

# CHOOSING A LAWYER: WHAT DRIVES CONSUMERS?



white paper



# OUR SURVEY

## *Says that...*

ONLY  
**50%**

of firms analyse the performance of their marketing and only 25% of PI firms are driven by competitor analysis



**17%**

of PI firms – double the number of consumer firms – increased their marketing spend during the pandemic. While 19% of PI firms have made marketing staff redundant (11% of consumer firms), with another 12% planning to

**81%**

of PI solicitors put a trusted brand as an important factor in consumers choosing a solicitor. 57% of PI clients stated a trusted brand as being very important



OVER  
**40%**

of PI clients said they could find a description of services provided on firms' websites, such as details of staff and a timeline of how a case runs

**68%**

of solicitors imagine that consumers shop around before making a final choice. Yet only a quarter of PI clients said they shopped around

**42%**

of PI consumers spent a day or less searching for a legal provider. Yet only 21% of PI solicitors reckoned it took less than a day

ONLY **31%**

of PI clients said having a law firm with a local office is important, compared to 65% of clients generally

**23%**

Almost a quarter of solicitors do not utilise data to understand their customers



# WELCOME

Our 2020 white paper is published against the background of an extraordinary six months.

By and large, the legal market seems to have coped admirably with the pandemic and there are positive signs in many practice areas that the market is rebounding.

We at First4Lawyers made the conscious decision to invest heavily during those months, to ensure that our panel firms had the best opportunities for work that could be delivered and I am proud that this strategy paid off for them and us. We believe in the strength of the personal injury market, even with next year's reforms looming.

But buying habits may well have changed for good as use of the internet to buy goods and services accelerated during lockdown. This is against a broader policy background of regulators wanting to make it easier for legal services consumers to compare providers and shop around online. So this year's white paper, examining these trends, what law

firms are currently doing and how they can make themselves more appealing to potential clients could not be better timed.

Essentially, there is a lot more that most firms could do, starting with gaining a better understanding of consumers and what would encourage them to contact you. There are a lot of opportunities out there and a lot of ways to approach them – First4Lawyers is, of course, one of them but we want to equip law firms with a greater understanding of the marketing process for their wider benefit.

If there is anything in here that you would like to discuss further with me or my expert colleagues, please get in touch.

**Qamar Anwar, managing director, First4Lawyers**

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“ This year, we have decided to go back a step and look at what it is that makes injured people choose to contact a particular firm in the first place. ”

**W**hy do potential clients contact your firm? Is it from a recommendation? Do they like your fancy offices, whizzy website or column in the local newspaper? Do you simply have a reputation for solid, reliable advice and service?

Maybe, like the comedy lawyer Lionel Hutz from *The Simpsons*, you offer “Cases won in 30 minutes or your pizza’s free” (although we hope not).

Our last two white papers have examined how personal injury (PI) law firms convert the enquiries they spend so much time and money generating. This year, we have decided to go back a step and look at what it is that makes injured people choose to contact a particular firm in the first place. Do lawyers understand what is driving consumers?

While First4Lawyers should, of course, be central to your marketing, you should not be totally reliant on us – firms should employ a mix of methods to attract clients.

To assess where the profession is, we commissioned IRN Research to survey 100 PI and general consumer law firms on how much solicitors understand their clients, and gauge the firms’ marketing activity and spending.

We are at a uniquely difficult time for PI firms, squeezed at one end by Covid-19 and lockdown – which has severely impacted the number of new injury claims of all kinds – and at the other by next April’s launch of the Ministry of Justice’s whiplash reforms. By then they will be two years overdue and the politics of PI means that any further delay is unlikely.

But people will still have accidents and will still need lawyers. The experience of PPI claims – which are substantially easier to bring than a claim through the new Official Injury Claim portal will be – is that people want to have their hand held through the claims process, even if it means paying over some of their compensation.



# THE URGE TO SHOP AROUND

The wider context of our white paper is the effort going on to encourage consumers to shop around before choosing a lawyer, making it more important than ever that law firms present themselves positively to the outside world.

This push was prompted by the Competition and Markets Authority's (CMA) report on the legal services market in December 2016, which found that the legal services sector was "not working well" for consumers and small businesses.

The watchdog said: *"These consumers generally lack the experience and information they need to find their way around the legal services sector and to engage confidently with providers. Consumers find it hard to make informed choices because there is very little transparency about price, service and quality... This lack of transparency weakens competition between providers."*

The CMA looked in detail at price, service and consumer protection, and said it was *"essential that consumers have sufficient, reliable information, presented in ways that are relevant to them, so that all three dimensions can be taken into account 'in the round' when assessing offers"*.

A study by IFF Research, commissioned by the CMA for its report, included these relevant statistics about consumers who had an accident/injury claim (although note that, in some cases, the sample size was quite small).

They were:

- More likely to be using a legal services provider for the first time (56%) compared to the sample average (32%);
- More likely than average to have identified their provider via a referral from a professional intermediary (33%);
- Less likely to choose their provider based on feedback/recommendations from family/friends (27% did, compared to the overall average of 42%), location (17% versus 49%) and/or previous experience of using the provider (14% versus 38%) – this reflects the nature of the market and relative infrequency of people making claims. Thus, they were more likely than average to have had their choice made for them; and
- Less likely to say they were able to judge the quality of their provider. "This is perhaps a reflection of consumers with this legal matter being more likely to have had their provider chosen for them, and less likely to have had any previous experience of a provider".

As we will see later, more recent research backs up these findings.

ONLY  
**27%**

of PI consumers chose their provider based on feedback or recommendations from family and friends



“ *...the proportion of consumers who shop around before choosing a legal services provider has slowly increased since 2011 from 19% to 30% this year.* ”

The recommendations from the report were aimed at helping consumers engage with the legal market by equipping them with tools to identify their legal needs, shop around and secure good value. The first step was to require much higher standards of transparency by lawyers, and that is where regulators' efforts have been focused since.

In December 2018, new Solicitors Regulation Authority (SRA) rules came into force requiring law firms to provide greater transparency on price and service through their websites in various areas of law, although PI was exempt. The SRA has previously promised to issue guidance on how PI firms can be more transparent too, but this has yet to be done. It said:

*“This guidance will encourage price transparency but also focus on providing clear and accessible information to consumers on the legal process they are going through and help them to understand their options.”*

The Legal Services Consumer Panel's (LSCP) annual tracker survey this year polled 3,623 people who have used legal services in the last two years. Published in August, it showed that the proportion of consumers who shop around before choosing a legal services provider has slowly increased since 2011 from 19% to 30% this year. We examine the findings in more detail below.

Significantly, in September, the CMA announced a review of how its recommendations have been implemented and particularly whether competition has sharpened.



## SURVEY METHODOLOGY

In June/July 2020, IRN Research was commissioned by First4Lawyers to undertake a telephone survey of 100 solicitors working in consumer law firms. IRN spoke to 48 solicitors working in PI, and 52 solicitors working in other consumer law areas.

