

The Practice of Marketing in Law Offices: Professionals Opinion

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Abstract: Brazil is one of the countries that, in proportion to its population, has one of the largest numbers of lawyers, losing only to the United States and India. In this scenario of demand for the profession, and given a large number of corporate law firms in Brazil, and especially in the south-east of the country, this research aims to explore the practice of marketing in lawyer's office based on concepts of service marketing. To reach the objective of the study, the first part of the research aims to clarify the functioning and some particularity of law firms, as well as the disclosure and marketing restrictions that the sector has. The research presented is made up of two studies: a market study conducted in 2015 on legal marketing of corporate-oriented offices, and the other by a survey conducted with professionals from the same market research field, law firms focused on corporate service, updating part of the issues raised and confronting possible changes in the perception of this public. The main analyzes point to the importance of all tools or a set of tools working together, but in the research done with professionals in 2018 reveals a perception that staying present in the events is a more effective way to do marketing in this sector, reinforcing the concept of relationship in service marketing.

Key words: legal marketing; digital legal marketing; professional services marketing

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1. Introduction

In proportion to its population, Brazil is a country with a high number of lawyers, losing only to the United States and India. According to data collected by the Brazilian Lawyers Organization — Ordem dos Advogados do Brasil (OAB), the institution that regulates the activity nationally, in 2008 there was one lawyer for every 322 Brazilians (JusBrasil, 2008).

Among the main elements to explain this number of professionals trained in law is the fact that the profession of lawyer is one of the most traditional in the history of professions, considered one of the three highest paid professions in business (Positive World, 2016), and has power in governmental roles, potentialized by Brazilian bureaucratic procedures.

In this context of demand for the profession, it is also observed the big number of law schools in the country in relation to all other countries in the world: in Brazil there are about 1240 law schools, practically the same number as all the faculties of the rest of the world (GGN, 2015).

In this scenario of demand for the profession, and given the large number of corporate law firms active in Brazil, and especially in the southeast of the country, this research aims to explore the practice of marketing in lawyers office, based on marketing concepts services, with special focus on relationship marketing (Las Casas,

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2012) and also digital marketing.

To reach the objective of this study, the first part of the research aims to clarify through theoretical research the functioning and some particularity of law firms, as well as the disclosure and marketing restrictions that the sector possesses. The second part brings results of two types of research, one with secondary data (Intelijur, 2015) and one made by the researchers of this paper in a survey form.

The first study is a market study carried out in 2015 on legal marketing of corporate-oriented offices (Intelijur, 2015), and the other by a survey carried out with professionals from the same universe of market research, or law firms, focused on corporate care, updating part of the issues raised and confronting possible changes in the perception of this public. For the purpose of this article, only the questions that really fit the objectives of this study were selected.

Research questions focused on the importance of the application of marketing tools and how these tools apply to market customer as well as talent recruitment, and the perception of how new topics like big data and internet of things can affect legal marketing. Few articles address marketing in law firms. None of them seeks to identify the perception of professionals as to the achievement of better results. This article will fill this gap. This study results will bring new insights concerning marketing for the academy and professionals.

2. Theoretical Framework

2.1 Law Firms

Law firms in Brazil are constituted by a specific body, the OAB, or “Ordem dos Advogados do Brasil”, and Law No. 8,906 of July 4, 1994, which constitutes and regulates this branch of activity. The Statute of the Lawyer and the Brazilian Bar Association provides in chapter IV, article 15, that lawyers may meet in civil society to provide legal services.

However, when the norm refers to society whose purpose is to practice law, it means that the activity is performed through its partners and other lawyers linked to it, and Paragraph 3 of this same article requires that the proxies be granted individually to lawyers with an indication of the company of which they are a part, since the names of the offices must always represent the first and last names or only the surname of at least one of the partners, as referred to in Article 16.

Another peculiarity of law firms is the fact that they can not function by presenting commercial characteristics, or adopting a fancy name or performing different legal activities.

