OPERATOR: This is Conference # 1092023

Operator: Good afternoon, my name is (Christine) and I will be your conference operator today. At this time I would like to welcome everyone to the GPSolo Podcast December Conference Call.

All lines have been placed on mute to prevent any background noise. After the speakers’ remarks there will be question and answer session. If you would like to ask a question during this time, simply press “*” then the number “1” on your telephone keypad. If you would like to withdraw your question, press the “pound” key.

Thank you. Miss Lynn Howell, you may begin your conference.

Lynn Howell: Thank you. Welcome to today's podcast, our Brown Bag Session, The Business Guide to Law. My name is Lynn Howell and I'm the Chair of the GPSolo's Program Board.

Today our program is with author Kerry Lavelle regarding his book, "The Business Guide to Law," which focuses on the business aspect of managing a law office and answers all of those necessary questions and a few more that are important in creating and growing a unique law firm business. You will learn the best way to spend your time to grow your law firm.

This podcast is also a sneak peak of Kerry's CLA presentation scheduled at the AVA 2019 midyear meeting in Las Vegas. We hope you're able to join us and learn about growing your law firm. The midyear meeting information is at www.ambar.org/midyear for more information.
Let me tell you a little bit about Kerry. Kerry is – has his firm Lavelle Law in Schaumburg, Illinois. After beginning his own practice, Kerry grew his firm to more than 30 attorneys, representing more than a dozen practice groups. He's been an adjunct faculty member at various schools teaching courses on IRS practice and procedure, that one was at John Marshall Law School, business law, economics and starting new business.

He's recently – he's received numerous awards and commendations for his commitment to charities, community projects and pro bono work. Today's presentation will include a question and answer session and that will occur about 45 minutes into the program. At that point the operator will come out and explain the process at this time. At this point, Kerry, I turn the floor over to you. Kerry, are you there?

Kerry Lavelle: Hello?

Lynn Howell: There you are. All right.

Kerry Lavelle: Yes. I don't know how we cut out there.

Lynn Howell: OK, they're all yours.

Kerry Lavelle: Thanks Lynn. Thanks for the kind words. And thank you everybody who's called in. What we're going to talk about today about the business of law should not be misinterpreted is in a way in compromise to the profession of law. I say it all the time, but the two, the profession of law and the business of law are not mutually exclusive.

When we are practicing law and we are in the trenches and working hard for our clients, we have to be professionals to we'll never compromise those specific values. But at another level, we are in a business and if you're running your own law firm or if you're a decision maker in a law firm, you are in the business of law and you have to acknowledge that and I think our firm has taken great strides forward once we change that paradigm in terms of what we do and how we spend our time on growing our practice.
So the first think I want to kind of mention, is that you have to understand the difference between working in your business and working in your law firm versus working on your business and working on the law firm. While you're working in your business, you're an attorney, you're working at your craft, you're a technician of the law and you're exercising critical thinking to advocate in advance for your client's matters. You are working in the business, you are working as an attorney.

However, when you're working on your business, when you're working on the firm and growing the firm, it's in adapt to setting aside time to think strategically about where you're firm's at, where the firm is deficient, what you – what's needed to become what you are not.

And I challenge folks all the time in speaking on this topic to ask yourself, what do you need to do to become what you are not. You can walk up and down the halls of your office, you can look inside individual offices, you can look at your conference room, you could look at your reception area and start to say, how can we get better, how can we get better? Now those, of course, are just visuals, but how do we get better at practicing law? How do we run this business better?

Imagine if you're running a shop, a little factory shop where they make component parts for lawnmowers, you'd always be looking to improve that little shop and one of the ways you do it is just the universal system of, how am I going to get more customers, how am I going to treat them better, how am I going to get through the entire process from orders to finished products.

Your law office, you should take a similar approach to it. And I have flow chart that has about seven components to it and I call it the channel of leads to fees. And that's what we're about when we're running our business.

So, in its component parts, where are the potential client leads coming from? Number two, how's that first meeting going to go and what's everything that makes up that first meeting? How do you convert that lead to a fee paying client?
I know a lot of you are thinking that we have all had that opportunity to convert people to clients that can't pay, so that is a push of pro bono and I do – I absolutely believe in it and we support it, but we can do a better job at pro bono when we have fee paying clients where we can build a bigger business and a bigger platform to perform more pro bono work. So, that's converting fee to a fee paying clients.

The next one, number four, is you have to perform great work. The law business is not a business of just getting – doing the minimum amount where you have to to get through. You've got to do great work. There's no room for B plus lawyers, there's A lawyers and A plus lawyers.

The next step issuing accurate and honest bills for those hourly type of projects. If you work – if your practice involves mostly contingency work, that's a different process of getting paid and you understand that, but a lot of this is just the struggles that many of us have, and that is getting paid on time for our work, our hourly work. When the client pays and you have to have a good wrap up with the client so hopefully the client brings you more projects.

We're not accountants, we're lawyers. Accountants have an ability to have a constant cash flow because the clients need them to prepare monthly or quarterly financial statements, then annual tax returns. There might be other services in there, but an accounting firm is more of an annuity type business where the work keeps coming, as long as you do great work you won't lose the client.

