

*Content, Clients,  
and Clout*

# MARKETING WITHIN THE LEGAL TECH LANDSCAPE

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**BY PAULA ZIRINSKY**



**L**et us look back. It is early January 2020. Close your eyes and imagine this. Your firm is excited about an upcoming client event they are hosting: The Tenth Annual General Counsel Summit on Regulatory Change and the Forecasted Impact on the M&A Market.

Your marketing events team has secured one of the hottest venues for your 4pm program – with breathtaking views of the city, which will be incredible at sunset for the after-program cocktails and buffet.

Your save the date generated significant interest; printed invitations were in the mail 6 weeks before; email reminders sent twice. You have a sell-out crowd and will have a full, tightly packed room. Your venue has pushed the chairs closer together to make sure everyone has a seat. New banners, signage, and exhibit materials are staged around the room, with containers ready to pack and ship them on to a major industry conference the firm is sponsoring the following month.

Your PR team has pitched and secured members of the press for a pre-event opportunity to interview your speakers, all of which have arrived and are assembled with firm leadership in the green room. Messaging has been drafted, distributed, and rehearsed since several feature pieces in legal publications have already been promised. Your photographer has joined the group and has also been briefed on who to take pictures of. They have promised to

transmit a full photo roll to the marketing team immediately following the event.

Meanwhile, the PowerPoint presentations are tee'd-up and hand mics are ready to be passed around. Alphabetized name tags are assembled, and iPads have been loaded with registration software – enabling the easy transmission of data to the CRM. Parting gift bags, filled with new swag items and printed collateral, are stashed behind the

registration tables. Your BD and client teams are also waiting by the registration desk, to help facilitate introductions and one-to-one, face-to-face conversations with clients, ever so significant for relationship building.

Your content marketing team, augmented by associates who have already written legal memos on this topic for the knowledge management team, are assembled and ready to take notes. Immediately following the event, both teams will start drafting articles and blog posts based on what they heard and the buzz in the room. These will then

be compiled into a newsletter, to be distributed to clients and friends of the firm along with the photo roll.

Your social media team is ready to tweet. Everything should be terrific.

It was business as usual until one thing entered the room: coronavirus.

Now open your eyes. The scenario described above would have been standard operating procedure at most large and mid-sized firms across the U.S. and around the world before 2020.

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In December of 2019, we started to hear news from Wuhan, China about a type of pneumonia that did not respond to standard medical treatments. Early January 2020 reports on a new disease start to spread. The disease had taken flight, literally, on direct and connecting air travel from China to cities around the world. In mid-January Wuhan, a city of 11 million people, was placed under lockdown. Quickly followed by Hong Kong, as cases are confirmed there. For those travelling by air from China, screening and quarantine procedures are put into place, although later we will start hearing horror stories about cruise ships quarantined and stranded, prevented from returning to port because of positive cases. Late January 2020 coronavirus is officially named COVID-19, and we are informed that not just air travel, but person-to-person transmission will also spread this disease. And that the disease was quickly overtaking hospitals and even morgues.

Starting on March 12, 2020, businesses including law firms across the United States asked their employees to leave their offices and wait for news on when to return. For how long, no one really knew. And even though we immediately started talking about our return to the office, the days turned to weeks and the weeks to months – and the months to years.

COVID. Changed. Everything. But let us not see this as all gloom and doom. From a marketing, business development, and communications perspective, COVID forced marketing teams to really think, take inventory of the tools and technologies they had, become creative and more proficient in how to use those tools, and quite honestly, deal with it.

A client-based focus, the clout of the firm, a range of content types, and technology would become the marketers new best friends.

And with respect to our event above, it would have been smooth sailing through maybe early January 2020.

After that, when live events ended, how you marketed and communicated needed to make a marked shift. And for some firms, the marketing and BD teams truly became unsung heroes. Sadly, for others, they became layoff statistics, shortsighted decisions many firms would later come to regret. Particularly since the absence of live seminars, breakfasts/lunches/dinners, conference travel, sponsored events, even swag did need to be replaced with other business building activities, not just cut as a cost savings. Those that creatively responded, those who focused on ways to increase – not cut – touchpoints with clients, and those who looked to technology, did come out as winners during and post pandemic.