Of the 48 working in PI, 36 were in general practice firms and 12 were based in specialist firms. Of the 52 working in other consumer law areas, 45 were based in general practices and seven in specialist firms.

The large majority of firms had turnover of more than £5m

– in fact, around a quarter turned over more than £50m – and more than six partners.

This report also draws on the annual survey of people who have used legal services in the last two years, commissioned by the Legal Services Consumer Panel from YouGov. This year it spoke to 3,623 legal service users.

The panel said the results have been tested to the 95% confidence level – i.e. it was 95% confident that these findings were not due to chance. Fieldwork took place between 17 February and 18 March 2020.

# DOES PRICE COMPETITION EXIST?

Unsurprisingly, price has been a focus of the wider transparency push, but that is not so straightforward in a part of the market dominated by ‘no win, no fee’ – such price competition as could exist is on the level of success fee deductions from damages.

That was the intention of Lord Justice Jackson a decade ago when he recommended ending the recoverability of additional liabilities. He wrote: *“Under the new regime solicitors will compete upon the basis of which solicitors are charging the lowest success fees to clients, rather than which solicitors can pay the highest referral fees to claims management companies or before-the-event (BTE) insurers. Thus the beneficiaries of competition will be the consumers, not claims management companies, BTE insurers or similar bodies.”*

But this has not come to pass. In a ruling in 2015, District Judge Richard Lumb, a regional costs judge based in Birmingham, noted: *“Whilst it is true to say that... Sir Rupert Jackson anticipated that the deregulation of success fees would lead to a competitive market between solicitors to offer the lowest success fees to secure the work, it is equally true to observe that this has not transpired, at least not yet. This may be because the public have not been in a position to make an informed choice to shop around for the best deal...”*

*“There is a professional obligation in the Solicitors Code of Conduct to discuss funding options carefully with the client and to advise the client in accordance with the client’s best interests. Until solicitors incorporate within their marketing an intention to be competitive with other firms concerning success fees, Sir Rupert Jackson’s aspirational forecast is unlikely to come to pass.”*

There is no evidence that the position has changed significantly in the subsequent five years, although there are a few firms which market themselves on charging no success fees. The extent to which this is sustainable – given that fixed recoverable costs have not moved while business costs have increased – is an interesting question but beyond the scope of this white paper.

At the same time, our IRN research indicated that clients do try and negotiate – 15% of specialist PI lawyers say it happens all the time, and a further 43% some of the time, although the figures were 19% and 63% respectively for solicitors at general consumer firms.

In any case, research indicates that price – though obviously important – is not as important as reputation and trust when it comes to choosing a firm.

An analysis published last year by the network LawNet of almost 70,000 satisfaction surveys and 5,000 anonymous experience reviews during the past six years, showed that just 4% of new business was won by its member firms on price. By contrast, 30% came from existing clients, 19% by recommendation and 17% because of the people or character of the firm.

And when it came to cost, more important to clients than the price quoted was understanding how charging worked. They also wanted to know the benefits of using the firm and to be kept updated as work progressed.

LawNet said: *“This reflects findings by the Law Society suggesting buyers cannot differentiate between firms, yet only 28% of firms in national benchmarked surveying explain why a client should choose them. Similarly, SRA research shows 95% percent of lawyers think they explain the charging system clearly at the outset, but only 70% of clients agree.”*

It is nonetheless important to bear in mind the push for price transparency. Legal Services Board research published in September highlighted significant regional variations in the price of legal advice *“for what are fundamentally the same services”* and it said this should encourage consumers to shop around. It suggested that the impact of Covid-19 – with people accessing more services online – could make them more willing to use lawyers in other parts of the country where they did not need to meet face to face.



# WHAT ABOUT QUALITY INDICATORS?

While price is a relatively easy comparison point, it has proven far harder to agree on quality indicators that consumers could use to assure the quality of providers and also compare them.

This has been of particular concern to the LSCP, which has been leading on this work for several years as part of its goal to increase what is currently very low take-up of review and comparison websites within the legal market.

In 2016, the panel published good practice recommendations for comparison websites, which it updated two years later, and has also pushed regulators to make data about law firms available to third parties.

In a paper published in July, the panel said that independent websites providing impartial information on the quality of legal services providers are needed to guide people looking for a lawyer, instead of consumers having to rely on “unreliable proxies” for quality, such as longevity of service, customer service and website design.

It said these independent websites could include customer testimonials and reviews, along with ratings and success rates. The panel also recommended that firms publish more details of their lawyers’ credentials and more visible regulatory information. The paper published by the CMA to outline the priorities of its review indicated that quality indicators and ways to encourage greater use of review and comparison websites were high on its agenda.

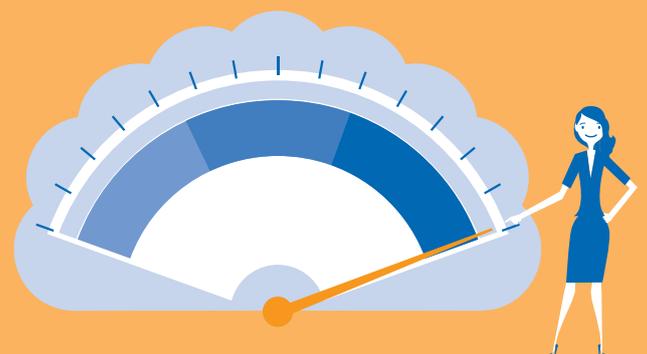
More broadly it urged the legal regulators to begin to build “a common quality indicator framework and a mechanism to ensure that it is used across the sector”. This would improve transparency and shopping around, and ultimately deliver “a fairer competitive marketplace which works better for consumers and for good legal service providers”.

The LSCP commissioned YouGov to run three focus groups made up in total of 25 consumers who had used legal services in the past year, 16 of whom had shopped around and nine who had not. The research suggested that consumers lacked the legal knowledge required to assess providers effectively and as a result may feel unconfident when faced with this task.

*“Often, consumers rely on quality ‘markers’ as a proxy for quality of service and advice, rather than more concrete measures” it found. “There is no objective source on quality available at present to help consumers confidently make their selection, but there is appetite for access to impartial information in the future.”*

The research showed how a positive experience of customer service when first contacting a provider was often influential. *“When assessing the quality of their own provider, many consumers talk about professionalism, empathy and accessibility as central to their perception of quality. These elements are currently perceived as strong ‘quality indicators’ – in lieu of more concrete service quality information – that shape their views and experiences.”* It said this sense of professionalism extended to support staff, *“so a well-briefed team is important”.*

The ability to make appointments via a range of channels was key too, as was having access to online tools to make appointments and share information. Accuracy was another indicator consumers used, so *“well-written documents, free from grammatical or factual errors, are regarded as key”.*



# WHAT DO PI CONSUMERS WANT?

The LawNet findings accord with the headline results of the LSCP tracker survey, conducted by YouGov. This found reputation the most significant driver of all consumers' decision making (cited by 81% of those surveyed), followed by price (72%), specialism (71%), speed of delivery (68%) and local office/convenience (66%).

