deliver?
- How will you add value?
- What is your experience and record?

**Create an individual brand message.** Now that you have come up with a list of personal values, strengths and how you want others to describe you, it is time to communicate that message. Sometimes called an “elevator speech” your brand message is a short statement that encapsulates who you are and what you do. It should incorporate your strengths, talents, and skills. It should not sound like a recitation of your resume.<sup>94</sup> Here is an example:

“I really enjoy helping family-owned businesses as a corporate lawyer. I grew up helping my parents run a grocery store all the way through law school. Family is important to me, and so is communication. The two don’t always mix so well, especially when a conflict arises in the family business. That’s where I excel and help my clients join forces to overcome any obstacle. For example, I was recently asked to help two family businesses merge their operations. This was not an easy task, but with a lot of patience and mediation techniques, the transition happened smoothly. This has definitely been the highlight of my career!”

### **Questions to ask if you are unsure how to choose a target market**

- What type of legal work do you want to do, or do you do?
- What is your ideal client? Think about the following factors: size, geographic location, type of legal work, specific industry focus, individual or institutional clients, and specific ethnic communities.<sup>95</sup>
- Who do you like to work with? If your target clients are people who you enjoy spending time with, then marketing activities will be more enjoyable.<sup>96</sup>

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<sup>93</sup> *Supra* note 2 at 22.

<sup>94</sup> Ritu Bhasin, “Impactful Business Development – How to Capture, Communicate and Build Your Professional Brand” Women’s Law Association of Ontario Hanging out Your Shingle Series (21 February 2012).

<sup>95</sup> *Supra* note 22 at 10.

<sup>96</sup> Silvia L Coulter, *The Woman Lawyer’s Rainmaking Game: How to Build a Successful Law Practice* (West



## Questions to ask when researching your target market

- Who are your clients and potential clients?
- Where do they work?
- What associations do your clients belong to?
- What are they reading?
- What is important to them?
- What are their problems and concerns?

## Potential referral sources

- Satisfied clients
- People who have referred clients to you in the past
- Former colleagues
- People with whom you have a strong professional relationship
- Law firms that, or paralegals who, do not compete directly with you
- Any law firm that, or paralegal who, cannot act in a matter due to a conflict of interest, or who is simply too busy to take on more work

## Tips for writing and publishing

**Choose your topic carefully.** Write about something pertaining to an area in which you want to do legal work.<sup>97</sup>

**Save time by converting work you have already done.** Repurpose a legal brief or memoranda into an article. Often you can publish the same piece with minor changes in more than one place.

**Make sure your work is seen by the right audience.** Legal magazine or journals are a good place to publish if you are writing for other lawyers or paralegals, but not if you are hoping to reach potential clients.

**If unsure what to write about, write a descriptive piece about new developments in your field of law.** Descriptive articles are easier to write than analytical articles, and if you can be the first one to talk about a recent change in the law, you are more likely to get broad readership.<sup>98</sup>

**Be timely.** When writing about current developments in the law, do not delay. Publish it as quickly as you can.

**When you get published, let people know.** Send the article to anyone who might be interested and include a link to your article on your firm's website.

**Have a good picture.** Include a nice professional headshot with your publications so that you become recognizable.

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Legalworks, 2007) at 2-22.

<sup>97</sup> *Supra* note 2 at 81.

<sup>98</sup> *Ibid* at 82.

## Tips for public speaking

**Weigh the costs and benefits of speaking.** Before you agree to a speaking engagement, consider how long it will take to prepare, and whether the payoff will be worth it. Consider who the audience will be and how much exposure you will get beyond the live audience.<sup>99</sup>

**Write your own introduction.** In your introduction, tell the audience how you help people with problems like theirs.<sup>100</sup>

**Invite clients and prospects.**

**Create a holdback, such as an article or a checklist.** Offer to send it to anyone who requests it after your presentation.

**Spend time talking to people one-on-one both before and after your presentation.**

**Re-use your speech.** Deliver the same speech at different events, or repurpose it as an article, blog post, podcast, or client alert.

## Questions to consider when using LinkedIn

- In what specific area of law do you want to be the go-to professional?
- What are the titles of people with whom you would like to connect? Who among your existing contacts falls into this category?
- Where is the greatest market opportunity in the next 12 to 18 months?
- Which other colleagues or professionals are doing business with your target group?
- If a potential client were to search for a lawyer or paralegal using Google, what might he or she or they type in the search bar?

