

Assessing your law firm's online marketing strategy

A Website need not be elaborate to be effective

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There is no good reason for a law firm *not* to have a Website, at least according to Web designer Brendan Chard, who last week spoke at a conference devoted to solo and small firm practitioners.

A Website need not be elaborate to be effective, Chard told the crowded room of attorneys. "The primary information your Website needs to include is who you are, why you are great and how to get in touch with you," he said.

Chard's comments were made during "Websites and Online Marketing — Make Them Work For You" — one of many continuing legal education (CLE) seminars offered at the second "Strategic Solutions for Solo and Small Firms" conference in Duluth. The 2 ½ day event was sponsored by Minnesota CLE.

Chard's presentation showed audience members how to make a Website a key part of their marketing operations and demystified how Web sites, search engines and online advertising work.

A Website is just one piece of the marketing puzzle, Chard said. "But it's a big piece that can help create a more cohesive image for your firm."

Why have one?

According to Chard, who specializes in designing Websites for small law firms, there are several benefits to having a Website. The first is that a well-designed site can be a very effective marketing tool.

"It integrates all your marketing; it pulls it all together," Chard observed. It can also control the law firm's image and increase referrals to the firm, he said.

Chard pointed out that often the first thing people do after getting attorney referrals is look up the lawyers' names on the Internet. If the first lawyer does not have a Website, people will move on to the next name on the list, he said.

A Website can also generate cold calls, Chard noted.

The second purpose of having a Website is its utility.

A good Website will streamline communication between a potential client and the law firm, said Chard.

By including on the site what the firm does, directions to the office and contact information, attorneys and staff can avoid having to answer phone calls seeking this information.

All inclusive

Chard told audience members that the

most important things to include on their Websites are attorney profiles and contact information.

The contact information should include the law firm's address, directions to the office, a phone number and an e-mail address. A map to the office is also helpful, Chard added.

The attorney profiles should include things like:

- the attorney's educational information;
- the courts the attorney is licensed in;

- the attorney's direct phone number and e-mail address; and

- a summary or bullet points of the areas the attorney practices in.

Chard also advises putting a photo of the attorney on the Website. People want to know what the lawyer looks like, he said.

Other information that could be included on a law firm Website, although not as crucial includes:

- relevant articles the attorney has

authored;

- reasons potential clients should choose the attorney to do their legal work;

- favorable news clippings that mention the attorney;

- achievements or awards the attorney has won;

- a list of frequently asked questions and answers;

- a newsletter if the attorney or firm publishes one;

- helpful information or links to other sites; and

- documents such as intake forms that can be printed off, filled out and sent in.

Chard said it is also be a good idea to include a list of representative clients and people the attorney has worked with in the past.

The error of their ways

Chard has seen a lot of errors in law firm Web designs over the years.

The primary mistake, Chard said, is to design the site yourself. You are attorneys, not Web designers, he stressed. "Let the professionals do what professionals do."

Another mistake is burying the attorney's contact information. "Make sure it's easy to find," he said.

In addition, some lawyers load the site up with things like high-quality photos or graphics that slow down the site's performance. Attention spans on the Web are short so be sure your information comes up without much delay, Chard stressed. "Make sure your Website is quick."

Finally, avoid leaving your Website "under construction," Chard observed. "It's a sign of laziness and an inability to get things done. ... It doesn't look good. It's not a sign of progress and growth," he said.



Web designer Brendan Chard — who has worked on many law firms' Websites — gave solo- and small-firm practitioners tips on planning and executing an effective site at a recent conference in Duluth.

Websites are a key marketing tool

Attorney coach and continuing legal education (CLE) presenter Roy S. Ginsburg of Minnetonka recently put in his 2 cents regarding the importance of law firm Websites to an audience of solo and small firm attorneys.