But the specific results of respondents surveyed who had had an accident/injury issue were different and in broad terms showed that, in comparison to other consumer legal services, clients were less happy with the services they received from PI lawyers.

## SHOPPING AROUND

A quarter of PI clients said they shopped around, lower than the overall average of 30%. The number of firms they checked out split fairly equally between two, three, four and five.

Nearly two-thirds (63%) of PI clients said they found price comparisons across providers easy or very easy to make (21% said it was difficult).

There was an information deficit when it came to understanding what they were getting for their money, however. Only 40% of PI clients (albeit more than the 35% average) said they could find a description of services provided on firms' websites, such as details of staff, a timeline of how a case runs, and any factors that could affect these, as recommended by the CMA.

Overall, 60% of PI clients said it was easy to make comparisons between different providers, against the wider average of 56%.

But only 44% of PI consumers thought they had a great deal or fair amount of choice, compared to 74% of all consumers – 42% spent a day or less searching for a provider, a figure only topped by those needing criminal law advice.

In short, there is a lot more that law firms could be doing to help potential clients.

## THE DECISION FACTORS

Given the way PI has developed as a 'national' area of practice, it makes sense that PI clients were far less likely than the average to use a small local firm (24%) and far more likely to go with either a national brand with a local office (24%) or

a 'large corporate firm' (38%). Only 9% of PI clients said they had their service mainly delivered face to face, by far the lowest of any practice area surveyed, with conveyancing the next lowest at 18%.

Six in 10 said price was an important factor in their decision, although PI clients found it harder to understand information about the price of the service compared to all clients.

Where PI is notably (if unsurprisingly) different than other consumer law areas is the importance of referral, with 28% of clients saying they chose their lawyer because of a referral, twice the market-wide figure, followed by union recommendation/representation (11%). By contrast, recommendation by family/friends or because a family member had used the firm before (10%) was much lower than the wider average of 39%.

The LSCP figures indicate that there is no one dominant factor behind consumers' decision on which PI lawyer to instruct – notably reputation is less important than the wider average, while a trusted brand name is more important.



## CHOICE FACTORS

(VERY/FAIRLY IMPORTANT TO PI CLIENTS V ALL CLIENTS):

Factor	PI clients	All clients
Reputation	69%	84%
Specialist	66%	71%
Speed of delivery	64%	68%
Price	60%	63%
Access to ombudsman	59%	58%
Trusted brand name	57%	47%
Recommendation	54%	57%
Quality mark	52%	50%
Online tracking	42%	27%
Local office	31%	65%
Used them in the past	26%	41%



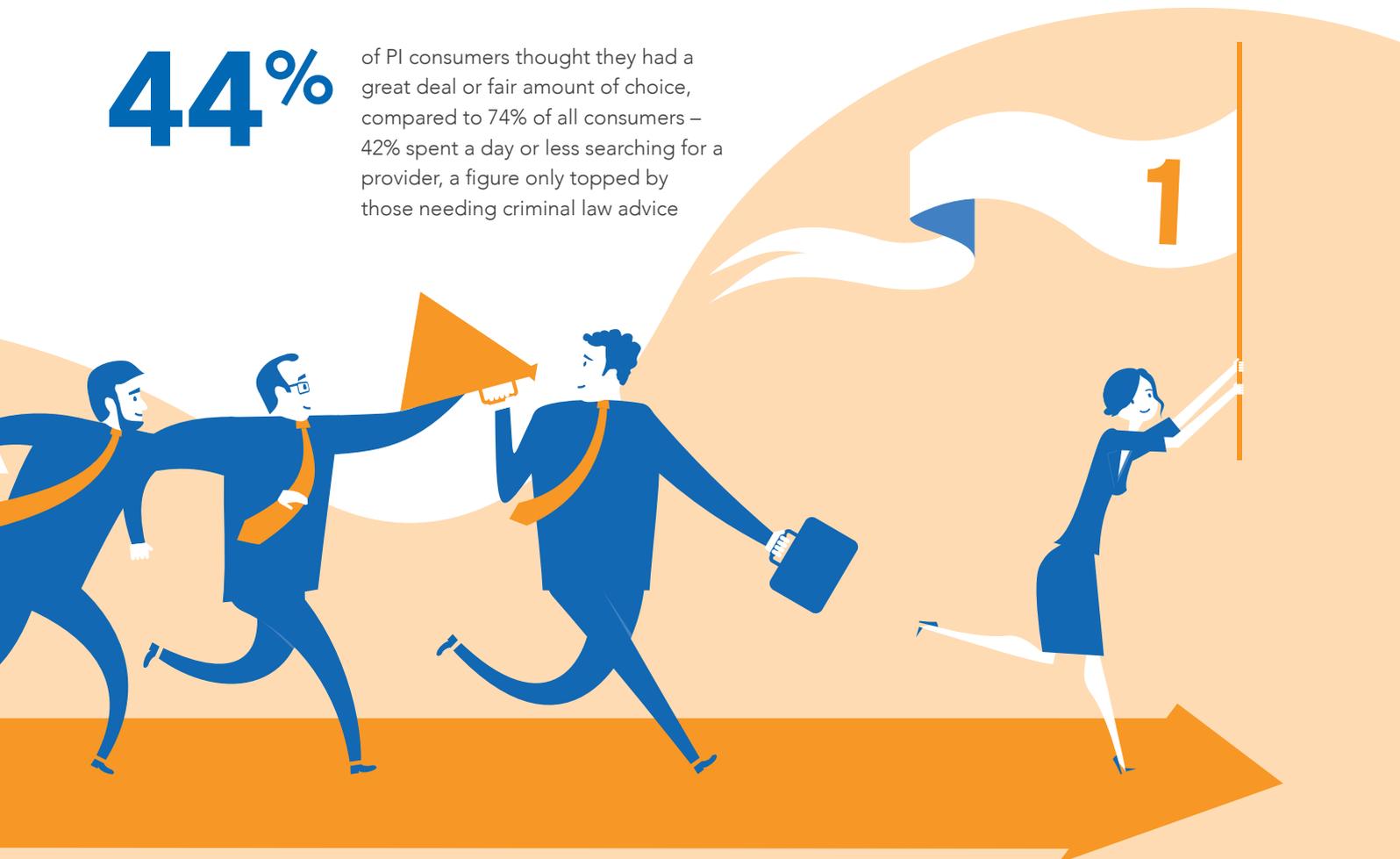
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It says something about the quality of service they received that one in five PI clients reckoned that greater use of artificial intelligence would improve the experience of interacting with legal service providers, compared to one in seven overall.