## Suggestions for generating ideas for blog posts

- What challenges are your potential client's facing?
- What interesting articles have you read lately, and what can you add?
- How do other industries deal with the same challenges that your clients are facing?
- What kinds of questions have you received lately from readers or clients?
- What interests you about your practice area?
- What mistakes have you made and what did you learn?
- What are some current trends in your industry?

## Things to consider when setting up a website

**Think about your website through the eyes of your clients.** Avoid legal jargon. Clients want to know how you help people with problems like theirs, so put that information in a prominent place.<sup>101</sup>

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<sup>99</sup> *Supra* note 22 at 114.

<sup>100</sup> *Supra* note 2 at 83.

<sup>101</sup> Allison C Shields "What Makes a Good Lawyer Biography?" (6 June 2012).

**Write an effective biography.** A good bio should address who you are and how you got to where you are, whom you act for, and what you do. It is important that individual law firm bios be updated at regular intervals.<sup>102</sup>

**Include your picture.** It is common practice for lawyers and paralegals to include a professional headshot with their online biography.

**Include your contact information.** Visitors to your website should be able to quickly find out where your office is located and how to get in touch with you.

### **Ideas for ways to raise your internal profile**

- Join committees and attend events
- Take advantage of professional development opportunities offered by your employer, such as lunchtime lectures
- Eat your lunch in the cafeteria or break room, or make plans to go out for lunch with colleagues

### **Ideas for types of organizations to join**

- Bar associations and other professional organizations
- Organizations that your clients belong to, such as industry associations
- Any organization that you have a genuine interest in

### **Ideas for keeping a new business relationship going**

- Send a thank you note after a first meeting
- Send articles of interest with a personal note
- Make plans to meet for lunch or coffee or drinks
- Send information about your firm or practice
- Send your organization's newsletter
- Invite the contact to an event hosted by your organization
- Send holiday cards (if appropriate)
- Introduce the contact to someone you think they should know
- Call to ask for advice about an area of their expertise

### **Characteristics Of Rainmakers**

**Knowledgeable about their clients' business** – one study found that women lawyers who said they understood many aspects of their clients' business reported 100% higher originations than those who did not;<sup>103</sup>

**Good listeners** – they give clients focused attention, and make them feel valued and

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<sup>102</sup> *Ibid.*

<sup>103</sup> *Supra* note 37.

understood;<sup>104</sup>

**Empathetic** – they are able to shift perspective to understand how their clients see the world;<sup>105</sup>

**Confident** – they are comfortable promoting themselves because they believe that the services they are offering will help achieve the client’s goals;

**Effective negotiators** – studies show that rainmakers score higher than service partners on measures of “ego drive,” which is the ability to persuade others for the sake of persuading;<sup>106</sup>

**Resilient** – they do not dwell on rejection, but instead move on to the next opportunity;<sup>107</sup>

**Customer service-oriented** – they genuinely like people and want to help;<sup>108</sup>

**Leaders** – women in leadership positions report higher originations than those who are not leaders.<sup>109</sup>

### Tips for successful pitching

**Ask questions to assess the prospect’s needs with respect to the specific legal issue.** Spend no more than 20 percent of the time talking and listen the rest of the time.<sup>110</sup> Ask the prospect about their goals, the challenges they face, and their expectations. Refer the article at **Appendix 4 “20 Questions You Should Ask Current and Prospective Clients”** for ideas for what to ask.<sup>111</sup>

**Describe the benefit that you can provide.** Explain the features of the services that you or your firm can provide and how it addresses the prospect’s identified needs.<sup>112</sup>

**Be enthusiastic.** Show that you care about what the client is doing and express your desire to help.<sup>113</sup>

**Sell the whole firm.** Even if a prospective client does not need your services at this time, he or she or they might need a different kind of legal assistance. Be prepared to refer them to other practice areas at your firm.

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<sup>104</sup> Ed Poll, “How Women Lawyers Can Make Rainmaking Work” American Bar Association Law Practice Magazine (August 2010).

<sup>105</sup> *Supra* note 28 at 10-5.

<sup>106</sup> *Ibid.* at 10-3.

<sup>107</sup> *Supra* note 37.

<sup>108</sup> Kathleen Brady, “Marketing and Client Development Activities” American Bar Association Law Practice Today (February 2009).

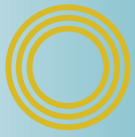
<sup>109</sup> *Supra* note 37.

<sup>110</sup> *Supra* note 28 at 4-7.

<sup>111</sup> William J Flannery Jr, “20 Questions You Should Ask Current and Prospective Clients.”

<sup>112</sup> *Supra* note 28 at 4-3.

<sup>113</sup> *Ibid.* at 7-5.



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