Roy Ginsburg

During a CLE presentation on ethical marketing skills — part of Minnesota CLE's 2 ½ day conference on "Strategic Solutions for Solo and Small Firms" in Duluth — Ginsburg referred to law firm Websites as a very important part of marketing. He acknowledged that Yellow Page ads are effective and do work, but noted that it's important to include a Website address within the ad so people can go to the site to learn more about the attorney. "You really, really need one," Ginsburg stressed.

In addition, make the Website pleasing to the eye, Ginsburg continued, opining that a person who reviews the sites of two equally qualified lawyers will most likely contact the one with the nicest site.

If you have two attorneys and they each have a Website, the more professional looking site will get the first phone call, Ginsburg observed. "It's human nature," he said.

During his presentation, Ginsburg also stressed the need for the content of the Website — and all other marketing material — to convey accurate information. Any false and misleading content on Websites, in advertising material or in conversations, will violate Minnesota's ethical rules, Ginsburg observed.

— Michelle Lore

Chard encouraged attendees to find a good Web designer. He suggested asking around to find out who other attorneys have used, searching the Web for someone or placing an ad at Minneapolis.craigslist.com.

Remember, low cost does not always mean good, Chard emphasized. It takes time to develop an effective site and it's not an easy process, he added.

Debunking myths

Chard took some time to "debunk" several of the Website myths that pervade the Internet.

If you build it, they will come. That's

not necessarily true, Chard observed. It takes time and effort to design a Website that will show up prominently in search engines, he said.

Websites are hard to change. Not true, said Chard. "It's easy to make changes right on the fly."

There's a page limit. Also not true, according to Chard. There should be no limit, and it's easy to make additional pages, he said.

It's the only marketing tool you will ever need. A Website is not the *only* marketing tool an attorney should have, but

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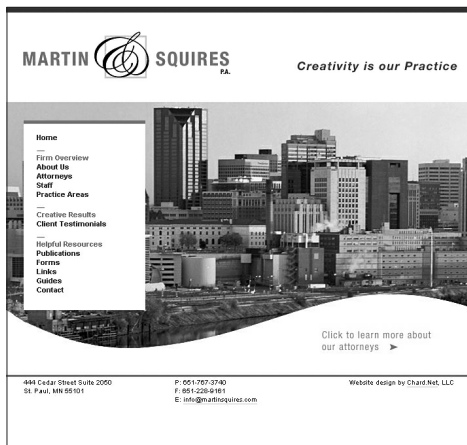
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One of the many law firm Websites designed by Brendan Chard.

Opinion Digest

Digest, cont.

and remand for resentencing.

On remand, the District Court should have the opportunity to determine whether defendant is entitled to the presumptive sentence or whether another sentencing disposition is available. **Reversed and remanded.**

Concurring in part and dissenting in part, Ross, J. "I agree that [defendant's] sentence must be reversed and remanded, but I write separately to note that I believe that *Blakeley* and *Apprendi*, as interpreted by *Shattuck* and *Barker*, limit the remedy on remand to the imposition of the presumptive sentence."

A05-1278 *Minnesota v. Moore, Jr.* (Ramsey County) Page A-53

STOP OF VEHICLE

Articulable Suspicion

Where an officer observed defendant make a turn and accelerate from an intersection at a high rate of speed; at the next intersection, the officer again observed defendant turn and accelerate at a high rate of speed; and the officer testified that he believed that defendant was violating a city ordinance prohibiting unreasonable accelerations and that defendant's driving conduct indicated that he might be under the influence; we conclude that the District Court erred by determining the officer did not have reasonable, articulable suspicion to stop defendant. **Reversed and remanded.**

A06-477 *Minnesota v. Fisher* (Hennepin County) Page A-54

EIGHTH U.S. CIRCUIT COURT OF APPEALS

ADMINISTRATIVE

Admission to Human Development Center; Arkansas Law

Where a mentally handicapped man who was admitted to a human development center by his legal guardian challenged the procedures governing his admission and continued placement at the center, the District Court properly found that the state's procedures were constitutionally adequate and intervenors lacked standing to file a cross-appeal regarding post-admission review procedures. **Affirmed.**

05-2978 *Porter v. Knickrehm, et al.*, appealed from the Eastern District of Arkansas, Melloy, J.