**44%**

of PI consumers thought they had a great deal or fair amount of choice, compared to 74% of all consumers – 42% spent a day or less searching for a provider, a figure only topped by those needing criminal law advice



# WHAT DO PI SOLICITORS THINK CONSUMERS WANT?

## SHOPPING AROUND

According to our IRN research, more than two-thirds (68%) of solicitors imagine that consumers shop around before making a final choice on their legal adviser – a great deal more than actually do.

While 58% of other solicitors think consumers compare between only two or three firms, just 45% of PI solicitors agree. A further third of PI solicitors think their clients check out four firms in all.

## THE DECISION FACTORS

When asked clients' main route to finding them, PI solicitors are less likely to cite recommendations from family/friends than general consumer firms (29%, compared to 35%). Previous use is the second most important factor, mentioned by 27% of PI solicitors and 31% of others.

These were well ahead of the third choice – referral from another organisation (19% of PI lawyers, 15% others). Interestingly, while most solicitors still do not think that online searches are that important, PI lawyers (15%) are nearly twice as likely to think they are the main route to finding a firm than other lawyers (8%).

We went on to look at quality indicators and asked how important the solicitors considered a range of factors in consumers choosing a solicitor.

Key findings:

- Over 90% of solicitors think that reputation and specialist knowledge are the most important factors consumers look for when choosing a legal adviser.
- Not far behind in choice factors are quality marks and access to a local law firm office, in joint second place overall but seen as less important by PI firms (83%) than consumer practices (92%).
- Speed of delivery is the third most important factor, with 88% citing as either 'fairly important' or 'important'.
- Over eight out of 10 solicitors think that price and recommendations are important.
- 81% of PI solicitors put a trusted brand as an important factor (compared to 75% of other solicitors), but only 58% mentioned past use, compared to 82% of those in consumer law firms.
- By some distance the least important factor is seen as online case tracking, only mentioned as important by 52%.

## SPEED OF DECISION-MAKING

Many solicitors do not realise just how quickly clients make their decisions – perhaps they project their own analytical nature, which means they are less likely to make a snap decision. Some 15% thought the decision was made immediately, and a further 21% of PI solicitors (25% of others) reckoned it took less than a day – less than what the LSCP found. A further 33% of solicitors thought it would take more than a day but less than a week.

**88%**

of solicitors thought speed of delivery was the third most important factor, citing it as either 'fairly important' or 'important'

**15%**

of solicitors thought the decision was made immediately

# EXPECTATION MISMATCH

What these two pieces of research show is that solicitors are not completely attuned to what clients think is important – or as Andy Cullwick, head of marketing at First4Lawyers, puts it: *“Lawyers are from Mars and consumers are from Venus.”*

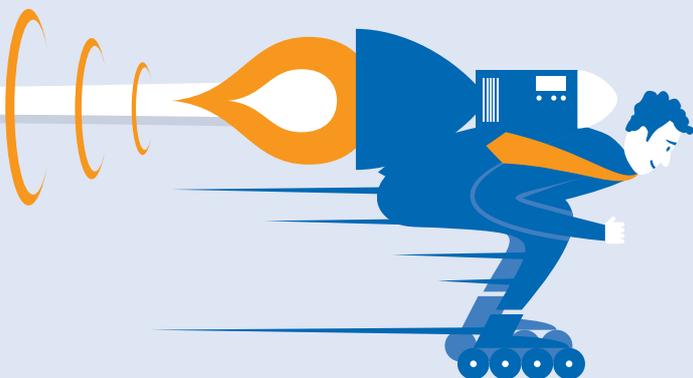
Reputation and expertise are always going to be important, but recommendation from family and friends, as well as having a local office and a quality mark, do not rank as highly with clients as lawyers think.

Solicitors also think their clients are shopping around a lot more than they are in reality, and make a decision quicker than they realise, highlighting the importance of making a good first impression.

Andy stresses that law firms are making a big mistake in underestimating the importance of online searches. *“It’s the best-quality enquiry out there,”* he explains. *“Our own statistics show that a contact that’s come from search engine marketing activity is more likely to convert into a live lead than from any other form of marketing.”*



“ Many solicitors do not realise just how quickly clients make their decisions – perhaps they project their own analytical nature, which means they are less likely to make a snap decision. Some 15% thought the decision was made immediately, and a further 21% of PI solicitors (25% of others) reckoned it took less than a day – less than what the LSCP found. A further 33% of solicitors thought it would take more than a day but less than a week. ”



# TRENDS IN MARKETING SPEND

Law firms are spending a lot of money on marketing. IRN found that annual budgets vary from less than £20,000 to over £200,000. If those who don't know their firms' budget sizes are excluded, then almost half (49%) have budgets up to £75,000 and 51% have budgets £75,000 or more.

Over one in five solicitors and the largest percentage (21%) have annual marketing budgets of over £200,000 – interestingly, PI specialists are more likely to be at this top end than general consumer firms (23% versus 19%), reflecting the cost of doing business in this market.

Looking ahead to the coming year, solicitors from both groups were similar in their predictions: 38% expect marketing budgets to decrease, while 31% anticipate an increase. Over a quarter (27%) say they will stay the same. Of those who expect it to increase, nearly half say it will be between 10% and 25%.

This is all against the unavoidable backdrop of Covid-19, with marketing budgets coming under scrutiny – as usually happens during difficult periods when firms look to rein in what they see as discretionary spending. Unless needed to keep the firm afloat or because staff were

furloughed and there simply was not the capacity to handle it, such action is usually counterproductive in the longer run as the work pipeline dries up.

Some 40% of firms have already cut their marketing budgets because of the pandemic, while 19% of PI firms have made marketing staff redundant (11% of consumer firms), with another 12% planning to. A bullish 17% of PI firms – double the number of consumer firms – increased their marketing spend instead.

PI firms were significantly more likely than consumer firms to have changed their marketing tactics in recent months (41% versus 29%), with an overall focus on more coronavirus-related marketing, as well as increased specialist digital content and marketing new ways to deliver services, such as virtual consultations.

## 17%

of PI firms – double the number of consumer firms – increased their marketing spend as a result of the pandemic



# MONITORING YOUR MARKETING

The last time we researched marketing trends like this in 2017, one concern that came out was the decision-making process when it comes to spending budget.

The proportion of PI firms where the decision is made at management or partnership level has remained steady at two-thirds, while it is just 41% at general consumer firms. But are they best placed to determine the evidence and strategy for such decisions?

Only half of those firms analyse the performance of their marketing in the previous quarter or year when making spending decisions – again, no change on 2017 – with only 25% of PI firms driven by competitor analysis.

Our fear now, as then, is that too many are making decisions based on gut instinct or anecdote, rather than data and hard evidence. In most areas of business life now, data is king.

Some 42% of PI firms say they monitor the return on investment (ROI) on all their marketing, with a further 35% doing so on some of it. Last time, we did not break it down – 61% said they monitored their ROI.