In law practice, law practice is more of a project based hiring and when the project is over, whether it's a business transaction or a real estate closing or a piece of litigation, when it's over it's over and you need to do great work for that client so that client will think of you and your office first for the next project that may come up in six months, two months or three years. And there's an art to staying in front of the client enough so if that next call comes in three or four years from now, you're the first call that the client is going to make.
So, let's talk in a little bit more detail in those seven components and we'll get into some other things in addition to that and that channel – that business channel of leads to fees. With respect to leads and getting new clients, you need to think of that process as a system. You need to create a lead generating system.

It shouldn't happen by happen stance, sometimes attorney's very proudly report to me that they say, you know, all of our clients come to us by word of mouth. We're only a word of mouth type of advertising campaign and I don't want to hurt their feelings, but word of mouth is not a lead generating system at all. That's just a very (inaudible) do a good job and people say good things about you type of system.

And there are a lot of really fine attorneys out there that make a good living on that type of the non-marketing program you might say, but nonetheless, if you want to put some jet fuel in the growth of your law firm, you have to do something more than word of mouth advertising. You need to create a lead generating system. And in today's day and age, you got to have a great website, you have to have a great website.

Keep in mind, that when you meet a new client for the first time in your office, there is a very, very high probability that they've checked you out. It doesn’t take much just to Google a name in a Google search and find out who they are or who – when they're looking for an attorney, who the attorney is that they're going to find. And, if they do happen to have your name and they specifically Google your name, there's a high probability that your website is the first thing that's going to come up.

Now, you may have some articles written about you in local newspapers and you may have published some things that may come up on a Google search, but suffice it to say, it's a high probability the website's going to come up first. Your website's got to be great, it really has to be good and it's just not an ad like you'd find in the old day, they yellow pages. It has to have content and it has to be engaging. And if you talk to a bunch of people who profess to be search engine optimization experts, everyone will tell you today that it has to have video on it.
And that's how to do that, and how to actually make that happen is probably outside the scope of this presentation, but I like to talk about that in great lengths when we – when I'm talking just on the subject of create lead generating systems. But, going back to where I started on this, the website has to be really good, really tight, a lot of content. We want our attorneys writing articles about six times a year and that would mean every other month, and so we can post current, good top – content on our website on a regular basis, even if we don't hit that all the time, we have plenty of content that we need to put on the website on a regular basis.

So, they're going to check you out via either Googling your name or trying to find, through other search engines, a lawyer that they want to find. But they also may know your name that they've come across through traditional networking. I recently put out a piece that the title of it was, What's Wrong With Traditional Networking? Nothing at all. Nothing at all. And that was the articles title, What's Wrong With Traditional Networking? Nothing at all. It is still the number one way to bring in new clients.

So, at our office, and I bet your office, I bet you we spend 80 or 90 percent of our marketing conversations about internet based marketing, social platforms, social media platforms, website changes, SCO and probably 90 percent of our clients come from traditional networking. See the inverse relation, 90 percent of our time is spent talking about social media, 90 percent of our clients actually come from old school networking events. So, if you want to grow your business you have to get out of the office. You cannot grow your business by sitting at your desk and staring at your computer eight to 10 hours a day, it just doesn't work.

I had an old-timer lawyer tell me when I was right out of law school and I was trying to – well, a couple years out of law school and starting my practice and he said to me that – and I tell this story all the time, he said, Kerry, I never eat lunch alone. And I really kind of was struck by that.

And he said, I've got to go out and eat lunch one way or another, so I call up some friends or contacts or people I recently met or I invite other people out
and I have lunch with people. And that was his way of saying to me that you've got to meet people. You have to talk to people. You have to sit down face to face with them and have a conversation with them and that was his way of getting out networking.

There's a lot of ways to do and there's a science to it, of getting out – I know if you're right out of law school, you probably were told 100 times, always go places with your business cards and pass out your business cards. Sure, that's important, but what I try to remind all the young attorneys at our office is that you need to get out and get business cards, you need to get business cards.

So, when I get business cards, I put them in a database and we send out marketing information to them, those folks on a regular basis. If I feel I have a control group in the same industry, for example accountants, for example lawyers and possibly what we call like financial advisors, I would put them in a separate category on a distribution list on Outlook and I will send them specific information on their profession that would help them. I want to be the lawyer filling their well with information, again, high level, content-driven conveyance of information.

Now you might say to me, well, why would you send that out to lawyers? Lawyers are great referral sources. There's conflict issues, and we have some specialties in our office and I have some specialties that I know a lot of lawyers don't have. So, if they don't know how to do certain things that we are good at, why wouldn't they refer the cases to us?

So, you need to get out there and you need to talk to people. Not only are going out and networking for clients important, going out and networking for referral sources is also very critical. So, when you go out to events, whether it be with the local Chamber of Commerce, a rotary event, a not-for-profit gala, you're always meeting people and there are some people that just happen to be more influential or influencers than others.

