

# **Family Law:** **Trends, Marketing Tips and “Thanks”**

*Presented by:*

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**[www.kssfamilylaw.com](http://www.kssfamilylaw.com)**



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**Kessler, Schwarz & Solomiany, P.C.** provides legal representation in all areas of family law, such as divorce, child custody, child support, modification, paternity/legitimation, contempt and pre/post nuptial agreements. We look forward to answering your legal questions and to the possibility of representing you.





# Table of Contents

- Trends/current events in Family Law:
  - Hot topics of national interest
- Practice Development (marketing):
  - Tips to keep the phones ringing in a bad economy.
  - How the media can help your practice.
- Thanks.





# Family Law Hot Topics/Trends

- Gay Marriage
  - How many rights are affected? Which states have it? DOMA? Prop 8.
- Alimony Guidelines
- “Move Away” Cases
- Hague and International Child Abduction
- Assisted Reproductive Technology
- Collaborative Law
  - UCLA (not the University), copy available on line
- John & Kate (well, everyone is talking about it)
- If interested in any of these, let me know. Join an ABA subcommittee.

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## A.R.T.

- The Mass. Appeals court just ruled that a woman who received sperm from a sperm bank and became pregnant had no right to later obtain the identity of the anonymous sperm donor. She sought it for two reasons- health issues affecting the children and to commence a parentage action to seek child support.
- - The US tax court has ruled that a single man (apparently in a gay relationship) cannot deduct as medical expenses the costs of getting two eggs and having them fertilized *in vitro* and then implanted in two separate gestational surrogates. The court reasoned that he did not have a medical condition since he was not infertile (he had children by his former wife) and because the costs of the procedure were not related to his body (Although it was his sperm used?).
  - In Toledo Ohio one woman was mistakenly implanted with the embryo produced for another woman. When the mistake was discovered she agreed to continue the pregnancy and give birth for the genetic parents (I would assume she will sue the clinic) even though at her age (40) is now unlikely to have a child of her own. (Earlier cases of this sort in other states have resulted in nasty custody cases, but apparently not this one).



This Powerpoint and the related materials, like the UCLA, will be available at:

[www.kssfamilylaw.com/resources/  
presentations/oregon](http://www.kssfamilylaw.com/resources/presentations/oregon)





**Practice Development**  
**Marketing strategy = common sense**

***Sometimes we forget about common sense.***

***A good example is the.....***

***GEORGIA 3 KICK RULE!***



***& The Georgia Trucker***

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# Marketing 101

- Be damn good at what you do.
- Be sure those in position to refer cases know .....
- That you are damn good.







# ***Let Who Know?***

***Referral Sources***



***Everyone is a potential referral source!***



# ***A Five Foot***

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# **Who are the best referral sources?**

*Lawyers*

***What is the one area of law lawyers hate?***

***Right, DIVORCE!***



***You are doing them a favor by allowing them to refer to you (if you do a good job).***

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# **How to let them know?**

***Speak, Write & Teach***



**Speak, at seminars and events.**

**Write, for legal magazines, local paper.**

**Teach, law school, paralegals, college,  
high school**

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# ***Join Clubs***

*Be careful of which clubs*

Rodney Dangerfield:

“My Wife made me  
join a bridge club”

**“I Jump Next  
Tuesday!”**



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# How important is a first impression?



VS



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# And what can give clients a first impression before they even get to your lobby?

- Right, your website.
- And which costs more to create/furnish?
- So why not spend a little on your website?
- Which is better?

or





# A few moments on websites

- How many lawyers here have a website?  
(10 years ago, the question was how many use email.)
- How many plan to have one?
- How many people have had their website over a year?
- How many of those have updated it within the last year?
- How many people think it is important to update?
- “Content is king”: This helps Google list it.
- Adding content/updating is easy.
  - Post an article you write.
  - Change the colors.
  - Provide a link to a new law or case that affects family law.
- Look around online. Kathy Root has an excellent site. Talk to her.





# Other general tips:

↓↓ Put contact info on each page ↓↓



↓↓ People like photos ↓↓



→ → → →

Use hot links or  
drop down menus

Leave “white space”.



