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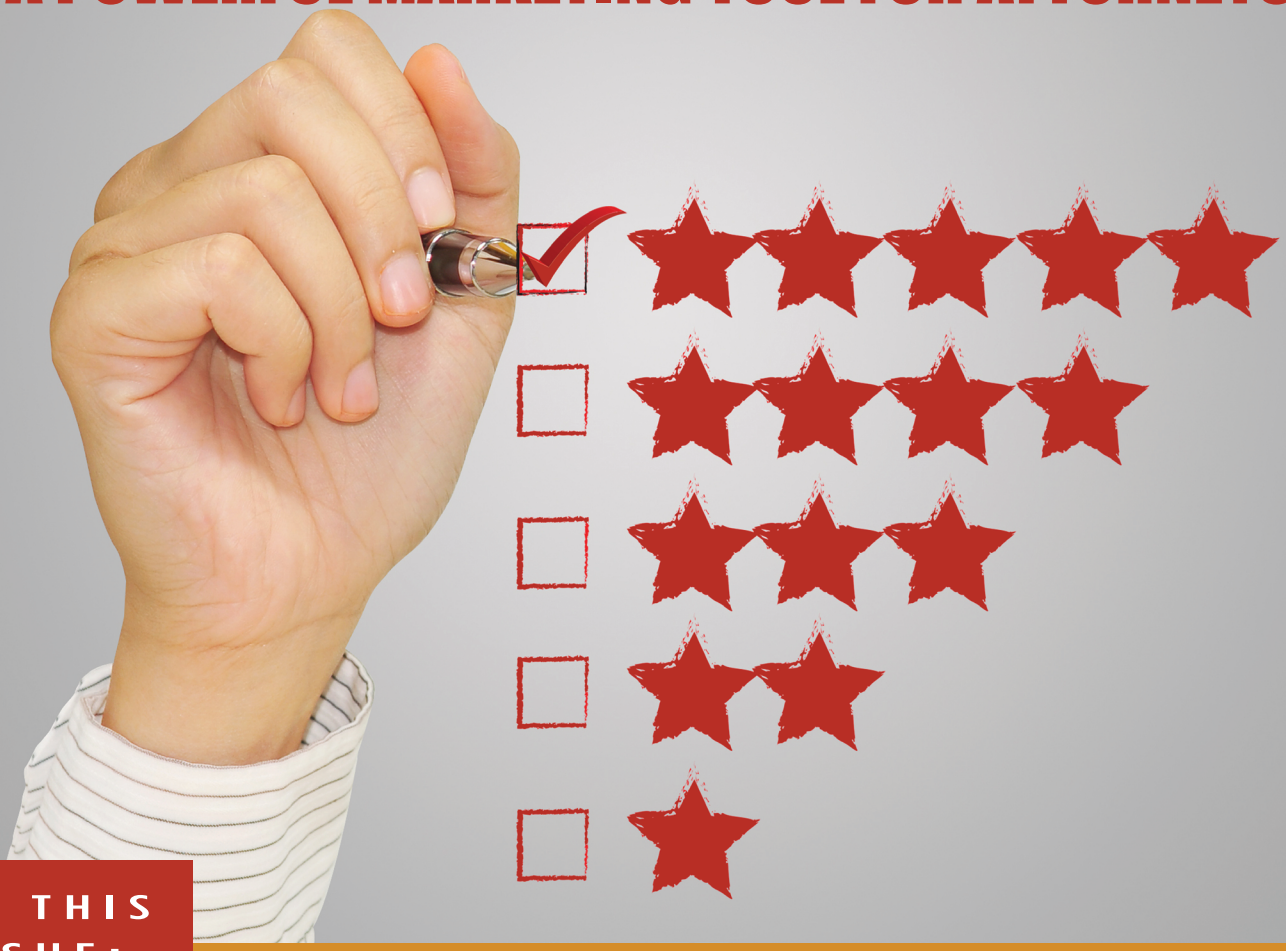
AttPro Ally

Client Testimonials

A POWERFUL MARKETING TOOL FOR ATTORNEYS



IN THIS ISSUE:

The Importance of Testimonials for Small Law Firms

By: Meranda Vieyra

Relationships are essential to small law firms and lawyers. Investing in client testimonials is an excellent way to promote yourself and build upon old relationships by creating new ones.

An easy way for small law firms to stand out in a crowded marketplace is through client testimonials. Not only do testimonials build credibility and trust, but they also offer "social proof" of your service capabilities and past case results.