Six out of 10 solicitors state that they utilise their data to better understand how to engage with customers, while another 44% use it to understand the purchasing decisions of their customers. Again, little has changed. Almost a quarter (23%) did not make any use of the data at all.



*Solicitors state that they utilise their data to better understand how to engage with customers, while another 44% use it to understand the purchasing decisions of their customers.*



**6**  
**OUT**  
**OF**  
**10**

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# WHAT THIS MEANS FOR YOUR MARKETING STRATEGY

Shopping around is only going to increase, both thanks to the efforts of regulators to encourage it and the way shopping habits more generally are changing.

So it is no surprise that law firms are having to put more work into getting more work. According to recent research by Moneypenny, the well-known telephone answering and live chat provider, 87% of law firms are finding it harder to generate new business leads – 35% said it was a lot harder now than five years ago. Firms with 10-49 employees and/or £1-10m turnover are feeling this struggle the most, with 96% reporting finding new leads much harder.

And nowadays, especially in a practice area like PI, it means web searches will only continue to become more important, if only to help validate decisions.

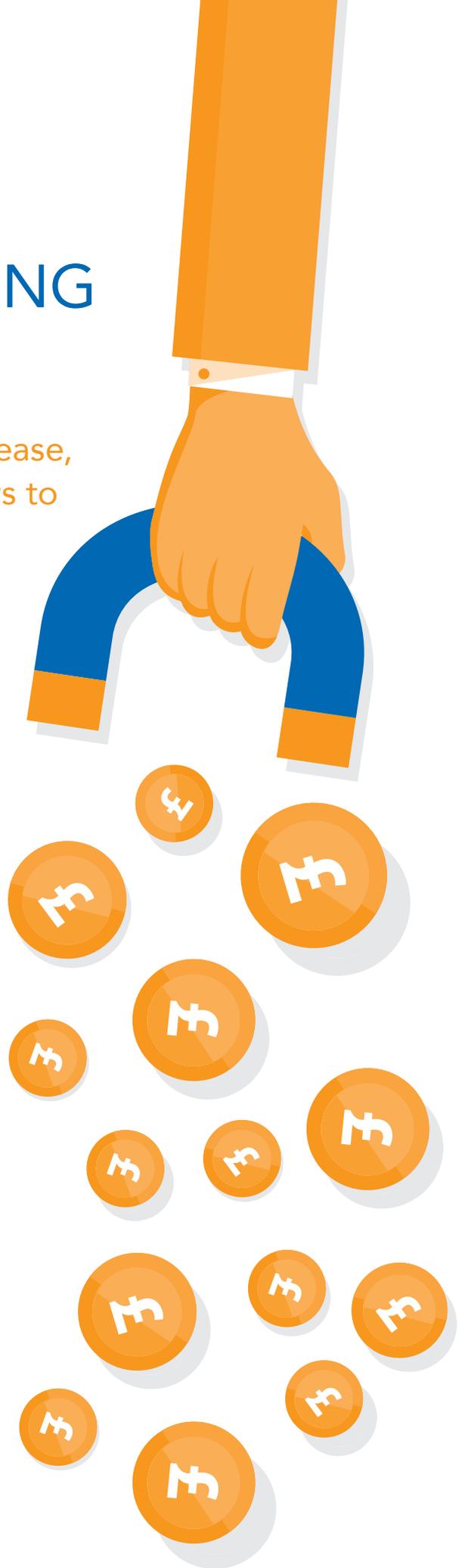
Figures from the Office of National Statistics last year showed that consumers were spending more online than ever before, with the proportion of their spending coming online increasing threefold between 2008 (4.9%) and 2018 (17.9%) – 87% of adults were daily users of the internet in 2019, up from 49% in 2008.

The proportion of users shopping online in the last 12 months was 82% in 2019, up from 53% in 2008. For adults aged 65 years and over, 2019 was the first year that over half (54%) reported shopping online within the last 12 months. Covid-19 will only have accelerated these trends.

Research also shows that many consumers – particularly younger ones – would rather communicate via web or mobile rather than telephone.

It is clear from the LSCP findings that PI clients take an all-round view on potential solicitors, rather than prioritising one particular aspect of their offering, although reputation and specialism will always be important.

So, what should you be looking to do?



# GET YOUR WEBSITE RIGHT

You will have seen 101 articles on this and we hope we need not say that your website needs to be mobile optimised – it's been five years since Google revealed that mobile search had overtaken desktop in terms of search query volumes.

But before looking at all the bells and whistles of modern marketing, a clear message of the LSCP research is that law firms need to improve the basic information they include on their sites – how cases are progressed, broad timescales and who is doing the work. Give them the information they need to be comfortable that you know what you're doing as well as what they're facing.

The LSCP research on quality indicators found many consumers were keen on more information on staff experience including their time in service, time with the firm, key areas of expertise and CVs to help them assess service quality upfront. *"More extensive information on partners was desirable for some on more complicated legal issues where a more experienced professional is required."*

A popular phrase in the world of customer experience is 'frictionless interactions' – meaning you make it as easy as possible for consumers to contact you. As an article on US website Smart Lawyer put it last year: *"For starters, it means that a phone number on your website's landing page just isn't going to cut it anymore. Even an email form won't do the trick. Consumers want lightweight modes of communication. Frictionless interactions. Why do you think more people prefer ordering a ride from Uber with a few clicks over calling a taxi company? If your firm is onboarding new clients by phone, then you are missing out."*

This does not require you to invest in artificial intelligence or other expensive, cutting-edge technology. It just means making it straightforward for clients – allow them to arrange meetings through your website or Facebook page, for example, or offer online documents signing.

We wrote last year about the role of live chat – Moneypenny says that, over the past year, it has seen a 115% increase in the number of law firms using its live chat service. However, of the 17,000 legal websites in the UK, only 2.5% currently have live chat installed. Last year, First4Lawyers introduced an online chatbot function to supplement the team responding to enquiries in non-core operating hours.

Law firms have a long way to go. The most recent research from customer experience company insight6 – with whom we have worked on our last two white papers – highlights Net Promoter Score (NPS) as the only way to consistently measure customer experience across sectors.

The NPS is an index ranging from -100 to +100 that reflects the willingness of customers to recommend a company's products or services to others. A score above zero is considered 'good', above 50 'excellent' and above 70 'world-class'. Insight6's most recent benchmarking report on how mystery shoppers found 100 law firms came up with an NPS of -15, with their website experience specifically little better at -14. By comparison, Amazon's NPS is 62 and Apple's is 69.

Jonathan Winchester, insight6's chief executive, wrote: *"As more people go online to see how firms perform prior to them engaging, focusing on NPS as a measure will help firms identify the areas where they can deliver a better client experience. It will only be a matter of time before brands from all sectors will be comparable and then the survival of the fittest really begins."*





# DESIGNING A WEBSITE FOR WOULD-BE CLIENTS

BY JON CROWDER,  
A CONVERSION SPECIALIST  
AT JOURNEY FURTHER

Website design is about far more than how a website looks, and even as trends change, exceptionally well-designed websites outlast even their most stylish competitors. That isn't to say that aesthetics are unimportant, but far more important is the usability of the site in question.

