

# DIALOGUE

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## From the Chair...

By Sheldon Warren

### Standing Committee on Lawyer Referral and Information Service

Those of you who read my last column will recall that I was discussing an article that had been distributed on the ABA's LRIS listserv that discussed the six "weapons" or principles of persuasion developed by Robert Cialdini, Ph.D., a retired Professor of Psychology and Marketing at Arizona State University and one of the nation's leading authors and lecturers on the subject of persuasion. While that article addressed these "weapons of persuasion" in the context of a presentation made by Dr. Cialdini related to the marketing of insurance and financial planning services, these same methods can be utilized by state and local lawyer referral services to effectively market the services they offer to both the public and potential panel members.

The three principles discussed in my last column were **reciprocity**, **commitment and consistency**, and **consensus or social proof**. The three final principles or "weapons" of persuasion that are discussed below are **authority**, **liking** and **scarcity**.

First, **authority**. Dr. Cialdini summarized this concept in his presentation as: "People want to follow legitimate experts. You need to share with them your level of expertise on the topic – they can't know that about you until you tell them." Besides being knowledgeable, however, you also need to be truthful. Dr. Cialdini indicates this can be done effectively by following the corporate model for marketing a product or service whereby the corporation first mentions a weakness in its position, then immediately follows that admission with its strongest argument. By doing this the corporation appears both honest and powerful.

There is no question in my mind that a public service oriented LRIS that adheres to the policies set forth in the ABA's LRIS Model Rules is going to be the local "legitimate expert" in putting consumers in need of legal services in touch with attorneys with experience in those consumers' areas of need. The LRIS should tout the fact that it has policies and procedures in place that are in the consumer's interest (e.g. quality control follow-up, the requirement for E&O coverage, etc.) in addition to the fact that the consumer will be receiving a referral to an attorney who has met objectively verifiable experience requirements in their area of need. As to the second aspect of this principle, I believe a public service oriented LRIS can admit up front that it does not have all the "bells and whistles" that heavily funded for-profit services may have. Again, though, if this admission is immediately followed by comprehensive information on the valuable services the LRIS does offer, I believe the service will indeed come across as both honest and authoritative.

The next principle is **liking**. According to Dr. Cialdini, this concept is quite simple: "We like people who like us." While the growth of the Internet into the primary source of potential referrals for many lawyer referral services may have diminished the "personal touch" advantage of a public service oriented LRIS, I believe having a calm, experienced LRIS counselor that a consumer can actually speak to by telephone (or e-mail, Skype, etc.) should the need arise remains an invaluable LRIS marketing tool. Obviously, the same is true when it comes to panel recruitment, i.e. attorneys are more

likely to join an LRIS staffed by individuals who are both professional and, quite simply, "likable."

Dr. Cialdini's final persuasion "weapon" is **scarcity**. Simply put, perceived scarcity will generate demand. In this regard, it seems to me that "limited time only" marketing campaigns offering, for instance, reduced fees on simple wills might be an effective marketing tool. While such a program would obviously require "buy in" by your estate planning panel members, I believe it would also demonstrate to those panel members that the LRIS was utilizing proven marketing techniques in an effort to increase their referrals. Obviously, such an approach could also be used to recruit new panel members by offering them reduced panel membership dues or a free CLE hour for a "limited time only."

A couple of closing comments. First, the reviews of the ABA LRIS Workshop that took place in Portland, Oregon from October 27 through 30 are in and they are uniformly over the top in their praise for the programs that were offered. The Workshop's focus on the use of social media to market lawyer referral services was particularly praiseworthy. Next year's Workshop will be in New Orleans from October 19 through 22, 2011, and we are already working on the program. I hope to see you there.

Finally, a heartfelt thank you to Charlie Klitsch, the Director of Public and Legal Services for the Philadelphia Bar Association and a former Standing Committee member, who has had the Herculean task of editing not only this column but the entire LRIS portion of *Dialogue* for the last five years. Charlie, who is taking a well deserved break from his role as *Dialogue* editor, has done this with extraordinary patience and good humor and his efforts have without a doubt made this column look much better than it otherwise would have. Thank you, Charlie.

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