And these are people that seem to know a lot of folks and people go to them to discuss issues and to talk through problems. And those type of folks that have a high degree of connectivity, you want to spend time with.
They will be great referral sources. When I challenge young attorneys who are starting their own practice, I say if you went into one of those kind of events or went out with a group of people once a week, can you imagine – can you go to four or five events a month, yes? That’s not overwhelming, it’s aggressive, but it’s not overwhelming.

And could you get one referral source from those events every other month? Every other month, one referral source, at the end of the year you’d have six referral sources, and that’s – that can get powerful, that can become powerful. And then in year two, one of those referral sources sort of move away, attrition they go away, but then next year you’ve refilled another five or six. So now at the end of year two after attrition maybe you don’t have 10 or 12, maybe you have eight.

And you keep doing that. Now imagine the practice you’d have in 10 years from now if you were able to do that on a regular basis. What I’m getting at is as you build and create your lead generating system, you have to have certain disciplines and goals to do that on a regular basis. You have to get out and do it on a regular basis and you have to have some (productivity) to it and you have to have some results tied in with that. (A lot of the) things you need to think about in marketing and lead generating is getting out and doing public speaking.

All the local libraries have speakers on a regular basis, school boards need speakers, the churches, the hospitals around depending on your expertise are looking for speakers in certain areas. So just be aware of that. There’s probably many other areas of your marketing that I didn’t touch on, There’s no sense to get into billboards and radio, yellow pages and those kind of things.

But trust me, when I say building a lead generating system, I’m talking about having specific to-dos every month that will hopefully connect you up in the community of not only professionals, but with lawyers and other business owners in your community. The second part of that flow of leads to fees that we talked about is client conversion. So now you’ve got the client in because
they’ve contacted you and remember, 99.9 percent all of our initial contacts with a client come with a phone – come via a phone call.

Don’t spend a ton of time on the phone with a client who’s looking for an attorney, listen to them for about 10 minutes and say this is really interesting, but I think we should meet. I think if you are serious about going forward with this blank event, whether it’s a business transaction, a closing or a loss, I’m going to want to meet you and you’re going to want to meet your attorney, so let’s schedule a – let’s schedule a meeting in my office.

So get that going quick when you talk to somebody on the phone for the first time. Do not let them take up a half hour, 45 minutes of your time laying out all the complicated facts, because that’s all they’re doing is looking to get a legal opinion from you over the phone, which you don’t ever want to do. You want to avoid that. There are some things that under some legal service plans that people are able to call in for a telephone call on some question that they have, in those cases that’s an exception.

You would just give them black letter law to the extent you can, and do not be predicting wins or losses in their case, I would feel very uncomfortable with that in a phone call. You need to have – bring the client in. When you bring the client into your office, what do you think their expectation is and do you meet that expectation? So when I go in to see a doctor, I have a particular expectation that I want to see how a doctor conducts themselves.

They don’t necessarily have to have a white coat on and stethoscope hanging from their neck, but I have some expectations. What their office should look like, what the examination room should look like. So don’t kid yourself that the client who’s going to meet you for the first time doesn’t have some expectations. If anything, they just – they’ve gotten their expectations from television or the movies.

So you have to meet or exceed that expectation even though you don’t know what their expectation is. So I challenge people to say hey, if you walked into your office with a fresh set of eyes for the first time, what would your reaction be to your office? Is the waiting room clean, is it – is it – is it presentable?
The magazines out of date, are they all new, are they current? When they go into the conference room, is the conference room full of stacks of papers?

I remember going into a conference room with a client at the time to another attorney’s office, and that other attorney had stacks of papers in files all over the desk – on half of the desk where we weren’t sitting, but I thought to myself all this has got to be confidential information and it’s being laid out in the conference room where strangers are coming in.

It was just awful. Now I don’t know if that clicked with the client at all, but I’ll tell you it clicked with me and you need to be aware that people are consciously or subconsciously taking back and getting a feel for you law office by just when they come in. OK, and when you’re sitting down across the table with them, are you a – are you professional? Are you empathetic? It’s OK to show some empathy to a client if they’ve got a problem.

Now we are being professional and rise above letting our emotions somehow color our professional advice, but clients want to know that they’re – if they’re hurting, that you can feel a little bit of that, it will – that will hopefully convey your humanness and your passion for your career. Do you convey a sense of confidence? Do you have an air of confidence about yourself? Even if you have to tell them bad news about the case, you can do it in a way that is very professional and convey that to them, and that’s not a sign of weakness even though they may want to hear that they got a great case.

If they have a terrible case, you need to tell them of the weaknesses in their case. At the end of the meeting, the client must – and are you ready for this – they have to like you, and they have to trust you and they have to believe you can help them. If they like you, that’s a personality thing that they’re going to feel kind of like they wish you were their neighbor, that’s a good thing. They trust you, they trust you, are you professional enough to pass the trust test.