According to the jurist Gonçalves Neto (2006), “society exists to support the joint activity of lawyers, manage their accounts and facilitate their work”. In this same line of thought, Selem (2012) in dialogue with other authors puts the differentiation of the lawyers’ societies for the purpose of regulating and disciplining reciprocal relations between lawyers, fundamental to the administrative and financial life of the group, disciplining the office's file and the distribution of remuneration.

The Brazilian Statute of the Lawyer (Law 8.906, July 4th, 1994) predisposes to the unit of professional qualification, that is, all partners must be lawyers, the society should only have the purpose of practicing law, have its registration in the Order and do not present market characteristics.

These characteristics have made law firms models apart in the history of management since any publicity or even a recruitment and selection program must be carefully developed so as not to hurt any of the regulations.

Despite the restrictions, this peculiar characteristic has evolved and gained prominent proportions,

considering international experiences, most of the American references, and experiences of the administrative evolution of large and medium law firms, as reported by Esequiel (2016), especially when the subject is the perennality and growth of law firms.

2.2 Contextualization of Legal Administration

Administration in law firms is still addressed in a specific way, mainly due to the fact that a law firm has not been compared during a long time with a company, positioning itself from the interpretation of Law No. 8.906 (1994), which provides for the Statute of the Advocacy and the Brazilian Bar Association, OAB.

Additionally, there are some limitations on the following topics:

- **Strategic Planning and Marketing:** Aimed to positioning the company to its target market (Las Casas, 2015) and defining the potential to growth. According to Selem (2012), strategic planning for legal administration is very focused on the internal methodology of work. Strategic planning also covers issues related to marketing communication, although specifically legal, that defines and explores possible channels of communication to convey news and articles, and consequently the image — taking into account the restrictions of the Code of Ethics of the Order (Law 8.906 of 1994) — in addition to other related issues.

- **Financial Management:** Within an office, financial management is responsible for setting budgets for resource use and procurement of supplies, verifying what is feasible or feasible to advance to a client at recourse costs, measuring and compiling the economic and financial results of the period, in addition to analyzing the possible points of saving and which are the most profitable. According to Hipólito (2011), cash flow and the available budget are also assessed in the verification of cost advances for clients, and timesheet or record of time spent with process activities or legal opinions of a certain client for collection of values and pricing of the work developed, using this information to generate indicators of profitability and financial performance.

- **Information Management:** With the emerging technologies facilities, business has gained speed in the interconnection of available data and information (Taurion, 2014), The offices that have a portfolio of medium to large processes need a registration and information management system to help optimize customer response time and the lawyer's performance. The interconnection between systems serves precisely to achieve integration of information and speed in obtaining answers, either in the sharing of customized spreadsheets or properly developed systems for process registration and judicial follow-ups, such as the popular systems in the sector: Thomson Reuters, Totvs and Tedesco.

- **Human Resources Management:** in the law firms, the human resources management policy is divided into three specific groups: lawyers, trainees, and administrative staff. According to Esequiel (2011) and Castro (2012) for lawyers, it is necessary to periodically maintain and review the policy of division of labor, the possibility of ascension predefined by the career plan, as well as factors that influence motivation and engagement and the improvement of the professional, and there is room for the use of intern marketing tools (Brum, 2010). For trainees in law it is necessary to maintain a scholarship-internship policy, as well as promotion policies, recognition for good work and time spent at home, and for administrative staff also the development of a career plan, salary policy based on the evolution professional, continuous stimulation to the learning and the improvement. These strategies are linked to the retention of talents, and to the better development of the people in the accomplishment of their attributions.

Due to the fact that the structure of the law firms are very peculiar and peculiar, many differences have been generated in office management, but in recent history a large number of large and medium-sized banks have applied management concepts by administrators with specific knowledge and training in the area, called

administrators or legal managers, acting along with the direction of the members (Goes, 2011).

2.3 Legal Marketing

To support legal marketing, which is marketing in a professional service sector, we will explore the theory of service marketing. Service is understood as an act, an action or a performance, according to Rathmell (apud Las Casas, 2012).