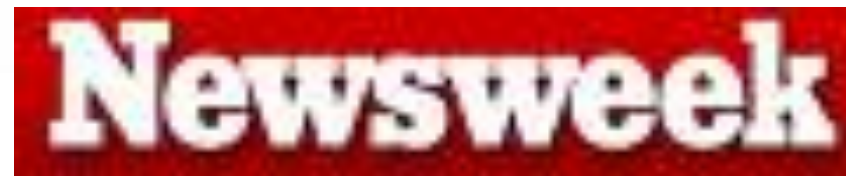
# Media as a marketing tool



The New York Times



COSMOPOLITAN





# Being interviewed looks important:



- Good to be quoted by the press as “the expert”.





# Here's a clip



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Of course, you could advertise like this:





Or.....





# Of course, there are times that media coverage can hurt your client?

- Like when clients act spontaneously:





Gil and Mike said I should throw in a few war stories  
showing a few different personality types

- Gangsta Rapper takes over a deposition.



- The hip hop artist, who, after losing child support case to our client, writes song as payback.....



After the back and forth and you constantly asking for more-child support I ask what for and you take me back to court, now I'm in a public tug-o-war for dough I struggle for, I owe money for my sons, honey, and nothin' more/ Do much more than average for my sons, that's just ignorin' facts you can get off ya ass and work you don't wanna be f\*ckin' poor, that's not quite the issue is it? it's that we don't f\*ck no more/ That's 'posed to be you who buyin' houses pickin' out the car, **that's 'posed to be you in benz's, bentley's, fendi and dior that's your problem just accept it you and I are never more/** And forever we never will just try your best to deal. I rolled around with you for years and I regret it still/ And well since you ain't let yourself know, you look a mess just let yourself go I guess they say misery love yes, but frankly I'm too blessed to walk around frownin' lookin' all depressed where your self respect to get yourself in check you disgraced women who work need to put yourself in check. I kept it to myself just cuz I felt it wasn't fair but now I'm pissed to the point I don't care, so there!



# “Thanks”

- One can pay back the loan of gold, but one dies forever in debt to those who are kind.
  - ~ Malayan Proverb
- The only people with whom you should try to get even are those who have helped you.
  - ~ John E. Southard
- “Feeling gratitude and not expressing it is like wrapping a present and not giving it.”
  - ~ William Arthur Ward
- Silent gratitude isn't much use to anyone.
  - ~ G.B. Stern





# But generally clients appreciate us.

- Sometimes it takes years before they realize it.
- I don't think a client will ever come up to me after a divorce and give me that immediate gratification by doing this:





# Think how much it means to the client

- We all have cases where we know we made a difference.
- The poor client whose home was about to be foreclosed.
  - We delayed it by intervening somehow.
- The domestic violence victim who now has the courage to be independent (you were crucial).
- The Father who thought he would never see his kids again- now he has them half the time.
- The falsely accused, who have to fight for years.





# When a client hires us, we never know what is “around the bend”

- But we accept their case, and the burden of easing their troubles, their pain, their headaches, their lives.
- People do not hire us because their life is great.
- Clients are in a very bad place when we meet them.
- And they often don't stop & say “Thanks”.
- How many thank you notes do we get? Not many.
- But they know we helped.





## And remember, they put their life in your hands

- Has anyone ever been a client?
- Even if just a business dispute or parking ticket.
- It is hard to let someone else protect you.
- They trust us, and (usually) pay us to protect them.
- And what a good feeling it is to reward that trust.
- To do a good job is the best reward.
- Doesn't it just feel good when you know you gave it your all, and it helped someone?
- That's what clients want, and deserve.





# Thanking the client

- How many of us have ever told a client thank you for the privilege of representing them?
- Haven't they trusted us to protect their most valuable assets?
- To address their deepest concerns?
- Isn't that the highest form of flattery?
- Who am I that they trust me so much? Thanks.





# And our staff deserves thanks

- Could you imagine working for you?
- Our staff actually has to report to many folks:
  - To you.
  - To the client.
  - To the judge.
  - To the expert witnesses.
  - To the court reporters.
- They are the most under-appreciated of all.
- But they will save your butt. Say thanks.





# And why do people generally do things?

- In order of priority:
  - Because they want to.
  - Because they have to.
- Do you prefer to do things you want to do, or that you have to do?
- Saying thanks makes people more willing to help.
- Especially staff.