Are you – if it’s somebody who came in from the PTA, are you going to get out ahead of that question that’s going to be burning in their head but they may not ask about it, about how seriously you take confidentiality and you would never under any circumstances talk about your case to anybody else?
Now we know as attorneys that that’s – that would never happen, but again, know your audience. If it’s a neighbor, they’re going to want to hear you say that and you should volunteer that information to them, and if you do, they can trust you. They will be able to trust you.

And finally, do they believe you can help them? And I know everybody wants to win their cases and win every argument and win every motion, but that’s not believing you can help them. You can help them by being honest with them and being forthright, and when you tell them you’re going to call them, you call them and you stay on top of it in a very professional way.

When it comes to really prevailing in the practice of law, you got to be a great attorney, and I always kind of talk about what we look for in attorneys when we’re hiring them and how we want people to develop into great attorneys. And we call it the five tool attorney and you got to have all five, you should (only) have all five of these skills right out of law school, you develop them over time. The number one tool – and by the way, they’re in order, so you really do need to take these tools in order, number one do you do A plus level work?

I said earlier there’s no room for sort of second class work in the practice of law. Number two, do you meet all your billing goals? I’ve heard story after story of attorneys that are brilliant, come from the greatest law schools and they don’t meet any billing goals and they half the time don’t even fill out their computerized time sheets and everything and they’re not business people at all.

So you need to have business people who understand that our services have value and in some cases great value, and clients have to pay for that service. Number three, get out of the office in market, I’ve already mentioned that, you have to go out to the community.

I think chambers of commerce are great. Our association meetings are all ways of furthering your career. Number four is the second duty we have as – I’m sorry, the fourth issue is training and mentoring new associates.
As a professional I think we owe it to the profession, whether they’re the new associates in our own office or at Barr Associations, please be a mentor to those folks and the last tool to the five tool attorney is adding value to the firm management and remembering the firm comes first, not the individual attorneys, the firm comes first because all boats rise in a rising tide.

And if the firm continues to succeed, the attorneys in the firm tend to succeed also. All right you got (they got) the client in the door, they sign up, you’re doing work for them and you got to make sure you get paid. You got to make sure you get paid, so generally speaking there’s various ways to quote fees. We already talked a little bit about the contingency fee arrangement. There is some flat fee work we can do as lawyers.

Flat fee is sometimes done in traffic for traffic for real estate, residential real estate closings, sometimes immigration work is done on a flat fee basis. But far and apart most of our work is done on an hourly basis. So for hourly billing, Abraham Lincoln once said when a client signs a contract and pays a retainer check, the client knows he has a lawyer and the lawyer knows he has a client. So that remains true to this very day.

Every new client needs to sign a retainer letter and every new client should pay something in advance of their fees, whatever you deem appropriate as a retainer deposit so they know they have an attorney and you know you have a client. Keep detailed track of your time and keep it contemporaneously, don’t wait until Friday to fill out a time sheet or bill a client for what you did on Monday. Personally I think it’s unethical on a business standpoint, it’s sloppy and it is careless and you will never capture all your time properly.

Get your bills out every month, I tell clients and I almost try to make a lighthearted joke about it that our office is like the utility companies, our bills go out the same day early in the month every single month at the same time.

And you need to kind of (bend) to that sort of mode. If – depending on what your retainer letter says, some retainer letters say fees are due upon receipt of the bill, some might say fees are due 10 days after receipt of a bill. It shouldn’t be any later than that. And if your bill has gone out, if your invoice
has gone out to the client dated December 5, if they haven’t paid by January 5th, you need to contact the client.

If you want to avoid those 60, 90, 120 day receivables people don’t pay you for three or four months, you need to demonstrate to them very, very early in the relationship that the bills have to be paid in a timely basis, even if your retainer agreement says 10 days, you could probably live with 30 days, but you can’t live with 60 and 90 days.

Trust me, as the practice is – our practice has grown, it is – could become impossible to meet your financial obligations to your employees, to the landlord, to the utility companies if you just have a lot of accounts receivable. I can also mathematically take you through and demonstrate to you that the longer a receivable remains unpaid, the less likelihood of it being paid on time. So get those – make a big deal about it, make a big deal about it in a professional sort of way.

I have an expression that speaks right to this point, and that is either you’re training the client as to how your office runs or the client’s training you, the client’s training you. So trust me if getting paid on a monthly basis isn’t important to you, it’ll never be important to the client.

Or if the client just doesn’t pay you for 60 or 90 or 120 days, they will never pay you that way on time because they’ve trained you to accept 90 day payments. So my point is get that – get that part of the relationship set on the first invoice that goes out under a new client matter and kindly explain to them that their retainer contract says that they pay in 10 days, it is 30 days and you still haven’t been paid and you would like to get the check in by blank, by Friday of that week.

So just kind of get good at that and it’ll take a little bit of time, but you can get good at that. Be ready for excuses, understand that you have to handle client complaints on the bills and it’s all part of the business of law whether you like it or not. Again, if being assertive and forceful and getting paid in a fair, timely manner isn’t important to you, it’ll never be important to the client. So I think professionally you just have to kind of get over that.
Set some goals for your firm. I set one-year goals, five-year goals, and 10-year goals, and the one-year goals just fall under one of three categories. I mean, if the firm is struggling, what do you need to be done before the firm fails? That’s kind of like a move to survival, like, oh man, we got to change things up around here or we won’t be in business in another 12 to 18 months.