This act can be presented in several ways. In the case of the law firm, the service provided is the act of the law firm assisting or defending the client company in a judicial proceeding, or an acquisition involving more details, or in the closing of sales and service contracts between the client company and a third, or countless other activities, based on the legal knowledge that the lawyer can offer to assist his client.

One of the possible tools for use by the legal public is relationship marketing, which is the process of identifying, establishing and improving customer relationships so that the objectives of all parties involved are met. Relationship marketing refers to business relationships between economic partners, service providers, and customers, and is a process where trust is essential (Las Casas, 2012).

Legal business is based on relationship marketing: the law firm use to expose its brand in trade promotions, give references of work done and its results, disseminate relevant content in lectures or events, presence in the digital environment through the dissemination of news, respecting the Restriction Resolutions of the OAB Statute (1994), exploring the niches according to banking or lawyer specialization, as well as using networks of associations and content marketing through lectures and social networks.

• **Niche Market:** In advocacy, the niche of action can justify even more its “added value”. An article in the Conjur portal (Melo, 2017) explored the power niche issue applied to law firms: that is, a specialized niche within the law not yet explored with prominence or proficiency. This has been the case, for example, with offices that emphasize their proficiency in assisting the corporate establishment of startups, or of offices that collaborate with the elaboration of new security or financial products, that is, the office and lawyers become specialists in the area of business of the client and apply the right to this, showing more explicitly their niche of action.

• **Global Advocacy Networks:** The networked society (Castells, 2010) has exponentiated access to information and interconnected consumer markets and service providers, and this was no different with law firms. Although they go through rigid regulatory aspects for association with foreign entities, accessibility networks have narrowed these barriers. Among the main characteristics for the formation of alliances between Brazilian laws firms with offices in other countries are:

1) A company aiming at the overall improvement of matters related to national and international laws, regulations and procedures, for clients in Brazil and abroad.

2) Society tends to have better acceptance among younger professionals.

3) It has rigid norms to be accepted by the OAB, according to project of 2012:

I) the foreign office can not influence the decisions of the office of which it is associated in Brazil.

II) it is vetoed the submission of societies of lawyers in the country, before societies of other nations.

III) the foreign lawyers/offices, can only act as consultants in Brazil with previous authorization of the OAB.

4) any type of association that implies loss or diminution of the institutional identity or the autonomy of the administrative, financial, professional or strategic planning management by Brazilian law firms is Prohibited.

5) a foreigner who violates the rules will have the authorization to act as a consultant in Brazil revoked. The cases will be analyzed by the sections where the defendant can defend himself and, according to the result, to appeal

to the Federal Council. Lawyers and Brazilian companies that contradict the norms will be subject to the disciplinary process in the OAB, besides administrative, civil and even penal sanctions, according to the provision (OAB, 2012).

According to the opinion of the lawyer Miguel Reale Junior, the administration of the office does not have to be done by a lawyer, which has opened a field for administration as well, legal administration.

In Brazil the foreign lawyer needs authorization from the OAB, which will grant "leave to act" as a foreign legal adviser. The authorization must be requested in the section of the Order where the professional wants to work. A residence visa in Brazil is required, proof of enrollment as a lawyer in your country of origin, proof of good reputation, certified by an organ of the country of origin and corroborated by three Brazilian lawyers. In the case of offices, the corporate name may be the same as that used abroad, provided that preceded by the expression "Consultants in Foreign Law", and the authorization must be renewed every three years. Table 1 shows the International Corporate Advocacy Associations. Its possible to realize the importance to global market for Law firms due to the high number and offices and several countries Associations operate.