### **From The Marketing Suite: Live Becomes Virtual in the Pandemic Years**

The marketing suite and the activities emerging from it needed to be recreated in a virtual environment. Communications within the team would become so much more important. But the team was already proficient in one vital tool: Webinars.

Video calls were not new in 2020. In fact, as noted in “Video Chat Is Helping Us Stay Connected in Lockdown. But the Tech Was Once a ‘Spectacular Flop’” (Time Magazine, 11 May 2020), back in 1927 then-Commerce Secretary Herbert Hoover appeared on a screen from Washington, DC where he spoke to reporters in New York City. The article goes on to note that later, at the 1964 World’s Fair in New York City AT&T introduced Picturephone, an effort AT&T then commercially introduced in 1970, only to sputter out and die when they could not get a sufficient number of users to make the idea work. While technology issues (high cost of entry, blurry images) were noted as reasons for failure, AT&T found that people – then – just did not want to be seen while talking on the phone. And

while a Cornell University student wrote a program called CU-SeeMe in the early 1990s, which would become the first desktop video conferencing platform (Tech Target, “The History and Evolution of Video Conferencing,” Andy Patrizio, 17 August 2021) it would not be until 2010 when Steve Jobs unveiled FaceTime on the new iPhone 4 that video calling became a real thing again.

Prior to the pandemic, video conferencing was mostly done within a conference room itself. Yes, some firms had already implemented Skype calls, some with video, and Teams as part of Microsoft 365, and Zoom, but aside from webinar and Town Hall usage, it was not until March 2020 that we all really started using video conferencing on a 1:1 ongoing basis. And this was one technology marketing teams had already perfected through their knowledge of webinars and related webinar platforms.

As firms tried to stay in front of clients and prospects, webinars exploded during the first year of the pandemic. The beauty of a webinar: Lawyers were already used to dialing in from wherever they were to join colleagues from other offices of the firm as part of a program. True, now from home, cameras, and microphones, and lighting all needed to be worked out. But once they were, the production of a wide range of content could quickly and easily be assembled and presented to anyone, anywhere. And toward this end, already existing marketing technology

platforms enabled the team to identify content, however nuanced, that was important to target groups. Remember the iPads loaded with registration software – enabling the easy transmission of data to the CRM – from our event above? Data analysis of which clients attended that event, tied to which outbound emails they previously opened and read, could now be used to help determine what webinar

topics should be targeted to specific client groups.

And while everyone loves to tout huge webinar registration and attendance numbers, the truth is that when you are able to target the exact content a client needs at that exact moment, you are adding value to both the client and the client relationship.

Throughout the pandemic, marketing, business development, and client teams worked together to assist firms as they tried to stay in front of clients and prospects, now in virtual ways. Something to consider: People like to digest content in different ways. Some read. Some listen. Some watch.

And yes, data from your CRM tied to data extracted from your website on someone’s specific customer journey can help to identify the form of content preferred by each of your clients and even your prospects. You just need the right CRM and the right website CMS platform. Smart marketers have and use these.

Also exploding during the pandemic – expanded types of outbound email programs – newsletters, article

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compilations, or even an email with a straight from a lawyers desk embedded video (from home) featuring the lawyer speaking directly from the email to the intended recipient. Yes, embedded video in outbound emails was not new. But those savvy lawyers who worked with the marketing team to embed a personalized video in an email, were able to be seen and speak directly to each recipient of it. And that was new. And brilliant.