And then sometimes your one-year goals could be, what do I need to do to energize the firm, to restart the firm? I call that moving the firm off of stagnation to try to get it reenergized. You can do that sometimes with some (fund) stuff. You can do it with software, or you can do it with some new policies, and you have to ask yourself how to do that and what works best for your firm.

And then the third one is what do I need to do in the next year to grow the firm, and that’s really moving the firm from stabilization to success, and you need to think along those lines and you have to be creative and create a list.

And I’m a complete believer in setting goals because if you do that, you take all your actions in the next 12 months to meet those goals you will be led by that north star to kind of do that and solve these issues with the firms, but – for the firm. And if you don’t have any goals, then you don’t have any place where you’re going and there’s really no sense – there’s no path that will get you where you don’t even know where you’re going.

So you have to have an endgame place, and the same goes for setting five-year goals and 10-year goals. One time – actually, I read a book about some business guru saying there’s no such thing as a goal that’s beyond 18 months. That’s just all guessing. I completely disagree with that. I do believe in long-term goals, and long-term goals are broken up into very small segments that start with a series of one-year goals and then further broken down to what are you going to do in the 12 months in each of those years?

So there’s a lot of repeat there because one of the things that we’re going to do this year is break it up into 12-month segments. I talked about that a little bit with respect to your marketing goals and everything and what you’re going to
do, and then your goal is to get four or five new referral sources this year. Well, next year it’s going to be the same thing.

So I’m not shooting out to say, hey, I want to have 10 attorneys working for me in 10 years, but I’m going to take the steps that do – and I can do the math and figure out where I’m going to be in 10 years if I do all of these other things every month for the next 10 years. So long-term goals are real and I encourage you to set them. Another thing a successful law firm really runs on is analytics, not hunches. Get good financial and marketing information and make smart decisions based on empirical evidence and not on hunches.

We break down about four or five things to measure on a regular basis. We measure financial things. We measure marketing. We measure human resources and personnel issue. We too measure and keep our track on client complaints. Fortunately, those are few and far between, but you’re only kidding yourself if you don’t get any client complaints and because there are some out there and you got to see a pattern develop with client claims. And the last thing we measure for no great reason other than it’s part of the fabric for our firm is our pro bono involvement.

With respect to financial, I get monthly financials every month, gross billing, monthly collections. You’re not going to believe this, but on our hourly billing – and nobody ever wants to believe this – we get it three times a week. Three times a week I know what the attorneys are billing and how many hours they’re billing.

So think about it. It seems like it’s ridiculous overkill, but if I didn’t, I waited a full month to look at it. The bills go out the first week of the following month and I may be picking that up the next week. So it might be the 15th day of the following month that I’m looking at the previous month. Like how can I fix it then? It’s past. It way past, and I’m almost halfway into the next month, too.

So if something’s going wrong and one attorney is billing a lot of hours and another attorney is barely billing any, I got to go to that one attorney and say, “Hey, you got to get (Joe) involved in these cases. He doesn’t have any work
and he’s not talking about it.” So then I could reset the workload if I don’t think it’s adequate and it’s not fair and it’s not level. I can’t wait till the end of the month, like I said, to try to fix something that’s in the past. We have to do it in the present.

We compare bank deposits to the previous month and the previous year. Of course, our accounts receivable reports and expenses we look at all the time. With respect to marketing, we measure appointments per week, inbound calls, referral sources, new client sign ups, repeat work from existing clients. We do measure conversation ratio. That’s the people who call in and/or meet with us and how many of those people turn into clients.

We try to identify, although it’s very hard in the world of online marketing, what marketing effort created the call. We have all our assistants who take calls, ask the client, “oh, hi. How are you? Yes, you want to speak to an attorney? How did you hear about us?”

If it was online, everybody says I saw your website and then you go, “Oh, OK. How did you get our website?” “I Googled. I used Google,” and that is such an imperfect way to do it because they could have gotten us from so many other resources, but then as I said earlier in the presentation, they checked us out by Googling us.

So that’s what they say. The last thing they did was, “I saw your website. I looked at your website.” So it’s very difficult to track what marketing effort created the call. Anyway, and we also measure, of course, new files opened every month.

With respect to human resources, the usual things, the occasion dates, PTO, payroll, overtime, and utilization. We want to make sure that the firm overall utilization is that everybody has the same kind of level of work and that there aren’t holes in their work where one person is billing two hours a day and another person is billing 10 hours a day. That should not happen.

I already mentioned we just keep a log in some way if the client complains and try to find a pattern. Are they coming because of the actions of one
attorney? Is it returning phone calls? Is there a systemic problem in your law office that you would be able to start picking up a pattern if the same kind of calls were coming in or complaints were coming in.