Table 1 International Corporate Advocacy Associations

Association	Countries	No. Offices	Offices Representatives in Brazil
ABL Global	34	57	DDSA - De Luca Derenusson Shutoff Azevedo Advogados; R. Amaral Advogados
Advoc	70	94	Siqueira Castro Advogados
Corporate Alia, Abogados	N/D	N/D	Main Office in Madrid, represented in Europe, Latin America and Brazil.
Geneva Group International	120	736	Santos Neto Advogados; PMS — Pigatto Monteiro, Schuster e Advogados Associados
Globalaw	85	110	Almeida Advogados
Inter Law	60	75	Tess Advogados; Manucci Advogados; Villemor Amaral Advogados; Carvalho, Machado e Timm Advogados
Inter-American Bar Association (IABA)	N/D	N/D	Network among offices and universities. In Brazil: Lefosse Advogados
International Bar Association (IBA)	160	190	In Brazil: SABZ
IR Global	N/D	500	Carrión Advogados; Montgomery & Associados; Flávio Gonazaga Advogados
Latin America Tax and Legal Network	N/D	N/D	Machado Associados
Lawyers Association WorldWide (LAW)	50	95	Lacaz Martins, Pereira Neto, Gurevich & Schoueri Advogados
Legal Netlink Alliance (LNA)	35		Nogueira Elias, Laskowski & Matias Advogados; Moura Tavares Figueiredo Moreira e Campos Advogados
Legal Network International (LNI)	50		Azevedo Sette Advogados
Legalink	55	65	Felsberg Advogados
Lex Mundi	100	160	Demarest Advogados
Mackrell International	60	170	Castro, Barros, Sobral, Gomes Advogados
Meritas		177	Felsberg Advogados
MSI Global Alliance	100	250	Simões Pellegrino Coelho, Castro Advogados
Multilaw		70	Mattos Filho, Veiga Filho, Marrey JR e Quiroga Advogados
Pannone Law Group E.E.I.G. (PLG)	33	29	Murray Advogados
TagLaw	85	150	PVG — Perlman Vidigal Godoy Advogados
The Interlex Group	60	45	Demarest Advogados
World Law Group	90	350	TozziniFreire Advogados
World Services Group	N/D	130	Veirano Advogados

Source: SABZ, 2016.

2.4 Market Research on Legal Marketing

One of the marketing channels used by law firms is directories and associations, including to gather some market information, such as action markets, new laws, and even legal marketing, as was the case of the study published by the portal Intelijur in 2015 on the theme (Intelijur, 2015).

Among the information published in the study, carried out with professionals of business law firm, we highlight as follows:

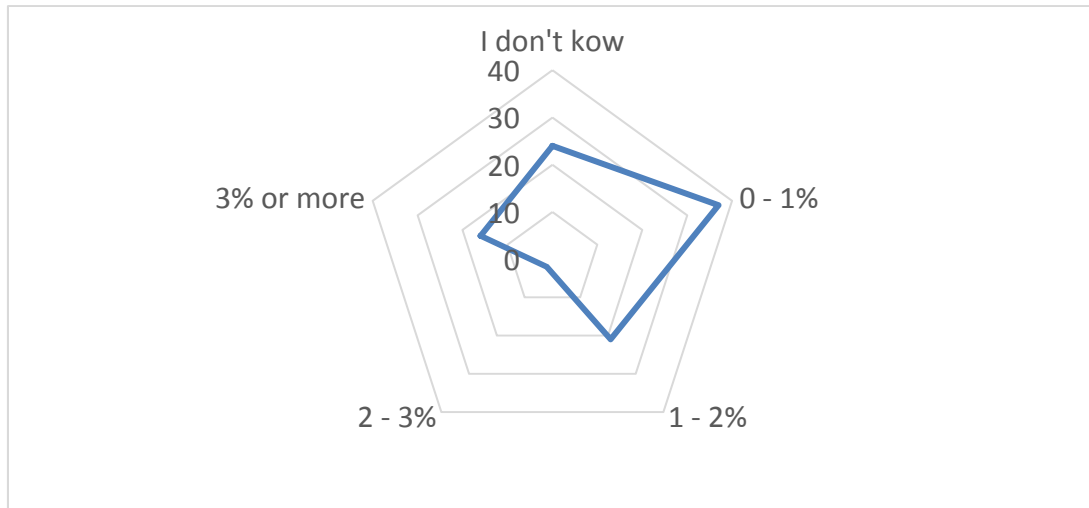


Figure 1 Marketing Budget in Relation to Annual Billing

Source: Intelijur, 2015.