Firstly, there is no template or single solution that all users must follow, because effective web design relies on understanding the user and their needs and motivations. From that, you can understand how to construct the website.

Simpler is generally better but to restate the previous point, there is no single solution, and oversimplification can be as damaging to usability as complexity. One must acknowledge that the audience using your site is from a myriad of different backgrounds and experience levels, and their reasons for using your site will be different, so to serve that user, you must serve their use-case.

Copywriting for the site is a skill in and of itself and must be considered as such. Users of a law firm will vary from important and positive to distressed and negative, and the copy needs to acknowledge that users will be looking for empathy, expertise, experience and competence for those individual matters, particularly larger firms with multiple disciplines.

It is worth acknowledging too that the public's knowledge of both law, and the legal industry, is low and therefore clarity in your copy is essential to build trust.

The most effective websites have analytics tools seamlessly integrated, so are able to understand user behaviour and react to their needs accordingly. Businesses should acknowledge that critical consumer decisions like the decision to begin instruction with a specific firm, or even first steps such as engaging that firm in communication, are frequently a decision taken over multiple touchpoints and, therefore, effective web design can be measured around how well the site serves those touchpoints and their goals, and how effectively they can transition users to the next step.

An example of this will be, can you engage a user in their 'research' phase and convey understanding? Can you be easily reached in a 'contact' phase? Can your website reassure your user once they are a client and build client trust, retention and advocacy?

To meet those goals requires a full understanding of your customer, how they find your website, what devices they use to consume that website and ultimately what they decide to do on your website.

# GET YOUR PROOF POINTS OUT

Many consumers will do a general web search of your firm's name to see what is out there about you.

This highlights the importance of PR and content marketing – having articles either about you or written by you on authoritative websites – and also the role of review and comparison websites.

As we have highlighted, the LSCP is pushing hard to increase the use of these sites. Its recent quality indicator research found consumers wary of online reviews, preferring word-of-mouth recommendations as more candid or credible.

The panel said: *"There is clear scope to make more use of customer reviews. Consumers appear to consider that reviews on generic independent comparison websites are not appropriate for legal services providers and would prefer a specialist independent website, where they could find impartial information on such factors as success rate."*

First4Lawyers signed up to Trustpilot in 2014 and has a rating of 4.9 (out of 5) based on 10,000 reviews – every contact is sent an email asking them to review the service they received. Andy Cullwick says it has proven a valuable tool first in driving trust and then in driving enquiries as the reputation of Trustpilot itself has grown.

Lawyers often talk about their fear of negative reviews – whether genuine or placed by competitors – as a major reason not to engage with sites like this. *"But everyone has unhappy clients,"* Andy says. *"It's how you respond that's important and you can actually turn a negative into a positive."* Trustpilot has systems in place to deal with fake reviews.

Trustpilot is also a useful internal tool. At First4Lawyers, client advisers receive a weekly report of the reviews that have been posted and every month the adviser with the best score receives a gift voucher as a reward. *"They all want to be top of the leader board. It generates pride and satisfaction in their work."*

James Owen, partnerships manager at Trustpilot, says it is mainly large law firms that are currently signed up to the service, attracted by the search engine optimisation boost it provides. Inviting reviews through a third party may be viewed as a 'nice to have', rather than a 'must have', by law firms at the moment, but he suggests this is likely to change imminently.

*"Social proof is the biggest benefit,"* James explains.

*"There is a decreasing level of trust in what consumers read online from companies themselves and so validation from actual customers is ever more important."* Law firms simply publishing glowing testimonials from 'Mr J' and 'Mrs P' on their websites no longer cuts the mustard.

*"People don't want perfection – they want authenticity,"* says James. *"Nobody believes that every client gives five-star reviews. They want to know that, if they are one of the unlucky ones, they will be well dealt with."* This is why no review on Trustpilot is ever set in stone: *"If they've dropped the ball, the law firm can address the situation with a well-written public reply and deal with the details offline. The reviewer can then update their comment to reflect how their complaint has been handled."*

Law firms often cite worries about malicious or fake reviews, but Trustpilot monitors up to 100 data points to check that a review is genuine and has further fail-safes if a firm still reckons that something is fishy. Client confidentiality should also not be a problem as firms are encouraged not to go into detail in their replies.

As well as online benefits and legal service companies building emotional relationships with customers, Trustpilot also helps adhere to recent 2018 regulations from the Council for Licensed Conveyancers (CLC) and SRA requiring legal firms, specifically conveyancers and wills and probate practitioners, to be transparent with their service levels, something Trustpilot has provided for many years to many companies in this sector.

Sarah Boustouller, head of marketing at North-West law firm Stephensons, says: *"We are always aiming to retain clients and gain referrals as a result of a positive experience a client has had with us. We use Trustpilot and monitor other review platforms as one medium for gauging client satisfaction or areas where we may need to take corrective action."*

She describes Trustpilot as a standard that means something to consumers. *"It's quite difficult to give a measure to the public that they recognise. A lot of the measures in the sector are legal specific and are not widely known. You can get some of your most valuable insights from negative reviews",* Sarah says. *"My policy is that we reply to every review, good or bad."*



## Stephensons

SARAH BOUSTOULLER,  
HEAD OF MARKETING AND PARTNER



Stephensons is a leading full-service firm serving clients nationally. It has long had a reputation for a smart and strategic approach to marketing, led by head of marketing and partner Sarah Boustouller.

It is vital that you should always know who you are talking to before you plan which marketing channels to use, she explains. This means research, rather than making assumptions. She uses the consumer segmentation model Mosaic to understand the firm's client base better – if possible, she would even advise running client focus groups.

*"We will also analyse demographic data from Google and we conduct paid-for social advertising to demographic groups measuring what is engaged with. I study industry reports outside of legal sometimes to predict what may be a channel to market that should be planned for as other industries can predict what may later filter to legal."*

Another useful source has been live chat data. *"This has helped us to understand which demographics of client engage more with digital channels and to look for themes of concern, helping to steer the reactive campaigns we put together from a marketing perspective. It also helps shape our messaging online and provide more self-help materials in certain areas."*

Live chat, which was in place before Covid has proved valuable in helping people get in touch. Our overall aim is to make it easier for people to access our services. It also helps qualify enquiries so that time is not wasted – the outsourced

provider of Stephensons' live chat, Moneypenny, will only pass on enquiries which make it through the qualifying questions and signpost those which do not to other sources.

