Cutting Through the Sea of Sameness: Creating a Stand-Out Law Firm Brand
The same old messages aren’t attracting attention or creating differentiation in the crowded legal landscape. The answer: Lean on brand.

For decades, law firms went to market with stale messages that did little to create compelling impressions in the minds of their audiences, let alone lasting ones. To a large extent, they got away with it—relying on the strength of their bench, their personal relationships, and the knowledge that big companies had big budgets to spend.

And then came a sea change in the legal industry. Alternative fee structures, vendor reviews, larger and more influential in-house teams—legacies of the financial crisis—have chipped away at what once seemed like rock-solid outside counsel relationships. Compounding the challenge is the commoditization of the legal industry, with unprecedented online, outsourced, and product-based competitors joining the fray every day.

With a tougher competitive landscape, consolidation has become a fixture in the marketplace, making it harder for firms to stand out as giants dominate. Firms that are large, talented and capable—not cheap, but not quite white-shoe—have especially struggled. The American Lawyer has described them as stuck in a zone called the “Hollow Middle,” where neither prestige nor rates can ensure business.

Me-too brands just don’t cut it any more in the legal arena. General Counsels, CEOs, CFOs and others are looking for a reason to believe. As routine legal work becomes more commoditized, what law firms offer is becoming less important to legal buyers. Instead, as executives scramble for influence and resources, they’re looking for a methodology and mission that aligns with their goals. They’re looking for a law firm whose partnership helps them shape strategy and makes them look like a hero.

This is where a strong, differentiated brand comes into play. A brand can build and sustain goodwill, providing the extra edge over the competition during evaluation and keeping the relationship strong during rough patches.
Naysayers may protest: “This is a *people* business. Why do we need a brand?” Senior partners and “star” lawyers assume that their clients are buying *them*—their knowledge, their expertise, their charisma.

To some extent they’re right: Individual practitioners play a large role in closing deals and building relationships that drive loyalty. This is especially true in the “eat what you kill” culture so prevalent in many law firms. But top-of-funnel marketing content, cross-selling, and succession planning are just three mission-critical activities where a strong brand can bridge the gaps present between your star performers.

**What are Table Stakes in the Legal Marketplace?**

When we recently worked with an AmLaw 200 firm, we began the process by taking a fresh look at branding across the legal space. In doing so we were struck by how generically firms described themselves. At a time when the need to differentiate is more critical than ever, law firms by and large communicate the same anodyne messages and interchangeable attributes.

An analysis of our client’s top competitors, for example, revealed a legal sea of sameness. We remarked more than once that you could substitute copy from one firm’s website for another and never notice. Key messages centered on “national presence,” “client service,” “capitalizing on opportunity,” and “good value.” The runner-up attributes were far from unique: diversity, pro bono work, long history, impressive client roster.

Now, there is certainly nothing wrong with being focused on the client, but this doesn’t buy a firm much in the way of differentiation. After all, if a GC or CEO believed that a law firm wasn’t focused on their needs, would they even consider hiring that firm in the first place? Doubtful. The same is true for that perennial claim, “quality and integrity.”

These types of messages are what we call “table stakes.” They’re the must-haves—“jacks for openers,” to extend the poker metaphor. You need them just to be in the game, but they don’t ensure a winning hand. Yet these are precisely the messages on which many law firms build their brands.

There is evidence that this situation may be changing. In the past year, major firms like Baker McKenzie and Goodwin have embarked on major branding initiatives that distill their essence in a single, compelling idea. This level of activity among the AmLaw 50 indicates that there is a growing perception that differentiation is paramount in a noisy and crowded marketplace.
Breaking Through the Clutter with Content

Most of the largest firms in all segments of professional services are attempting to do an end-run around the clutter by focusing their efforts on content marketing rather than traditional communications channels like advertising. For law firms, whitepapers, videos, webinars, surveys and newsletters are an increasingly important component of communications platforms.

And for good reason. Buyers of legal services are increasingly tuning out of traditional marketing channels, including advertising. They want to be informed, educated, enlightened—not sold to. It used to be enough to create a catchy ad or tagline. No longer. Content is becoming the lifeline B2B marketers need to break through and make meaningful connections in an increasingly complex environment. Content can be a great way to forge a connection with prospects while showcasing your law firm’s brand. It puts a human face to the firm and demonstrates expertise without having to say “We’re experts.”

Unfortunately, the growing popularity of content as a marketing tool has led to one of its challenges: everyone is publishing and distributing content, including the biggest firms, who have entire departments devoted to creating whitepapers and other literature. In fact, during the research phase of a recent branding initiative, we found that very few clients were aware that they were receiving newsletters and whitepapers from the firm—and these were their own clients! It’s vital to be nimble and creative about what content you create, and how you distribute it. A strong brand can help simplify these decisions, providing inspiration and a framework for what and where you should be publishing.

Awareness Starts from Within

Another challenge for law firms, especially general practice firms, is that clients aren’t fully aware of which practice areas or services are offered. This is particularly true for firms that have expanded and diversified through acquisitions or even organic growth. When we surveyed employees of our law firm client, 73% did not think that their own clients understood the full breadth of the firm’s capabilities.