Beyond content assembled and distributed by the marketing team, knowledge management teams transformed legal content distributed across the firm as well as outside the firm to clients on substantive areas of the law. Looking back at our program above, the memos written by associates pre pandemic, were now, during the pandemic, also being written or started by more senior lawyers often in with conjunction with members of the knowledge management team and client team members. Toward this end, the new virtual workplace included a broader use of legal technologies and software to enhance the speed and delivery to the client – spearheaded by the tech savvy knowledge management team. Together with marketing and the platforms being used within the marketing suite, collaboration between both teams became a powerful tool.

During the pandemic years we also saw podcasting take off. While initially showing a slight decline in the early days of work from home as commuting and gym time halted, listeners started to find ways to fit podcasts back into their daily schedule. In fact, more people started turning to more podcasts during the pandemic resulting in a 42% increase in global usage (Burrelles, “Why Podcasting Has Survived and Thrived During Covid 19,” 17 December 2020). As a result, many firms acquired technology, akin to the outbound email platforms marketing has long since called their own.

## And As We Approach 2024, What Is Next For Marketing and Legal Tech?

- **A greater focus on data and analytics.** Firms will need to determine what pandemic efforts to keep, what to discard as last decade’s programs, and what activities are deemed to generate the strongest impact at the lowest cost to add.
- **The growing prominence of Knowledge Management – now armed with technology acquired and invested in during the pandemic.** Expect them to drive content creation which might put them at odds with the communications team unless collaborative measures are implemented.
- **Technology and people to not just implement a platform but maximize its usage on an ongoing basis.** If you are investing hundreds of thousands of dollars into something, recognize that you need an equal commitment for the right people to run it and use it. This is particularly significant with technologies and platforms that are focused on revenue generation (ok, Marketing and Sales Automation and CRM platforms) and client-based marketing efforts. Getting buy in from the top, including training for everyone throughout the organization who will use the technology, are both critical for a successful implementation. It is not just the technical integration. It is the usage throughout the organization (the integration) that will result in acceptable ROI rates (effective results).
- **AI within law firms is here (in fact it has been here). It is not a choice. It is a reality.** Toward that end, we need to understand its limitations and its rewards,

we need to know how to correctly use it as usage relates to an organization's appetite for risk, and we need to know when and how to leverage usage as competitively as possible. There is an abundance of data to aggregate throughout your firms. It needs to be leveraged. All organizations, including law firms, need a strategy, particularly as it relates to newer entrants to the AI universe; an acceptance that the strategy may be modified, as the technology matures; and a commitment to collaboration throughout the firm.

From a content creation perspective, AI can help speed the creation. But its use as a start to content creation must always be matched with fact checking, editing, and even additional research to ensure accuracy and a match to your firm's style and form. It is tool and should not be used as the end product itself. And when used as a tool, it must be disclosed, much like a footnote discloses where information came from.

- **Marketers will become marketing technologists.** They will need an enhanced comprehension of technologies and how each impacts others in the MarCom stack. Tomorrow's marketing technologists must be fluid in rule making, algorithms, machine automation, and AI since they will be using the AI tools we are discussing today.

AI today – and certainly into 2024 – will provide advanced insight into what topics clients, prospects, and other visitors to your website want to see more of. When married to your CMS to reveal the pages visited or terms searched, AI can help inform what to add more of – or even start the new content for you to review. As part of personalization, it can deliver targeted content at just the right time. And

when integrated with SEO campaigns, it can be quite effective in helping to generate leads.

But will AI universally replace reporters, newsrooms, and PR teams? As a former law firm PR flak, I hope not. But certainly, from a cost perspective, we may see fewer journalists and editors in newsrooms as more automated articles are published and change progresses. We have already started reading about firms using ChatGPT to draft news releases. Will they be successful, only time will tell.

But for major news events, or even The Tenth Annual General Counsel Summit on Regulatory Change and the Forecasted Impact on the M&A Market discussed at the top of this article, the interpretation of the importance of such an event to your clients still needs humans and a human touch. And maybe even a green room filled with reporters and lawyers sharing insights and building human relationships over a cup of coffee.

In the end, there is no stopping change. **ILTA**



As seen in the Spring 2023 issue of **ILTA Peer to Peer**



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