ADMINISTRATIVE

Migratory Bird Act; Captive Ducks; Arkansas Law

Where a District Court held that the federal Migratory Bird Treaty Act and federal regulations promulgated in accordance with the act did not preempt Arkansas regulations involving captive-reared mallard ducks, the act and the regulations do not conflict with the state regulations, and the court's decision is affirmed. **Affirmed.**

05-3244 *Noe v. Henderson*, appealed from the Eastern District of Arkansas, per curiam

BANKRUPTCY

Discharge; Enforcement Action; Commodity Exchange Act

Where a Chapter 11 debtor, an energy trader, was the subject of an enforcement action to restrict it from committing future violations of the Commodity Exchange Act, the enforcement action was not barred by the bankruptcy discharge. **Reversed.**

05-2570 *U.S. Commodity Futures Trading Commission v. NRG Energy, Inc.*, appealed from the District of Minnesota, Murphy, J.

BANKS AND BANKING

Mortgages; Payoff Information; RESPA

Where homeowners brought a class action claiming a mortgage service company violated the Real Estate Settlement Procedures Act by charging a \$20 fee whenever they requested a payoff amount from the company's website, the act does not prohibit the company from charging fees for the provision of loan payout information and the homeowners failed to properly raise the issue of the reasonableness of the fee. **Affirmed.**

05-3707 *Watt v. GMAC Mortgage Corporation*, appealed from the Western District of Arkansas, Arnold, J.

CIVIL PRACTICE

Collateral Estoppel; Declaratory Judgment Action; Iowa Law

Where a District Court erroneously determined that it was barred by collateral estoppel from considering the application of federal law that would bar the return of guns and ammunition to a man previously found to be mentally ill, summary judgment for the defendant on a civil declaratory judgment action brought by the government is reversed. **Reversed and remanded.**

05-3209 *U.S. v. B.H.*, appealed from the Northern District of Iowa, Beam, J.

CIVIL PRACTICE

Duty to Defend; Class Action; Res Judicata

Where an insurer brought an action to

recover defense costs paid to an insured which the insurer defended from a class action, the District Court properly granted summary judgment to the insurer and properly found that res judicata barred the insured's counterclaim for additional costs of the defense. **Affirmed.**

05-3224 *St. Paul Fire and Marine Insurance Company v. Compaq Computer Corporation*, appealed from the District of Minnesota, Gruender, J.

CIVIL PRACTICE

Jury Instructions; Amendment; Failure to Grant

Where plaintiff sued a meat processor for nuisance, negligence and strict liability seeking damages for the release of gases, a \$17,500 jury award for the plaintiff is affirmed despite her appeal based on claims of error regarding the denial of leave to amend a claim, dismissal of a negligence claim, jury instructions and expert witnesses. **Affirmed.**

05-1906 *Marmo v. Tyson Fresh Meats, Inc.*, appealed from the District of Nebraska, Magnuson, J.

CIVIL PRACTICE

Res Judicata; RICO Claims

Where a doctor brought state law conspiracy claims and RICO claims against his former employers, the District Court properly dismissed the claims with prejudice as barred by res judicata and the court did not err in denying leave to amend. **Affirmed.**

05-3403 *Mischia v. St. John's Mercy Health Systems, et al.*, appealed from the Eastern District of Missouri, Loken, C.J.

CIVIL PRACTICE

Statute of Limitations; Discovery Rule; Purchase of Art

Where a plaintiff brought contract and tort claims after she was sold artwork at inflated prices, no fiduciary relationship existed between the plaintiff and the art sellers and the plaintiff did not exercise reasonable diligence in investigating the pricing, so the District Court did not err in granting summary judgment to the defendants because the claims were barred by the relevant statutes of limitations. **Affirmed.**

05-1972 *Hope v. Klabal*, appealed from the District of Minnesota, Gibson, J.