I’m a very strong believer in culture, a very strong believer, and as lawyers, as I kind of say, everybody knows what you do. You’re a lawyer, and most people know how you do it. You literally sit in your desk or you go and you work on documents. You got to court and advocate. Television and movies make it sound like we’re always in court winning the big case, but we all know that that’s 1 percent of our time. Ninety-nine percent of our time is we’re rolling up our sleeves and working on documents and taking – working the phones, doing legal research. That’s how we do what we do.

But the culture that we have is based on why we do it – why. There’s a great book on it. It’s called – like it starts with a why, and it is why do people do what they do when they’re happy in their careers, and you want to find that for yourself and then you will realize what north star your – what is your guiding force?

So I’ve always kind of taken people through these exercises of why do you do what you do? And somebody would say, “Well, I’m an estate planning attorney.” “Well, why are you that?” “Well, because I like working with families and if an estate plan isn’t done right or if it’s not done at all, there’s usually fighting when somebody dies?” “Well, why does that matter to you?” “Well, why does that matter to you?” Keep asking yourself the why question. Why does that matter to you?

“Well, it matters to me because I want families to be happy and this is a relatively easy and somewhat inexpensive process to keep families happy and not fighting over money after a loved one dies.” “Well, why does that matter to you? Why is that important?” “Because, again, happy families with a right estate plan, the person who passed away gives their bounty to the next generation in a peaceful manner and it makes for family continuity and happiness.”

So your real goal there and your culture is we want to promote family happiness and make people comfortable that they have their financial affairs
and their legal affairs in order no matter what time in life they are. If they’re a young married couple with little kids, you should have your life in order. You should have the estate plan, and it would create a very good pattern for the surviving spouse if everything was in order and all that stuff was thought through.

If it’s an elderly gentlemen or woman, she or he, too, needs to have those estate planning documents in place so when he or she passes on the family doesn’t fight over assets and it makes it real clear. It doesn’t guarantee no fight, but it minimizes the fight. It minimizes the fight, and if you’re an estate planning lawyer and that’s what really your mission is, then that is the reason you do what you do, and I could take you through examples similarly on every walk of (some different area of the law) and why we do what we do.

I mean, defense attorneys say, “I practice law because I want to defend people against outrageous charges?” “Well, why do you do that?” “Because if I didn’t do that, the government would have a very overreaching advantage over innocent citizens.” “Well, what’s wrong with that?” “Well, it cuts against our human rights and our political system and the individual rights that our in our Constitution.”

“Well, why does that matter to you?” And a defense attorney would say, “Because I want to live in a free country. I don’t want to live with an overreaching government and that America’s home of the free.” And that’s defense attorneys do what they do and they’re very passionate about fighting for those rights.

So again, business lawyers, defense attorneys, estate planning lawyers, family law lawyers, divorce attorneys, they all get it. If you drill down hard enough is to why do you do what you want to do. And then it’s not enough just to know it and understand it. You need to talk about it and you need to convey it to other people in your firm, and then when you act it, you live it, and you talk about it, it will be conveyed properly to everybody in the firm.

So as you sort of identify those kinds of things, they turn into the core values of your firm and you make decisions then about those type of things, and your
next hire – whether it be an attorney or support staff person – do they have that fire inside them that you have about what you do for a living? And you have to develop it if they don’t or if they’re just too young to have that fire. You can develop it over time, but you can’t develop it like internally. You have to talk about it. You have to live it. You have to act it, and you have to convey that on a regular basis.

And putting it down in writing is a good thing to do. It’s kind of very important in our lives not only just to have a core purpose but you can build a law firm around it. And when everybody is, as I say, kind of singing under the same choir book, you have a pretty strong team there and that’s a really good thing.

Lynn Howell: OK.

Kerry Lavelle: Lynn, do you have any questions or do we have any questions coming in?

Lynn Howell: Operator, could you please call – give the instructions on how to ask a question please?

Operator: At this time, I would like to remind everyone in order to ask a question, press “star” then the number “1” on your telephone keypad. Again, press “star” then the number “1” on your telephone keypad. We’ll pause for just a moment to compile the Q&A roster.

Lynn Howell: OK …

Kerry Lavelle: While that’s going on, Lynn, I will add that I covered a lot of information, but the truth of the matter is you do all that to give the client a great experience working with a lawyer, and if you do everything right, we do become a very important resource to the client. And when I said earlier that don’t have the benefit of annuity work coming in regularly like an accountant would, we try to build our own annuity up by having a client who trusts us and who wants to call us first when a problem arises, and that’s part of the art of what we do, but we get to that point by running a really efficient, solid law office as a business.
Lynn Howell: Yes, that sounds – the right way to do it. Now Kerry, we talked a lot about people managing their law office, starting that, but a lot of times lawyers who might either be working for government or have a day job in another role might want to start what we call a side hustle.

How would you have them market because there might be an event where it may be their day job, but someone’s like, “Gee, I need to have a will done.” “Well, I could do that at night.” But how do you have them kind of move that kind of transition and (do it easily)?

Kerry Lavelle: Well, that’s a great question. First of all, you have to feel comfortable talking about what you do. If it was a conflict with your day job – a legal conflict, you couldn’t really talk about it and you really wouldn’t want to do that, but let’s just say the two can coexist regularly.