This research was carried out with 38 professionals from corporate law firms, all affiliated to the institution called legal management, designated by the acronym GEJUR.

Based on the survey data in graph 1, 55% of the interviewed reported that the firm invests up to 2% of annual marketing revenue, 35% investing from 0 to 1% and 20% investing from 1% to 2%. About 25% of the respondents did not respond, or declared not to know this data.

Table 2 Main Marketing Tools Used by Law Firms

Tool	% cited
LinkedIn	65%
Site	62%
Gifts	51%
Conference talks	51%
Internal marketing	49%
Associations	49%
Events	45%
Facebook	43%
Sponsored events	38%
Pro-bono activities	30%
Blogs	24%
Market research	16%
Directories	13%
Twitter	13%

Source: Intelijur, 2015.

Table 3 Marketing Tools Considered Most Efficient

Tool	% cited
Conference talks	80%
Customer Relationship Management - CRM	57%
Events	51%
Sponsored events	46%
Associations	46%
LinkedIn	34%
Site	31%
Pro-bono activities	30%
Internal marketing	26%
Blogs	24%
Market research	16%
Directories	13%
Twitter	13%

Source: Intelijur, 2015.

According to the results presented in Table 2, LinkedIn’s professional network was the most cited marketing tool, followed by an institutional website. However, what the respondents considered most effective was the keynote speeches at events.

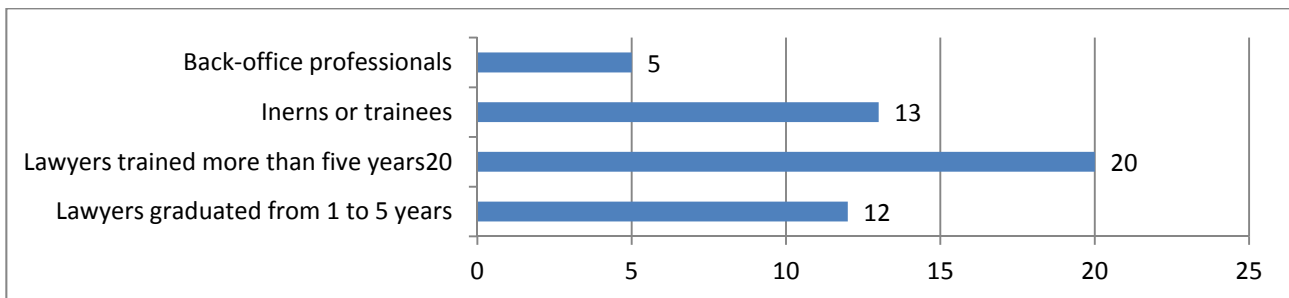
2.5 Legal Marketing Case Study

Fifty professionals answered the questionnaire, which was sent via link by email and LinkedIn message during the month of juny.

To identify industry insiders’ perceptions of what tools might represent good opportunities for legal marketing, a questionnaire was directed to the same public profile of market research conducted in 2015, corporate law practice professionals.

To identify the profile and the experience of the professional, the question about the career of the respondent made it possible to cluster the perceptions of lawyers with more than five years of career, young professionals such as trainees and legal assistants, and backoffice professionals in offices.

Table 4 Profile of Professionals



Source: Survey, 2018.

The questions ranked on a Likert scale the importance for the visibility of a law firm attributed to each listed marketing tool, with scale 1 being not relevant and 5 being very relevant. The following tools were added to: LinkedIn, Facebook, Instagram, Twitter, News Blog, Institutional Site, Event Participation, Event Sponsorship, Event Speech, Relationship in associations and chambers, Texts or articles published in the media, Pro-bono activities and Participation in directories.

It was also questioned on the same scale of Likert being 1 disagree and 5 agreeing quite well to ask how much the respondent believed that these tools collaborated with the marketing for the capture of clients as much as for the attraction of talents or human resources, and how much the interviewee believed new technologies such as big data and internet of things, can impact the legal marketing.

The last question was opened and not mandatory if the interviewee wanted to list some other item that could assist in the disclosure of the name of the office that was not previously listed.

