



BY HEATHER SUTTIE

Rebranding Lawyers

Where the rubber meets the road in a post-recession marketplace



DO YOU REMEMBER the DMC-12? Better known as the DeLorean, this iconic car with gull-wing doors and steel-paneled, fibreglass body was produced from 1981 to 1982. By the time production halted in 1983, the car was already history as it roared onto the silver screen as a nuclear-powered time machine in the 1985 classic *Back to the Future*.

Nuclear-powered cars aren't on the market yet, but electric cars are here now. And even though the legal industry has never moved at lightning speed, lawyers of today and the near future need to develop a different brand very quickly.

The impact of this new brand for the law firm will need to be a client-sensitive and industry-pivoting game-changer that will breathe new life into the legal businesses of those willing to reinvent themselves fast enough to take advantage of it.

> "INERTIANARIES"

A managing partner once told me, "People hate lawyers." While I disagree, lawyers have traditionally been easy targets. The denigration has been going on since Shakespeare's character Dick the Butcher in *Henry VI* suggested, "let's kill all the lawyers" and more recently, a DLA Piper lawyer attracted scorn by writing, "Working full time on random research projects in standard 'churn that bill, baby!' mode."

Lawyers keen to rebrand must embrace change. But change remains a problem. A May 2015 survey from consulting firm Altman Weil found that a quarter of US law firms, as well as one-third of firms with 250 or more lawyers, don't expect demand to return from pre-recession times. Non-traditional firms, technology, non-firm legal vendors and clients doing work in-house are among the most active competitors. More distressing is that 63 per cent are not making changes because "clients aren't asking for it." At this rate, expect inertia to take its toll.

> "EVOLUTIONARIES"

If inertia isn't bad enough, apathy abounds. While some firms cling barnacle-like to the "clients aren't asking for it" excuse, apathy may have played a role in the low voter turnout to elect law society leaders in Ontario, Quebec and Nova Scotia earlier this year. These Canadian jurisdictions racked up an average of 63 per cent of eligible lawyers who did not vote. While that percentage is disappointing, it's probably accurate in getting a fix on the "We've always done it this way" devotees compared to the 37 per cent who are either participating in the process or proactively changing the profession's brand as well as their own.

Those who want to change will and those who don't won't. Lawyers wanting to be successful in this post-recession marketplace are doing their utmost to change the perception of what it means to practice law. They will continue to forge a brand that combines sincere helpfulness with an off-the-clock mentality along with willingness to innovate, all of which fosters trust.

> PIVOTERS

In his book *How to Fly a Horse: The Secret History of Creation, Invention and Discov-*

ery, author Kevin Ashton writes, "Complacency is an enemy. 'If it ain't broke, don't fix it' is an impossible idiom. No matter the sales and customer satisfaction, there is always something to fix. Asking, 'Why doesn't it work?' is creation inhaling. Answering is creation breathing out. Innovation suffocates without it."

In the past, many firms and lawyers have been successful in spite of their imaginative shortcomings. Now, success is defined by clients with permanent buying power. To remain relevant to clients means changing, and changing means pivoting. The degree of a pivot doesn't have to be dramatic, but it does need to be apparent.

It won't be easy, but the results are always worth the effort. Whether the firm is merging, repositioning in the market or refocusing service offerings, its brand changes. The result is a recasting of the firm's reputation, which helps to change and enhance the conversations its people have with clients and each other.

To pivot or not: either choice has consequences. In *Back to the Future II*, protagonist Marty McFly, reading about his son in a newspaper from the future, says, "Within two hours of his arrest, Martin McFly Jr. was tried, convicted and sentenced to 15 years in the state penitentiary. Within two hours?" His eccentric sidekick, Dr. Emmett Brown, responds, "The justice system works swiftly in the future now that they've abolished all lawyers."

While *Back to the Future* was a fantasy set in the past, lawyers of today and tomorrow will be wise to embrace reality and a new brand. The alternative? Fixate on an obsolete design and get scrapped like the back-in-time DeLorean DMC-12. 🚗

Heather Suttie is a legal marketing and business development consultant. She works with a range of law firms from global to boutique. Reach her at (416) 964-9607 or visit www.heathersuttie.ca.