CONSTITUTIONAL

Out-Of-State Hunters; Restrictions; North Dakota Law

Where Minnesota challenged regulations of North Dakota that imposed restrictions on out-of-state hunters, the

District Court properly granted summary judgment to North Dakota because congressional action made the dormant Commerce Clause challenge moot and no relief could be had under the Privileges and Immunities Clause. **Affirmed.**

05-3012 *State v. Hoeven*, appealed from the District of North Dakota, Bright, J.

EMPLOYER-EMPLOYEE

Race Discrimination; Punitive Damages

Where a jury awarded a racial discrimination plaintiff \$900,000 in punitive damages, the District Court properly set aside the award because the employer conducted an investigation, terminated the blameworthy employees and had a Title VII policy in place and the employee's allegations of wrongful conduct did not support a finding of punitive damages. **Affirmed.**

05-2220 *Carter v. Kansas City Southern Railway Company*, appealed from the Western District of Missouri, Melloy, J.

BANKRUPTCY APPELLATE PANEL

DISCHARGE

State Court Action; Sanctions

Where a bankruptcy court allowed the state court to decide whether a debt to a creditor would be discharged and the bankruptcy court determined that it would not sanction the creditor for violating the discharge injunction when it brought the civil action, the bankruptcy court's decision was not an abuse of discretion. **Affirmed.**

05-6048 *Everly v. 4745 Second Avenue, Ltd.*, appealed from U.S. Bankruptcy Court, Southern District of Iowa, Kressel, C.J.

PREFERENTIAL TRANSFERS

'Insider'; Condominium Lien

Where debtor transferred the lien to his condominium to a creditor who prior to the transaction was unsecured, the creditor gave nothing in return so the bankruptcy court erred when it found that the creditor received the lien for value and could retain it, but the court properly determined that the creditor was not an "insider" for purposes of determining whether a preferential transfer occurred. **Affirmed in part; reversed in part.**

05-6047 *Stalnaker v. Gratton*, appealed from U.S. Bankruptcy Court, District of Nebraska, Schermer, J.



There are a variety of ways to market your Website

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it should be the centerpiece, Chard contends. All other marketing and advertising efforts should pull potential clients towards the Website to deliver a more complete message.

Marketing tricks

There are a variety of ways to market your Website, according to Chard.

Options include advertising the site in lawyers' directories and referral sources, conducting an e-mail campaign to everyone in your address book, or advertising it in more traditional forms like print, television or radio.

One of the most effective ways to market your site, however, Chard observed, is through search optimization. When people are searching the Internet looking for a lawyer in a particular practice area or geographic area, you want your name to come up at the top of their results list. There are ways to optimize the chance of that happening, according to Chard.

Chard explained that when pulling up Websites in response to a user search, search engines like Google and Yahoo consider a variety of factors, including:

- page content;

- keyword density (i.e. how many times a work like "injury" shows up on the site);
- titles on the pages;
- the number of pages on the site;
- the content-to-size ratio;
- inbound and outbound links;
- the age of the site; and
- the uniqueness of the pages.

All of these factors influence how high up on the rankings list your site will be, said Chard.

A "sponsored search" is another way to direct people to your Website, Chard continued. Under this marketing method, attorneys request that

their site be prominently displayed on a user's results list following a search. Attorneys pay the search engine a set amount every time someone clicks on their site. They can narrow it down to a geographic area they've defined or a specific practice area, Chard explained.

"You are driving a totally targeted [audience] to your site," Chard observed. It can get expensive, but it can also be very effective if it's done right, he added.

The advantages of a sponsored search are that the attorney's site is given instant visibility, the attorney can target traffic and there are no long-term contracts or commitments required. 