3 Results

Normalizing the likert scale to percentage using Microsoft Excel software, the following results were found:

Table 5 Results: Tools

Tool	General perception of effectiveness
LinkedIn	82.8%
Facebook	62.0%
Instagram	54.4%
Twiter	45.2%
Blog	68.8%
Site	87.6%
Participation in Events	91.6%
Sponsor Events	82.8%
Conference Talks	93.6%
Associations	82.4%
Articles & publications	89.2%
Pro-bono activities	77.2%
Directories	69.6%

Source: Survey, 2018.

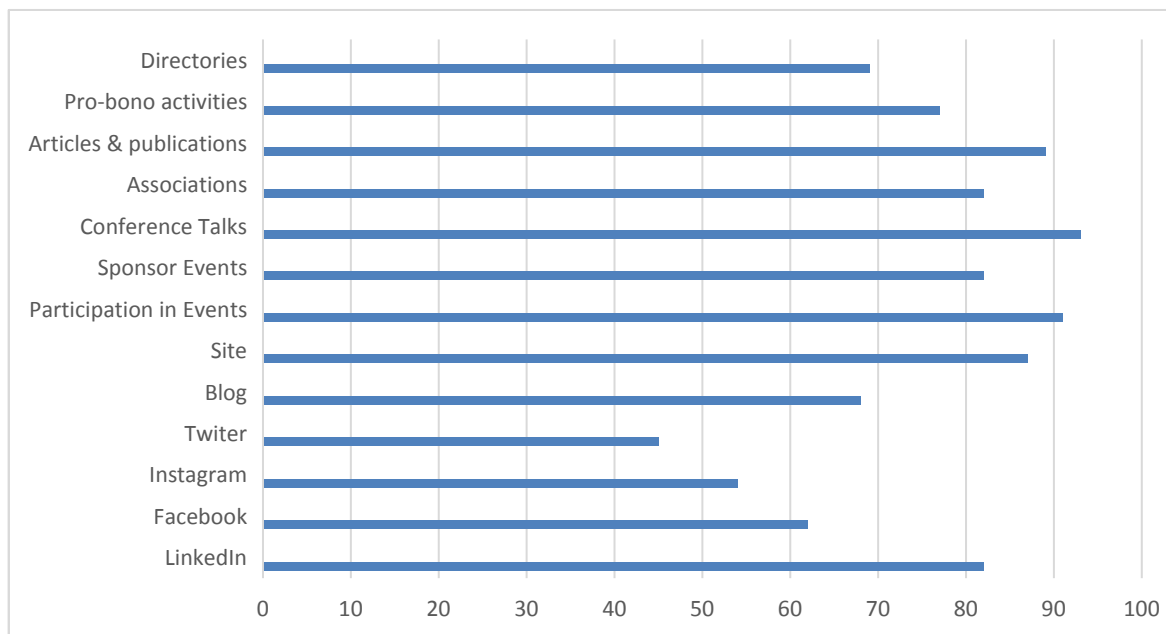


Figure 2 Results: Tools

Source: Survey, 2018.

Table 6 Results: Question about IoT, Big Data and HR

Question	General perception
Do you believe that these tools help you attract customers (marketing) as much as attract talento (Human Resources)?	83.6%
Do you believe that new technologies like Big Data and Internet of Things (IoT) can impact the Legal Marketing?	82.0%

Source: Survey, 2018.

4. Conclusion

This study aimed to evaluate the practice of marketing in law offices. Initially, the restrictions for the practice were evaluated according to the Brazilian legislation, the opinions of the professionals of the sector were evaluated in two researches. One of them, a sectoral survey pointed, among other data, the main forms of commercialization. The complementary research of the type survey was made in the São Paulo market to identify the practice of marketing including digital marketing

The studies point to congruences, especially regarding the use of social networks, the use of websites and blogs and the prominence that the events cause in the sector.

Facebook and LinkedIn had a greater prominence only after the market research date of 2015, and scored with average strength in applied research.

In general, lecturing at events has proven to be more effective in respondents' opinion than sponsoring events.