Clearly, this reveals a failure to communicate effectively to clients. But it also points to a lack of employee training. At all levels, from staff through partner, everyone at a firm should know the firm’s complete solutions set and be able to explain it to clients. Of course, employees need to be incentivized to sell outside their core area of focus, but at its most fundamental, this problem comes back to branding: all your people must be committed, informed and empowered ambassadors for your brand, each of them able to tell your firm’s story to clients and prospects and effectively sell its complete offering.
Building a Differentiated Brand: Where to Start

So, how can a law firm stand out? Is it possible to create a brand that will establish a distinctive and compelling position for the firm?

It is. And it starts with information, which is as important to branding as it is to preparing a legal brief. To be effective, research should focus on internal as well as external audiences—your staff as well as your clients and prospects. Internal interviews—individual or in groups—should focus on how employees perceive the firm today and where they would like to firm to be in the future. The difference between these two places is the “brand gap,” which can be bridged with a new brand, provided it is effectively deployed. External interviews generally focus on how the firm is perceived today—essentially, your current brand, which is the sum of what your most important audiences think about you.

In addition to uncovering a brand gap, research will identify the attributes, or pillars, on which to build a differentiated brand. Here, the challenge is to distinguish between required attributes—the ones that all competitors must have—and the truly unique attributes that only your firm can credibly claim. A firm will inevitably have a few “issues,” which are challenges.

Brand Differentiation Analysis

- **Differentiators**: The 2–3 elements that truly set a firm apart from the pack, which form the pillars of a differentiated brand
- **Required**: The “table stakes” attributes on which most law firm brands are built
- **Neutrals**: Factors that are neither positive nor negative from a brand perspective
- **Issues**: The challenges a law firm faces that a brand may or may not be able to address
Maybe you’ve had a lot of turnover recently in your attorneys. Or maybe there’s a perception that you’ve had turnover—from a brand perspective, there isn’t much difference, unfortunately. A brand might help you project an image of stability, but if you’ve experienced high turnover, or your competitors are using that rap against you, the brand can only go so far to counteract the issue.

Next, pinpoint neutral factors. These are neither positive nor negative from a brand perspective. And they’ll differ for every firm. Maybe you’ve been in business for 100 years. That’s quite an achievement, but does it buy you anything from a prospective client’s point of view? Neutrals aren’t bad things, and they often find their way into supporting messages. But they are not the pillars of a differentiated brand.

Now comes requirements. These are the “table stakes” attributes like “experienced team” or “dedicated client service” that everyone likes to talk about. In fact, as noted above, these are precisely the attributes that most legal brands are built on. But they are not really brand pillars, they’re essentials.

Finally, identify the attributes that can support a differentiated brand. There’s a good reason this schematic is diamond shaped—most firms have a lot more neutral and required factors than issues and differentiators. Finding the two to three factors that can support a brand isn’t easy, but every firm has them. It requires digging deep through research as well as analyzing the competition and their brands.

**Developing a Positioning and Messaging Platform**

These differentiated attributes need to be woven together into a cohesive brand strategy, which is codified in a positioning statement. Positioning defines what’s unique about the firm and what unique value it delivers to its clients. It should be credible, defensible … but also aspirational, reflecting not only where the firm is today but where it wants to be.

The positioning is expressed through a brand voice. How does your firm “sound” in its communications: aggressive and authoritative or thoughtful and collaborative? Cerebral or practical?

At DeSantis Breindel, we always extend the brand strategy to a message map, a critically important communications tool. A message map includes a set of core messages appropriate for all of a law firm’s audiences—think of these as the messages you might find on a firm’s homepage. Then we “map” individual messages to specific audiences, including clients, prospects, referral sources, employees and recruits. With a message map, firms can easily develop communications tailored to each important audience without having to guess each time about what to say.
A brand lives in images as well as words. With a brand strategy in place, the law firm is ready to create a visual brand, or what we call “design language.” A firm’s design language evokes rational, physical and emotional responses among key constituents, both internal and external. Different forms and shapes, uses of color and graphic styles are incorporated in a design language. It includes strategies for typography, photography and illustration. The goal is to unlock the key equity components of a brand’s visual expression and ensure consistency across all communications and touchpoints.

The brand strategy and design language form the basis for all the firm’s communications, from its web presence to advertising to employee engagement programs. To ensure maximum effectiveness, the brand implementation should be synchronized at all internal and external touchpoints. This requires significant planning and often demands cooperation among many departments: marketing, human resources, operations, senior management. But it’s worth the investment in up-front planning, because, if properly synchronized, the brand will gain equity each time it touches an internal or external audience.
Finding a unique brand position in a field as crowded and competitive as legal services isn’t easy. It’s tempting to fall back on safe ideas and tired claims. But in today’s skeptical, fee-sensitive climate, there’s nothing “safe” about an undifferentiated brand. Me-too branding may secure a seat at the table. But only a truly unique brand will ensure a winning hand.

About DeSantis Breindel
DeSantis Breindel is a B2B branding and marketing firm based in New York. At critical inflection points, we work with our clients to align brand and marketing strategy with business strategy — creating stories and experiences to engage customers, influence prospects, rally employees, inspire investors and build communities. To learn more, go to www.desantisbreindel.com

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