# Not just verbally:



EMPLOYEE	EXT.	DIRECT #	HOME	CELL
Collard, Dennis G.	122	4/688-4959	BB:4/786-8637	4/449-3002
Ditzel, Sean M.	102	4/688-6157	-	7/262-7190
Edwards-Underwood, Stephanie	131	4/586-6883	6/567-2250	4/408-9144
Hanrahan, Monica J.	119	4/586-6884	-	4/509-4302
Jackson, Dee	113	4/586-6882	-	4/964-6551
Jones, Juliet	100 or 00	4/688-8810	-	4/345-2189
Kessler, Randall M.	111	4/688-0099	4/634-2323	4/449-4099
Kihnl, Katie				4/408-0020
Langford, Bruni				6/977-5611
Lederman, Diane				7/316-9283
Lindberg, Karen				4/918-5620
McCormack, Sarah				6/612-6060
Miller, Nancy				4/625-9811
Miller, Rob				949/278-8090
Parks, Erica				4/514-3249
Sarif, David G.				6/480-6255
Schwarz, Barry P.				4/822-9553
Shockley, Rachel S.				4/324-0879
Smith, Stacy				4/849-4608
Solomiany, Marvin I				4/822-7893
Spaulding, Fran				4/964-1575
Strickland, Melissa D.	132	4/586-6892	4/624-5393	4/403-2076
Tesser, Louis J.	115	4/688-2292	4/373-2524	6/984-3088
Tobin, Darren M.	133	4/586-6895	4/255-8078	4/729-0798
Woody, Thad F.	116	4/688-5042	-	4/324-2423

MAKE  
10 COPIES

Large Conference: 110  
Middle Conference: 136  
Corner/Back Conference: 138  
Copy Room: 126  
Old Copy Room: 117  
Break Room: 127  
Reception Area: 118/107

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Fran,  
pls make 10  
copies of this  
for me.  
Tnx, RK

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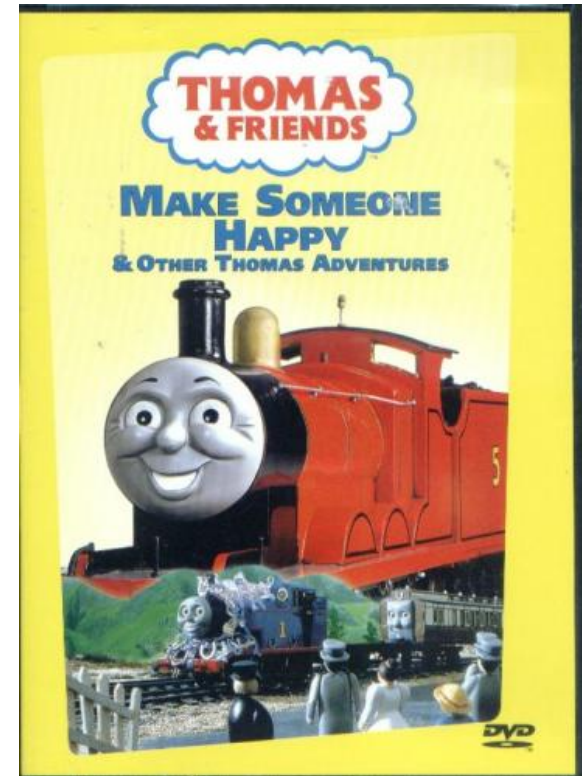


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I represented the owner of a 400 person hair salon.

- I asked what his role in the company was.
- He said “Making sure every employee is happy”.
- There is even a “how to” guide:  
Actually, that is the point.  
There is no “How to” Guide.





# And of course, thank the referral source

- They have invested their credibility in you.
- Their continued friendship with the client may depend on how well you perform for the client.
- And thanking them makes them feel good.
- Especially at the end of representation.
  - Because they referred you, the case went well.
  - Give them credit.





# Combining Thanks and Marketing

- Maybe send thank you cards?
- Birthday Cards.
- We send Holiday Cards.
- And we spend a lot of time on them.
- Not simply ordering from a catalogue.
- See the next slide for an example.
- I brought extras if you want a sample.







*Wishing you a joyous holiday season and a new year filled with peace and happiness.*



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*Left to right:*  
Sheri Donaldson Lake,  
Sara McCormack,  
Darren Tobin,  
Stephanie Edwards-  
Underwood,  
Juliet Jones,  
Fran Spaulding,  
Sean Ditzel,  
Nancy Miller,  
Louis Tesser,  
Rachel Shockley,  
Melissa Strickland,  
Thad Woody,  
Barry Schwarz,  
Randall Kessler



*Left to right:*  
Marvin Solomiany,  
Dennis Collard,  
Monica Hanrahan,  
David Sarif,  
Lydia Zatorski,  
Stacy Smith,  
Diane Lederman,  
Jacob Kaplan,  
Bruni Langford,  
Lauren Kushkin,  
Erica Parks,  
Karen Lindberg,  
Katie Kuhl

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# Be honest with clients

Because honesty can give them more realistic expectations.