In general, Stephensons focuses on marketing channels that it either owns or where it earns profile – such as Trustpilot – rather than traditional print paid-for activity. Sarah says: *"We see our digital assets as being crucial. We are continuously evolving our digital strategy and have a working group taking a joined-up approach to all the touch points we have in our business."*

It is dynamic work given how many different channels are out there, and it is a constant challenge to ensure the mix is right for the audience you want to reach. As a result, Sarah describes herself as *"obsessive"* about measuring return on investment. *"You have to consider every pound on its merits and you have to show that it's working."*

Each marketing channel has a set of key performance measures and she uses a variety of monitoring tools, such as Ruler Analytics, which helps track and analyse campaigns and channels. *"Ultimately the way we monitor spend and return comes back to what the original objective was – for instance, was it awareness or was it conversions?"*



*You have to consider every pound on its merits and you have to show that it's working.*



# KEY PRINCIPLES FOR ATTRACTING POTENTIAL CLIENTS

Getting your website right is central to attracting potential clients, but it's not just the technical side. Your content strategy, which extends far beyond your website, plays an equally important part. There are four key principles that you should be applying in all areas.

## PRINCIPLE 1: BE TRANSPARENT

Today's consumer is savvy and expects information about price, service and quality to be readily available. This could make the difference between a potential client choosing your firm, or your nearest competitor.

It may not be easy to be totally transparent about price, but you can help consumers understand how your charging system works. A description of your services, details of your lawyers' credentials and specialist knowledge, and your success rates are all important information. Many consumers see review and comparison sites as a trusted quality mark, so sharing customer reviews, client case studies and testimonials can help to put potential clients at ease.

Think about the questions you are often asked by new clients and use them to build a bank of frequently asked questions for your website and wider marketing communications. Consider including a timeline of how a case runs, as well as any factors that could affect this.

## PRINCIPLE 2: SHOW BRAND PERSONALITY

Consumers will often choose a firm based on its people or character. The stronger your brand, particularly the emotional values of your brand which engage potential customers, the more likely it is that they will choose you and the more loyal they are likely to be in the future.

Think about your brand personality and the character you want to portray to potential clients. Is your firm modern and forward-thinking? Can you showcase to potential clients how you embrace technology? What are your company values? These are all questions you should be asking when developing your brand personality.

Your people are at the very heart of your brand, reflecting your ethos and values, and can play a pivotal role in showing the personality of your brand to the world. Consider putting them at the forefront of your communications strategy. Team member profiles and 'meet the team' articles are a good way to focus on your teams' credentials and specialisms. Your content strategy could also include employee milestones and achievements within your firm, as well as any academic, professional and perhaps even personal achievements.

Focus on the benefits you offer to consumers as a way to make you stand out. Be bold and don't be afraid to sell your firm – show consumers you want their business.



# 'FIRST IMPRESSIONS' MAKE ALL THE DIFFERENCE

Research shows that a positive experience of customer service when first contacting a provider was often an influential factor for consumers when choosing a law firm.

Whilst solicitors think potential clients shop around much more than they actually do, the reality is that consumers make a decision much quicker than solicitors realise, highlighting the importance of making a good first impression.

Everyone knows that first impressions are important, but you may not know just how little time you have to actually make one. You and your law firm have only seven seconds to make a good first impression, with some research suggesting a tenth of a second is all it takes to start determining traits like trustworthiness (a key principle for attracting potential clients).

*First Impressions* is First4Lawyers' guide to help you make that all-important good first impression and has helped numerous law firms to get the most out of that initial contact with potential clients.

**Request your copy at:**

**<https://jointhepanel.first4lawyers.com/first-impressions>**



# KEY PRINCIPLES FOR ATTRACTING POTENTIAL CLIENTS

## PRINCIPLE 3: BUILD TRUST AND REPUTATION

Brand reputation and trust are by far the most significant drivers of all consumer decision-making. A trusted brand takes years to build and is no mean feat, but once established and mature has the potential to deliver an even greater return on investment.

Consumers who have an accident/injury claim are more likely to be using a lawyer for the first time, and so showing potential clients that your brand has a good reputation and is trusted by other consumers are prerequisites for winning new business. Featuring client case studies, testimonials and reviews as part of your content strategy will help you to build trust with potential clients.

Of course, building a strong trusted brand doesn't happen overnight, and with more and more pressure being put on marketing budgets it's becoming even more difficult for firms to dedicate the necessary resource to achieve it. Fortunately that's where we come in. First4Lawyers is the most-seen legal brand, with a five-star 'Excellent' Trustpilot rating and a reputation that sees us help consumers with an average 10,000 enquiries every month.

The UK Legal Services Consumer Research Report 2020 recently listed us in the top three legal brands, with consumer awareness levels above 50%.

## PRINCIPLE 4: BE ACCESSIBLE

Many consumers view accessibility as central to their perception of quality, and so how accessible your firm is in the consumer research phase will be a significant factor in whether potential clients choose you. The key consideration is how easy it is for consumers to contact you, as well as how quickly you respond to those early contacts. Think simple, jargon-free, 'frictionless interactions'.

Ensure consumers are able to make appointments quickly and easily via a range of channels. Include access to online tools so appointments can be made easily and consider allowing clients to arrange meetings through your Facebook page. With more people calling outside usual office hours, do you have an out-of-hours service? Live chat functionality on your website could help with this and also encourage consumers to ask that initial question, opening up opportunities for you to engage with and convert them.

Accessibility needs to continue once you have been instructed. How do you keep your clients updated as their case progresses? Do you offer online document signing and online case tracking? How do you make it easy for clients to share information with you and arrange meetings?

Research shows that many consumers – particularly younger ones – would rather communicate via web or mobile rather than telephone, and this is only going to grow. With PI clients reckoning that greater use of artificial intelligence would improve the experience of interacting with legal service providers, the accessibility of your firm is a key area for consideration and improvement.





## HOW UNDERSTANDING CLIENT STRESS CAN INCREASE YOUR CHANCES OF BEING INSTRUCTED

BY DR NIKA KABIRI, A DECISION SCIENTIST AND FOUNDER OF KABIRI CONSULTING IN THE USA

People hire lawyers when things could go wrong, are about to go wrong or have already gone wrong. This means legal consumers form an opinion about most lawyers while they are under stress.

Therefore, attracting legal consumers through marketing, and building positive relationships with clients, depends on understanding how to resonate with and successfully serve people under stress.

It is hard to find a lawyer who says they've never encountered a stressed-out client. But most law schools don't teach you how to deal with them.

Clients who seek out a lawyer for an initial consultation may be more stressed than at any other time during their legal issue. This is because, at that moment, they are feeling 'stuck' – they've been seeking answers to their legal problems everywhere they can, only to keep hitting a wall. Or they simply can't decipher the information they're reading.

What legal consumers are generally experiencing when they first call you is the realisation that they don't have the information, skills, experience, or funds to accomplish what they need to accomplish. This triggers a stress response. The body then reacts as though it senses a threat and the nervous system springs into action to protect against that threat. Adrenaline is pumped into the bloodstream, increasing heart rate and blood pressure. Blood vessels in the heart constrict.

The digestive system slows down, which can create the sensation of having butterflies in your stomach.