Before collecting and publishing testimonials, it is imperative to consider the ethical issues, etiquette, placement, and ease-of-process. Doing so will help you make the process as streamlined as possible for both you and your clients.

Ethics of Client Testimonials for Attorneys

There are ethical considerations that lawyers should make when using client testimonials as a marketing advantage. These considerations include prohibited statements, testimonial solicitation, and confidentiality. Be sure to review your state's rules before starting this type of marketing campaign. As some states have state-specific rules regarding client testimonials, you can stay aligned with new ethics concerns of testimonials by checking with your state's bar association.

How Attorneys Can Ask for Client Testimonials

The most practical way to obtain testimonials is by asking for them. Start by asking your repeat and highly satisfied clients first. This strategy will allow you to start with a solid foundation upon which you can build. Do not be shy about asking attorney colleagues for reviews, as long as they are factual and speak to your relationship's nature. For example, peers should not provide reviews while posing as clients. But peer attorneys can provide insight into how easy you are to work with or the results they have seen you secure.

When soliciting clients for testimonials, it is best to offer them a framework by which they can respond. Doing so will help happy clients avoid the situation of not knowing what to write or say for various reasons.

You can ask critical questions to help them form their testimonial, including:

- What made you most satisfied with the resolution achieved?
- What do you value the most when working with my law firm?
- If you have worked with other firms in the past, what makes us different?
- Can you describe a time where we exceeded your expectations?
- How would you describe our law firm if you referred us to a friend, family member, or colleague?
- Would you refer us to someone as a great resource for legal services?

It is acceptable to email your request for a client testimonial. However, you can also automate your client testimonial solicitations through an autoresponder or customer relationship management (CRM) system. Before publishing client testimonials, some law firms ask clients to sign a testimonial release to protect them from potential disputes.

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Meranda is the owner of Denver Legal Marketing LLC. She enjoys the challenge of helping smaller law firms become more visible to their clients and in the legal community, which grows their reputation and their practice.

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Where to Place Client Testimonials

Not every client is willing to give a testimonial. Let them know that you encourage and appreciate client testimonials to attract more clients like them. Also, it is a good idea to support a client's request to provide a testimonial under anonymity.

After collecting testimonials, you can then place them on or in:

1. Your law firm website
2. Social media images
3. Social media posts
4. PPC and paid social ads
5. Client testimonials webpage
6. Video marketing campaigns

Before posting the testimonials, take a few minutes to look through them and decide which reviews support your law firm's marketing goals. Good testimonial candidates include those that highlight your results, responsiveness, or dedication to service. It is also good practice to lightly edit and clarify the text before presenting the final statement for review to the client.

Why Testimonials Matter

Before online reviews, client testimonials generally came in the form of word-of-mouth or occasional use in print advertising. In today's world, everyone has a voice that virtually everyone can see. Client testimonials help customers, like the ones you currently serve, decide that they should call your office. In a recent 2020 survey conducted by BrightLocal, the numbers drive home the importance of client testimonials even further:

- 87 percent of consumers check online reviews in their attorney vetting process
- Positive reviews influence 94 percent of the viewers to select your services
- The top three influencing factors include star rating, legitimacy, and recency
- 73 percent of clients pay attention to reviews written in the last thirty days

As you can see, online reviews are an important component. Not only should a law firm obtain several reviews, but they should also nurture an ongoing pipeline of them. You can make the process easy on your clients when collecting testimonials. Give them every opportunity to submit their testimonial in a format with which they are comfortable if you can. Upon receiving their testimonial and release, be sure to follow up with a thank you note and a reminder that they can contact you if they need legal help in the future or referrals to other lawyers in different practice areas.

Attorney Testimonials Are Powerful and Effective

Testimonials are powerful marketing tools for attorneys when used correctly. They provide substance and social proof that discern potential clients' wants and needs. With highly-competitive practice areas, your client testimonials can help you stand out among prospective clients while making past clients feel even better about working with you.

* Originally published on Martindale-Avvo.com .

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Defending Your Good Name

HIGHLIGHTING ATTPRO DEFENSE COUNSEL

When lawyers need a lawyer in San Diego, they often turn to Charles Grebing, one of the area's leading legal malpractice attorneys. Practicing since 1971, Charles has tried more than 100 cases in federal and state courts. He has also been recognized as a Certified Legal Malpractice Specialist by the California State Bar. Charles works with a dedicated team of legal malpractice lawyers at Wingert Grebing that specialize in the defense of legal professionals in professional liability and state bar matters.