Here is an example.....

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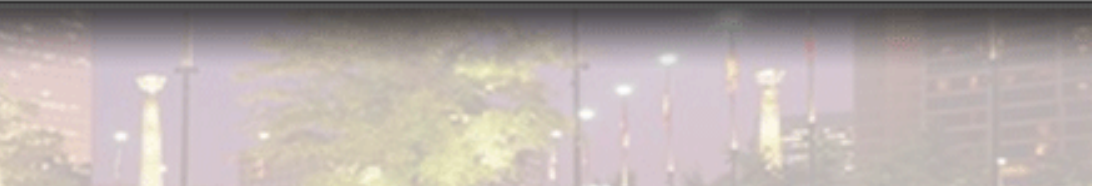
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HONESTY.

[steakandcheese.com](http://steakandcheese.com)



# **Thank our families**

*They tolerate a lot*

How many dinners have been interrupted by a needy client's call?

How many times have we just HAD to stay late to finish a mediation and bring closure for a client?

And do we always leave our frustration at work? No. Even if it is subtle, our family absorbs something.

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**Otherwise, they might feel like  
Rodney Dangerfield, who said:**

***My wife and I were happy for  
twenty years.***



***Then we met!***

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# Thanks to our colleagues

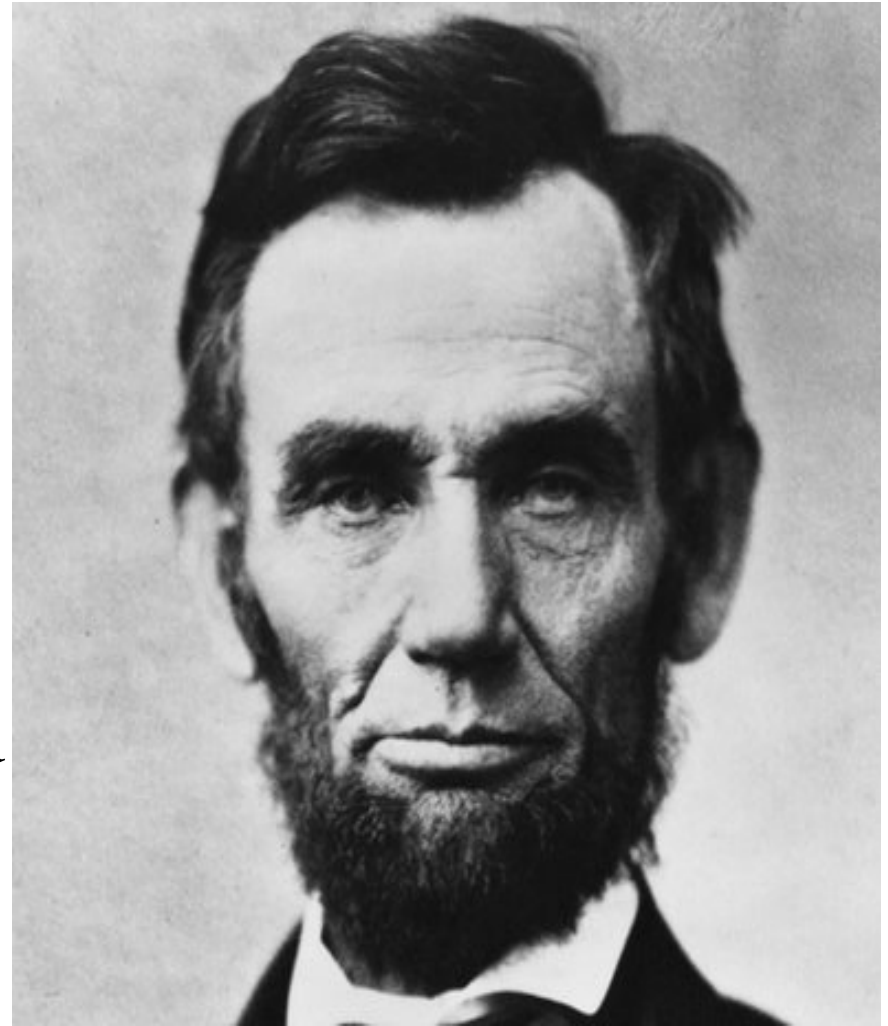
- What would this practice be without the friendships?
- The people sitting with you right now at lunch?
- What other practice area has such collegiality?
- Criminal Defense lawyers and Prosecutors? No.
- Pers. Inj. Lawyers and Ins. Defense Counsel? No.
- We mentor each other and make each other better.
- We should appreciate that, and say thanks more.
- Thank you all for making me a better lawyer too.