Client stress is rooted in very real circumstances: the gap between what's needed and what's available. Telling legal consumers to 'chill out' won't work because it won't fill that gap or otherwise cause their stress-inducing circumstances to dissipate. If anything, it might cause them to be less open with you, less likely to trust you, and more likely to resent you. This applies to your marketing materials as well: any messaging or advertising that tells legal consumers to 'relax' or 'not worry' may not resonate.

But don't be OK with the fact that they're stressed. Stress impacts decision-making in some less-than-ideal ways, so while telling a client to 'just relax' might bring out their ire, saying nothing will leave them in a psychological state that could lead to poor decision-making when it comes to whether to hire you – or whether to hire a lawyer at all.

A promising approach is to communicate that, by hiring you, they can close the gap between the resources they have available and what they actually need to get their issue resolved. Marketing and advertising materials – including website content, blog entries and social media posts – can illustrate the number of ways in which you are an effective and affordable resource. If people are made to feel that they are well-equipped to tackle their problems because they have you, then those problems become challenges rather than threats.

When reframed in this way, their legal problem will seem manageable. The result is 'good stress': the pressure is there, but it's under control, and in many cases, good stress causes people to perform better than if stress were not experienced at all.

“ *Client stress is rooted in very real circumstances: the gap between what’s needed and what’s available. Telling legal consumers to ‘chill out’ won’t work because it won’t fill that gap or otherwise cause their stress-inducing circumstances to dissipate.* ”

Create advertising materials that convey your willingness to work hard for your clients. Research has shown that website messaging conveying what you can do for your clients is more likely to create interest than information about your credentials. Clients want to hire a lawyer who is willing to do what it takes to get as close to the ideal outcome as possible, who is ‘driven’ and who will ‘work hard’ for them. Messaging yourself as a valuable resource might go a long way toward making them feel less stressed about hiring you.

Stay positive, as much as you can. When creating marketing or advertising materials, highlight the benefits of hiring you rather than the negative consequences that could arise if they don’t.

In whatever you do, it helps to know that you are usually not dealing with the best version of your clients when you first meet them. Even the most rational, careful, and relatively unbiased decision-makers will make impulsive

or otherwise poor decisions once you throw a stressful legal situation into their lives. If you keep in mind that you’re dealing with your clients’ stress more than with their typical attitudes and behaviours, you can market to and work with them in ways that resonate and that make things much easier.

Appreciating the implications of client stress can dramatically increase your chances of getting hired and referred. For lawyers who put client satisfaction at the top of their list of priorities, reminding yourself that you’re dealing with people under stress is the most hopeful way to go.



# AND FINALLY... ALWAYS MEASURE YOUR MARKETING

“Half the money I spend on advertising is wasted; the trouble is I don’t know which half” is a well-known phrase which probably rings true with many law firms. Law firms spend a lot on their marketing and yet only half of the firms we surveyed analyse the performance of their marketing in the previous quarter or year when making spending decisions.

With growing pressure being put on marketing budgets and performance, there has perhaps never been a more important time to measure your marketing and understand how it is performing, to help you to make those all-important decisions on how to flex and streamline your marketing activities.

The number of firms failing to do this remains a significant area of concern for Andy Cullwick. “The notion that work is coming from recommendations shows that firms are not looking at the data,” he says. “With the cost of enquiries going up and up, you need to make sure you’re spending your money in the right area.”

He also argues that firms are wrong to reduce their marketing spend because of the impact of Covid-19. “This is the time to invest,” he insists. It’s when times are good that you take it easy – Amazon stopped advertising during lockdown because the market played into its hands, and restarted when shops began reopening.

*“You don’t have to invest millions or hundreds of thousands,” he insists, but you do have to monitor the data closely: “If a particular approach is not doing what you expected, stop.”*

First4Lawyers invested heavily and successfully during lockdown to support its panel firms, and there are only a few businesses that can do so on a similar scale. But Andy says small firms can be agile as they are not looking for the same volume of leads. That means you can make your budget go further by foregoing the national fight and focusing on a particular geographical area, or time of the day, which are

cheaper. Search trends show, for example, higher volumes in the North West and around London – it doesn’t matter if you are not actually based in those areas.

Social media advertising is a lot cheaper but the leads are also lower quality: the acceptance rate of leads coming through social media is about half that of one generated by paid search.

So don’t fall into the trap of making decisions based on gut instinct or anecdotes as so many law firms seem to do. The marketing savvy firms will only make decisions based on the use of data and hard evidence. Data is always king.

Monitor the return on investment of your marketing and utilise the data you have to understand better how to engage with customers. And if you can’t do that, invest your marketing budget in a marketing service that can do it for you – invest your budget wisely and you can improve marketing effectiveness in a demonstrable way.

“ “ **The marketing savvy firms will only make decisions based on the use of data and hard evidence. Data is always king.** ” ”



# NEXT STEPS

Spending your marketing budget wisely is at the heart of First4Lawyers' mission and what this white paper has shown is that most firms are not doing this. Your marketing budget can disappear very quickly without achieving the desired results if you're not careful. And even if it appears to be delivering, are you sure that you are making every pound work for you?

It is clear that the PI market is only going to get more competitive – if next year's reforms push firms out of low-value RTA, then there are going to be even more eyes turning to other areas of PI. Add in the regulatory pressure to encourage consumers to shop around and getting them just to look at you in the first place is only going to get harder.

There are 10,500 law firms in England and Wales and plenty of them do PI. To consumers, law firms largely look the same. So, if you are going to attract new clients, you need to be smart, strategic and stand out from the crowd. I hope this white paper has given you some ideas.

**Andy Cullwick, head of marketing, First4Lawyers**

## 5 STEP ACTION PLAN FOR IMPROVEMENT

### 1. TAKE A LOOK AT YOUR EXISTING MARKETING ACTIVITY

Review your existing marketing plan (and if you don't have one, why not?). Do you know why you do what you do? Is there a coherent, client-centric strategy? Is the impact of your activity measurable and how often do you monitor the results? Listen to the experts – just because you are a lawyer doesn't necessarily mean you know best.

### 2. WORK OUT WHO YOU ARE

Identify your firm's brand/personality so you know what the message is that you want to send to potential clients. Look beyond the attributes every firm would claim, such as providing good legal advice, and determine what is special about your practice.

### 3. REVIEW YOUR WEBSITE

Website design is a seriously specialist skill for consumer-facing businesses nowadays. You will probably need to appoint external experts to make sure it sends the right signals and is optimised for search.

### 4. CREATE AN ACTION PLAN FOR IMPROVEMENT

Map out step-by-step the actions you need to take, along with the people in your team who are going to take responsibility for them and a deadline for completion. Issues to consider include marketing channels, how you are going to establish trust in your brand, and how you will track outcomes.

### 5. IMPLEMENT YOUR PLAN

Be sure to celebrate your successes with your team but keep a very close eye on performance. Don't rest on your laurels!



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