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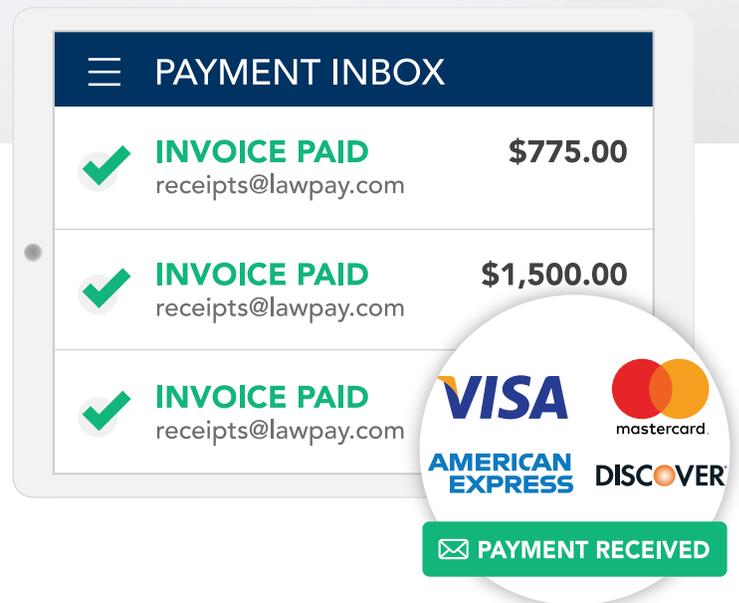
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ROSS FISHMAN, JD
CEO, Fishman Marketing

The Top 5 Reasons Your Law Firm Can't Cross-Sell

Many years ago, as a young marketer at a 500-lawyer firm, the managing partner tasked me with developing a firmwide cross-selling project, with the goal of institutionalizing more of our big clients. I did exhaustive research. Of course, every marketer knew that “getting business from existing clients is five times easier than getting a new client” (although I don’t know who first proclaimed that misleading platitude). I devised a step-by-step, bulletproof process in extraordinary depth and detail.

“So, what are the attributes of firms that are effectively diversifying the services that they provide to their clients?”

The design was, if I may say, pure genius. The gleeful managing partner agreed that it was a sure-fire winner. It was guaranteed to bring in millions of dollars of new business. He rolled out a cross-selling initiative firmwide in all offices. I planned to receive an enormous year-end bonus.

Unfortunately, of course, it turned out to be a total catastrophe.

It was a complete and utter failure, the *Hindenburg* of marketing efforts — by far the biggest disaster in my entire career. Not a single lawyer tried it, yet I was so sure this was going to be wildly successful.

I later interviewed my favorite partners to determine what went wrong. They confidentially told me that there was “no way in hell [they] were going to do any of it.” I was dumbfounded. Why not? In retrospect, it was pretty obvious. The whole program was premised on the absurd belief that that the lawyers would do what was good for the firm, rather than what was in the lawyers’ personal financial interest.

I’D MADE A ROOKIE MISTAKE

There were countless issues I wasn’t experienced enough to consider: 1) The partners liked keeping their clients portable, so they could pick up their ball and leave if they wanted to move

to a different firm; 2) the compensation system didn't reward this behavior at all; 3) the firm's culture and leadership didn't demand that they put their critical client relationships in their fellow partners' hands; and 4) the partners didn't trust each other's legal skills or client service. What if the new lawyer screwed up the originating attorney's relationship? As one noted, "I'd lose control of the relationship, and risk losing the client that's putting food in my children's mouths." Another partner said, "I'd rather send the work to another firm where I can't be blamed if it gets screwed up."

Furthermore, they were doing just fine already. They were busy, and there was no penalty if they ignored the cross-selling initiative, went back to work, and maintained the status quo. And this was just the start of the objections. (There were more than a dozen other barriers, too. See the online version of this article for more details on those.)

Of course, the lawyers were right to behave as they did. At that firm, they didn't trust the firm, its management, or each other to do the right thing, so it would be unreasonable for them to even try. As long as they could control every aspect of their client relationships, they were safe. No lawyer had so many clients that they were willing to risk putting them in the hands of partners in other practice areas whom they didn't trust immensely.

THE 5 TRAITS OF SUCCESSFUL CROSS-SELLING FIRMS

So, what are the attributes of firms that are effectively diversifying the services that they provide to their clients? There are at least five primary characteristics, detailed below.

The point is, if you are confident that your firm possesses all five of these characteristics, then you just might have a shot at selling additional types of services to your existing single-practice clients. If you don't, then it's unlikely that you'll be successful over time, and I would suggest that you either 1) work to gradually change your culture to become more equitable and team-oriented, or 2) reduce your cross-selling efforts in favor of the many other marketing activities that can prove effective at all types of firms.

Firms that excel in cross-selling tend to have the following attributes:

1. Strong leadership that supports and rewards sharing.
2. A firmwide culture of trust and friendship among the partners.

3. A fair compensation system that
 - acknowledges the risk to the partner controlling the relationship, and
 - rewards the efforts of the support partners for helping bring in the new work.
4. Effective internal communications that informs everyone regarding the nature of the firm's practices and clients.
5. Marketing training that teaches the lawyers how to cross-sell.

By the way, many untrained lawyers try to sell additional practice areas via sneak attack:

Lawyer: Hi [Corporate Client], I haven't seen you in a while; let me buy you lunch!

Client: Sure, that'd be great, thanks.

Lawyer: I'm going to bring along, Tiffany, a litigator I'd like to introduce you to.

Client: [realizes he's just been tricked into agreeing to sit through a 90-minute sales pitch]: Ugh. OK, fine.

That doesn't work because 1) the client **hadn't expressed a specific need for another litigator**, and 2) the lawyer **hadn't established why Tiffany is a much better option than the skilled litigators the client already uses**.

Yes, many global companies have been streamlining their administration by seeking one-stop shopping at fewer law firms, making successful cross-selling more likely. But those firms must still compete for this work against the other international law firms where the internal barriers might be lower.

Obviously, there's much more to this complex topic. But this is a start. ■

ABOUT THE AUTHORS

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