# Do Good.

- Abraham Lincoln:
- “Discourage litigation. Persuade your neighbors to compromise whenever you can. As a peacemaker the lawyer has superior opportunity of being a good man. There will still be business enough.”





# My 1 minute pitch for joining the ABA, Family Law Section

- We have 10,000 members.
- We meet twice each year – Spring and Fall.
  - Great locations like:



• Montreal

• New Orleans

• Las Vegas

• Amelia Island, FL

• Alaska

• Fort Worth, Miami, Vancouver



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# And we have fun



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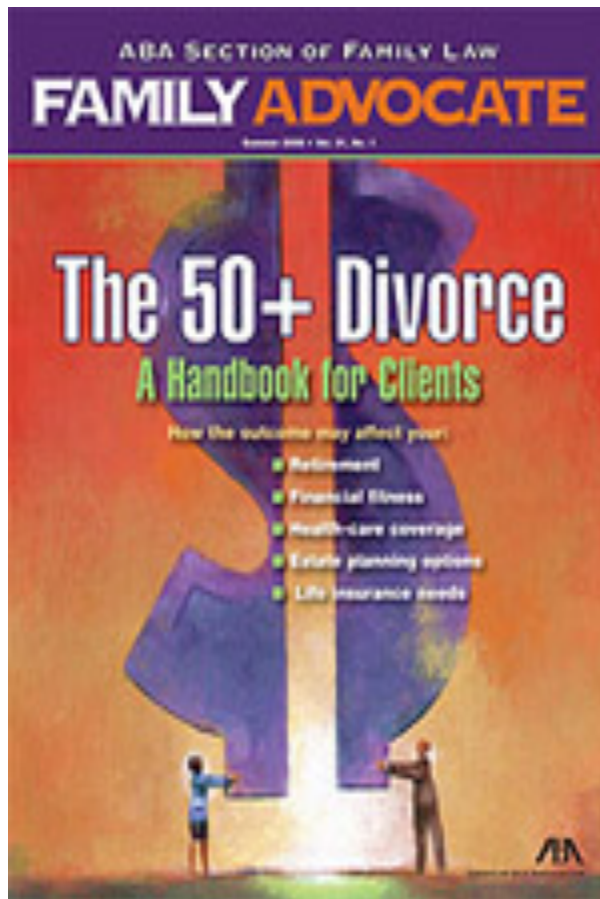
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# Great publications too!



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# **Final Comments**

*Be passionate/be a leader*

***Be a positive reflection of our profession.***

***There are enough people speaking ill of us.***

***Develop a passion for what we do. Be a leader.***

***It can be contagious, especially in your office.***

**(And if you love what you do, it is easy and fun to market, which is in essence, telling others what you do.)**

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# One last video clip, from Gil.

- [http://www.careerbuilder.com/monk-e-mail/default.aspx?  
mId=31440315.2&cbRecursionCnt=1&cbsid=  
9728409d2a78408ba56559d167f8bb6a-30522  
0422-wd-6](http://www.careerbuilder.com/monk-e-mail/default.aspx?mId=31440315.2&cbRecursionCnt=1&cbsid=9728409d2a78408ba56559d167f8bb6a-305220422-wd-6)





Thank you for inviting me and my  
family to this beautiful resort



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# End of my time. Thank You For Your Time

A website banner for Kessler, Schwarz & Solomiany, P.C. Family Law Attorneys. The banner features a group of ten attorneys (seven men and three women) in professional attire standing in a line. To the left of the group is the firm's logo, which consists of a stylized 'KSS' monogram. Below the logo, the firm's name 'KESSLER, SCHWARZ & SOLOMIANY, PC' is written in a serif font, followed by 'FAMILY LAW ATTORNEYS' in a smaller, sans-serif font. Below the firm's name is a navigation bar with links: 'About us', 'Attorneys', 'News/Videos', 'Resources', and 'FAQs'. Below the navigation bar is a paragraph of text describing the firm's services. The background of the banner is a blurred image of a city skyline at night.

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