Whatever you do during the day ad then you have free time and you have some capacity to do some other work in the evenings or on the weekend, I could build a marketing pitch around that. That would be very compelling. And I don’t know if you know this, but a part-time lawyer can buy very inexpensive malpractice insurance. So, that person can be covered.

And if I was that person, I would say, “Hey, holy cow, you need a will. I know you know me as an advisor at such and such corporation. But I practice law, not full-time. And quite frankly, my fees are like far less than the larger law firms with a big overhead. I do it for passion, because I love it. I have a full-time job. But I kind of do this on a regular basis in the evenings, weekends. And if you’d ever like me to kind of take a look at your existing documents, I’d be delighted to.”

And that would be a marketing pitch that would work. Like there are rust officers in banks that work full-time in banks. And their marketing pitch might be – I look at documents all the time, all the time. And a bank has allowed me to be able to do some documentation on my own, and I do it on the weekends.
And if you’d ever like me to help you out, I could tell you exactly how the process works. And I am not incumbent with the large overhead and therefore my fees are generally far less than another lawyer. So, I think a marketing pitch could be built around that.

Lynn Howell: That’s good. Because like I said, a lot of people want to do things on the side. Now, operator have we got any questions yet?

Operator: Again, if you would like to ask a question, press “star” then the number “1” on your telephone keypad. Press “star” then the number “1” on your telephone keypad.

Lynn Howell: OK. Kerry, while we’re waiting for them, tell me a little bit about what’s your best advice to someone who might be a (shy sort) where (your) client development, you keep hearing it, you’ve got to go out, you’ve got – and if they’re not really a great writer, like they can write beautiful briefs and court documents.

But their ability to do pros is kind of of on the marginal side, but they’re shy. So, how do they get their business out, because they’ve been doing OK, but they’re in a firm? They might want to go put their own (shingle) out. How do you get them out of their shell? What do you tell them to do?

Kerry Lavelle: Well, that’s great. Lynn, in the old days – and nobody uses these words anymore for some reason, there is a person that they would call an introvert and an extravert. So, and a person who is an introvert who doesn’t have – feel is comfortable, I would tell them – and those people exist.

I would tell them that it could become a learned skill. It could become a learned skill and it’s not easy. But if you completely aren’t willing to try to develop that skill set, you would go ahead and just work as a technician at a law firm. But part of the deal is when you want to hang out your own (shingle), you’ve got to sort of get a little bit of courage to be able to feel more comfortable talking to people.

And I’m not saying jumping off a cliff, become great at it the next day. You take it little by little. You take it little by little. For example, I could tell
anybody join their local chamber of commerce. That’s a start. Inside the chamber of commerce, there are smaller networking groups that meet once a month, sometimes they meet twice a month. Join that little networking group, OK?

And it is a great training ground, Lynn, for young attorneys or new attorneys or introvert attorneys who don’t feel necessarily comfortable because they sit around a table, they have to stand up, tell them what they do and then talk about how they fulfill client needs and what they do. And there may be a hairdresser in that little group. There may be a realtor in that group. There may be a handy man in that group. There may be a banker in that group. And they’re coming from different walks of life talking about what they do.

And I am saying that that is the fantastic mutilate training ground for coming out of your shell. Because an introvert will come out of their shell once they start to know people and feel comfortable with them. And that’s all we’re talking about. Not everybody can get up and stand up in front of an audience and speak comfortably, although I too believe that is a learned skill that you get good at it by doing it.

Talking about what we do for a living should become more comfortable. And one of the drums I beat around here is that you got (lost call) and you’ve got to work at Lavelle Law. You’re afraid somebody’s going to go oh my gosh, now I got to become salesman? I didn’t go to law school to be a salesman. I say – tell them no, you don’t have to be a salesman, that’s ridiculous. But you need to be able to talk proudly about what you do and how you help people. OK?

And I call that selling, although it comes across sometimes as selling. And I would tell that shy person that you should absolutely develop the confidence to talk about what you do in a very proud way and how you help people. And that’s – when I wake up in the morning, I really believe I’m there to help people. I got to remind myself of that sometimes, because clients can be a little bit tough on attorneys. But that’s what we do. And that’s where our aim is, to help folks.
Lynn Howell: Yes, that sounds like a good plan. Operator, do we have anyone?

Operator: Presenters, we don’t have questions at this time, please continue…

Lynn Howell: That’s all right. That’s all right. OK. So, we’ve gotten past the side things, gotten past the side hustle. Now, what do we think about – all right, you’re sitting out there; your business is doing OK. And you’re doing your regular marketing things.

You’re doing all those things you talked about, but you’ve lost your passion. You’ve got – when you’re talking to a – they’re a small business, a small firm, but the lead partner, been doing it for years and just kind of loses their gusto. Any tips on falling back in love with the law? I mean because I’m sure you’ve had to have seen this where people just – they just don’t love it lately.

