

DIALOGUE

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From the Chair...

By Sheldon Warren

Standing Committee on Lawyer Referral and Information Service

I was recently reminded (as I am regularly) what a valuable resource the ABA's LRIS list service is. LRIS staff counsel Jane Nosbisch distributed an article that had appeared in *Advisor Today*, the online publication of the National Association of Insurance and Financial Advisors (NAIFA), and suggested that the article might be of value to the LRIS community. The article, by author Maggie Leyes, discussed a presentation that had been made by Robert Cialdini, Ph.D., to an annual meeting of the Million Dollar Round Table. This presentation related to what Dr. Cialdini, 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, refers to as the six "weapons of persuasion." While both Dr. Cialdini's presentation and Ms. Leyes' article related to the marketing of insurance and financial planning services, I was struck (as Jane obviously was) by how easily the same "weapons of persuasion" could be utilized by state and local lawyer referral services to effectively market the services they offer to both the public *and* potential panel members.

First, **reciprocity**. Dr. Cialdini summarized this concept in his presentation: "I'm obligated to give back to you what you first give to me." He has also described it as "People tend to return a favor", which he says accounts for the broad use of free samples in consumer marketing. It is easy to envision this concept in action with regard to the recruitment and retention of panel members, who may be recruited by way of a reduced fee offer to join the LRIS panel, then retained as career long panel members by providing them with good, screened referrals. With regard to consumers, the "favor" which they may want to return (by telling their family and friends about the LRIS) is the simple act of referring them to counsel experienced in their area of legal need. Or, it might be the simple act of listening to their problem when they don't need a lawyer but are best served by a referral to some alternate social service agency. Either way, they are going to want to "give back" something to the LRIS in the future.

Next, **commitment and consistency**. People who commit to something (such as promptly calling the attorney to whom they have been referred and ensuring that the attorney knows they are an LRIS referral), are more likely to honor that commitment, particularly if that commitment is in writing. While getting a commitment "in writing" may seem impossible on a telephone referral, I have heard many LRIS referral counselors who effectively utilize scripts that say things such as: "Do you have a pen? Good. OK, write this name and number down. [The name of the panel attorney, which is then slowly spelled out, and the telephone number, read twice, are then given.] Do you have that now? Good. Can you read it back for me? That's great, you have it." You have given them something, and they have committed to following up on what you have given them. I could see the concept also working with a web referral, where the consumer "commits" by way of an e-mail, which both acknowledges the referral and the importance of promptly following up with the panel attorney.

Third, **consensus or social proof**. Ms. Leyes quotes Dr. Cialdini as saying: "We decide what we should do by looking at what others like us do in that

situation.” Elsewhere Dr. Cialdini has used the following experiment to illustrate his point. One individual stands on the street looking up in the sky, only to eventually be surrounded by uninvolved bystanders looking up into the sky to see what the first person was looking at. In the case of LRIS, it has always seemed to me that one of the most powerful – and effective – means of marketing are testimonials provided by satisfied “customers” of the LRIS, be they consumers or panel attorneys. Such testimonials should be used in your marketing to both of these groups. In the case of the panel attorneys, the positive “buzz” that a single attorney who is a member of a vibrant, well managed LRIS can create among his or her friends and professional colleagues is immeasurable. If they see the panel attorney receiving solid fee paying referrals from the LRIS, they are going to want to join so they can do exactly the same thing.

Space considerations require that I put off discussing the rest of Dr. Cialdini’s “weapons of persuasion” until my next column. However, before I close I wanted to comment on a recent series of posts on the LRIS list service involving the monumental stress encountered by those of you in the LRIS community who deal with difficult callers on a daily basis. There was an *immediate* and overwhelming response to the original post that asked others how they dealt with this stress. These posts offered not only alternative methods of effectively managing and releasing the stress of dealing with callers whose immediate problems make them difficult if not impossible to communicate with, but also offers of support and “an ear” if the telephone counselor needed someone to whom they could talk and simply “vent.” It is exactly this type of camaraderie that makes those of you involved in LRIS what you are – a *community*. A community with a shared *noble* purpose and the knowledge that, in a world where so much seems trivial, what you do actually matters.

Don’t forget – the annual [ABA LRIS Workshop](#) in Portland, Oregon is just around the corner. The Workshop runs from October 27 through 30, and we have a great program planned. I hope to see you there.

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