The main analyzes point to the importance of all tools or a set of tools working together, but in the research done with professionals in 2018 reveals a perception that staying present in the events is a more effective way to do marketing in this sector, reinforcing the concept of relationship in service marketing.

Others responses: lectures in colleges, strategic location of the office, acting in relevant cases, talent attraction policy, joint action with social media resources.

Possible future studies: to understand whether the legal departments or the businessmen who contract the legal services have a similar perception of the scale of the marketing tools that the offices use. Crossing information may be possible to identify more assertively in which marketing tool can be invested with more intensity, of course, although it is important to consider several possibilities together, not only for the customer conversion but also for brand appreciation.

References

- Anuário Análise Advocacia 500*, 2017, Editora Análise.
- Anuário Análise Advocacia 500*, 2016, Editora Análise.
- Anuário Análise Advocacia 500*, 2015, Editora Análise.
- Brum A. de Medeiros. (2010). *Endomarketing de A A Z: Como Alinhar o Pensamento das Pessoas à Estratégia da Empresa*, Integrare Editora.
- Castells M. (2010). *A Sociedade em Rede*, Editora Paz&Terra.
- Castro C. F. Siqueira (2012). "A importância da gestão legal para o advogado empreendedor", *Congresso Anual Do Centro De Estudos De Administração de Escritórios de Advocacia*.
- Esequiel M. (2016). *Gestão Eficiente De Escritórios de Advocacia*, Saint Paul Editora.
- Estatuto da Advocacia e da OAB - EAOAB. Lei Nº 8.906, de 4 de Julho De 1994.
- Goes R. (2011). "Administração legal nos escritórios de advocacia", *Jornada De Administração Legal*, Conselho Regional De Administração.

- Goes R. (2012). “Competências do administrador legal no novo mercado da advocacia”, *Congresso Anual do Centro De Estudos de Administração de Escritórios de Advocacia*.
- Gonçalves Neto and Alfredo de Assis (2006). *Sociedade de Advogados*, Lex Editora.
- Hipólito A. (2011). *Finanças na Advocacia: Planejamento, Estratégia, Controle e Resultados*, Juruá Editora.
- Intelijur (2015). “Marketing Jurídico Dos Escritórios Voltados Para O Setor Corporativo”, accessed on 10 Abr. 2018, available online at: <https://www.intelijur.com.br/gejur>.
- Jornal GGN (2015). “Brasil Tem Mais Faculdades De Direito Que Todos Os Outros Países”, accessed on 10 Jun. 2018, available online at: <http://Jornalggm.Com.Br/Noticia/Brasil-Tem-Mais-Faculdades-De-Direito-Que-Todos-Os-Outros-Paises>.
- Jusbrasil (2008). “Brasil É Terceiro País Do Do Mundo Com Maior Número De Advogados: Um Para Cada 322 Pessoas”, accessed on 15 Jun 2018, available online at: <https://Espaco-Vital.Jusbrasil.Com.Br/Noticias/92936/Brasil-E-Terceiro-Pais-Do-Do-Mundo-Com-Maior-Numero-De-Advogados-Um-Para-Cada-322-Pessoas>.
- Las Casas A. (2015). *Administração De Marketing: Conceitos, Planejamento e Aplicações à Realidade Brasileira*, Atlas.
- Las Casas A. (2012). *Marketingde Serviços* (6th ed.), Atlas.
- Melo J. O. (2017). “Power Niche É A Mais Nova Ideia De Marketing Aplicável A Advogados”, accessed on 1 Jun. 2018, available online at: <http://www.conjur.com.br/2017-abr-02/power-niche-ideia-marketing-advogados>.
- OAB Ordem dos Advogados do Brasil (2012). *Quadro De Advogados*.
- SABZ (2016). *Pesquisa Associações Internacionais de Advocacia Corporativa*, Equipe Administrativa Sabz Advogados.
- Selem L. (2012). *Estratégia na Advocacia*, Editora Juruá.
- Taurion C. (2014). *Tecnologias Emergentes: Criando Diferenciais Competitivos*, Évora.