Kerry Lavelle: Yes, there’s two directions on that problem. One of them is just you yourself, you yourself. And let’s say you have a lot more room runway in front of you before retirement and you got to continuing practicing. I think you need to go to some of our associations. They have services for this. It’s more of a mental block, and you have to kind of get over that.

You may want to try to reinvest – reinvent yourself as an attorney and get in to a different area of the law. But the daily grind and burnout can happen. It really can happen. And it does, and there are professionals that can help reignite our passion or you have to manufacture a way to reignite your passion by maybe changing things up, get in to a – reinvent yourself, a different area, do more writing things that you haven’t done.

And then the second part of that answer to your question is what if you’re in a law firm and you’re starting to feel that burnout. Generally that burnout comes from more with the senior attorneys. And it’s usually the younger attorneys have the gusto and fire in their belly that may be sort of help ignite the firm, maybe not so much the person but the firm.

And in those cases, I do suggest that turning over a little bit of management power to the young guns is one way to reignite the firm. And with that, the senior attorney or the person feeling some burnout may actually be able to sort
catch a little of that kinetic energy and sort of get fired up over it himself or herself. That’s a tough one. It is – it can grab all of us at one time or another. And I mean maybe the attorney needs to start looking at some career alternatives.

It’s not unusual to hear people leaving private practice of law to get in to other law related services like working at a bank, working across the department of a bank, working for various hedge funds, different kind of companies. And heck, if the finances allow it, be more involved in a local nonprofit, those kind of things.

I have seen a migration away from the private practice of law plenty to sort of change the environment for people suffering from some burnout.

Lynn Howell: OK. Operator, last chance for any questions do we have any?

Operator: Yes, we do have a question online and please state your first and last name. Your line is now open.

(Don Davidson): Yes, hello, this is (Don Davidson). My question concerns the use of vendors, particularly at the intersection of technology and marketing. Many of us are good lawyers, but don’t have an idea how to design a website or for that matter how to – who to enhance our visibility on the various search engines.

Any thoughts on either using experts to come up with your website as opposed to trying to do it yourself. And then these various – I think they’re called search engine optimization firms or vendors that promise great results by getting Google hits and so on.

Kerry Lavelle: (Don), can you hear me?

(Don Davidson): Yes.

Kerry Lavelle: A really big question, you asked a couple of questions in there. In terms of building a website, I think you need two people involved. The first person is more of an art person that you would go to a professional to design your business cards. If you have an announcement card going out.
So, your logo and everything is very consistent. The font being used is consistent, the colors, any graphics that you would use. And he or she can even design the landing page, again just in print for the website so it all looks consistent.

Then you go to a programmer to get it input in to for the website. So, I – the programmers will tell you that they are designers, but they are not. They are not. So, I want you to have a real consistent look. The programmer will go in and nowadays the programmers say they are trained in designing and building the website in a way to maximize search engine optimization.

I will tell you that I have a running joke around here that when I come back in my next life, I’m going to be a search engine optimization consultant because they want to charge you a ton of money and they don’t have to prove their results is seems, because these – we have met with so many of them.

And they will come in and say well, we’re going to do – we’re going to tweak the website, we’re going to do all these other things and your hits are going increase. Well OK, perfect. So let’s measure the – well, how many hits we get now, you can do that on Google analytics very easily by the way, we’ll measure them the next month. They go oh no, it could take 12, 24, 36 months before you start seeing the changes. And I’m like holy cow; I mean what kind of soft science is that.

So, I am telling you that that needs to be done and sort of like – not the search engine optimization, I move very slowly in to that. You need a killer, (great) website. I think you need a presence on Facebook. I think you need a presence on one or two, maximum three, total social media platforms. And our office seems to use Facebook, LinkedIn and Twitter, and that’s it.

And whatever content you write or create for the website, make sure your web programmer does it in a way where you don’t need to have them input the new content in to your website. The website’s now, you can go in and add your own content under like a click-on called “articles.” And then you can
have a click-on called “video.” And we add those ourselves. And then you take that and you multipurpose it. You post a link to it on Twitter.

And if somebody’s interested in what you have to say on a topic, click here. And then that clicking will bring you to your website. You put it on Facebook. You’ll give them a little teaser line or a headline, click here for more information; it’ll bring them to your website. So, that’s what you want to do is drive traffic to your website through your own mechanisms and the social media platforms and hopefully maximize value that way. I hope I answered your question.

(Don Davidson): Yes, that’s helpful, thank you.

Lynn Howell: All right, thank you. Well, it is the bewitching hour. So, we must say goodbye to all the fun. Kerry, thank you so much for doing a wonderful job today. And then I would…

Kerry Lavelle: Thank you so much. Thanks everybody.

Lynn Howell: …like to remind everybody that the recording of this podcast will be available after about a week it’ll be on the GPSolo website. Now, this is as you know was a sneak peak of Kerry’s program.

It’ll be happening at the ABA 2019 midyear meeting in Las Vegas on Friday, January 25, 2019. The ABA midyear event is free, and so we encourage you to register at www.ambar.org/midyear for more information. Again, thank you and have a wonderful day. Bye-bye.

Operator: This concludes today’s conference call, you may now disconnect.

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