HOW DO YOU SPELL RELIEF?

S-U-R-R-O-G-A-T-E A-T-T-O-R-N-E-Y

By: Kate Gould, Esq.

Attorneys assist clients by helping them plan for the future, including death and disability. Yet many attorneys never plan for the possibility that the unthinkable may happen to them. In the event of an attorney's disability or death, the consequences can be devastating, not only for the attorney's family, but also for the firm's employees and clients. Before you reach into your pocket for that roll of minty tablets, rest assured, there is a solution.

As a solo practitioner, you may already have a backup attorney in place to cover any short term absences, illnesses, or vacations. But what if tragedy unexpectedly strikes? Rather than burdening loved ones or firm employees with handling your practice in your absence, consider formally designating a surrogate attorney – the perfect antidote for that pit in your stomach. Should the unexpected happen, a clearly designated surrogate attorney can provide assurance that deadlines are not missed and that your practice is in good hands.

What is a surrogate attorney?

A surrogate attorney is a successor attorney designated to take action to preserve and handle the law practice of the now deceased or incapacitated attorney. As states continue to develop their own rules with respect to surrogate counsel and succession planning, the ABA provides helpful guidance.

Comment 5 to ABA Model Rule of Professional Conduct 1.3 states that the duty of diligence may require a sole practitioner to designate another attorney to review client files, notify clients, and determine the need for immediate protective action in the event of the death or disability of the sole practitioner.

Practically speaking, the surrogate attorney should be someone who is familiar with your practice areas and that can competently step in and take over your cases for the short term (if not actually retained by your clients). The attorney should have the capacity and time to effectively run your practice or assist in winding it down. Oftentimes, this can be a reciprocal arrangement between practitioners.

Do I have to have a surrogate attorney?

Like the lawyerly answer to many questions, it depends. Designating a surrogate attorney is not yet required in every state, but several jurisdictions mandate some form of succession planning. So, be sure to check your jurisdiction to ensure compliance. Below are examples of some of the states that have addressed the need for surrogate counsel and succession planning in varying degrees.

Indiana

This Indiana girl is proud to say the ABA identified Indiana's Rule as the "gold standard" for attorney surrogate rules.

The Rule provides that at the time of completing annual registration, a lawyer may designate a surrogate attorney by specifying the attorney number of the surrogate and certifying that the surrogate has agreed to the designation in a writing in possession of both the lawyer and the surrogate.[1]

In Indiana, when the lawyer dies or becomes incapacitated, a verified petition is filed with the Supreme Court and served upon the designated attorney surrogate. The Court may then appoint the attorney surrogate to continue the deceased or incapacitated lawyer's practice. Indiana's Rule is quite comprehensive to the point of actually itemizing certain actions the surrogate attorney may take upon appointment, including taking possession of the

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Kate is a Risk Management Consultant at Attorney Protective. When she isn't assisting members of the bar on our Risk Management Hotline, you might find her at a local barre class channeling her inner Misty Copeland.

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files and records of the practice, applying for extensions of time, and notifying clients for purposes of the clients collecting their files and hiring replacement counsel. The Rule further provides that the Court granting the petition for appointment of surrogate counsel has jurisdiction over the closed files of the attorney and may issue orders with respect to the files, including for destruction – alleviating the potential headache of the surrogate attorney and perhaps the lawyer's heirs as they wind down the practice. The Rule further provides that certain deadlines and statutes of limitation are automatically extended for 120 days from the date of filing the petition.

Florida

Florida is one state that mandates designation of a surrogate attorney. Through the state bar registration process, Florida attorneys designate an "inventory attorney" to take over if an attorney dies or becomes incapacitated. The Rule provides that the inventory attorney shall inventory the files of the subject attorney and take such action as seems indicated to protect the interests of clients of the subject attorney.[2]

California

The California state bar has an Attorney Surrogacy Program which provides a model agreement for the designation of an attorney to step in if a lawyer dies or is incapacitated. In fact, it provides a sample agreement which details the responsibilities of lawyers involved in an "Agreement to Close Law Practice in the Future" for purposes of compliance with California Business and Professions Code Section 6185 and the Probate Code.

South Carolina

South Carolina requires its attorneys to prepare "detailed succession plans specifying what steps must be taken in the event of their death or disability from practicing law."[3] The Rule contemplates designation of a successor lawyer and even provides that the designation plan may set out a fee-sharing arrangement for the successor attorney.

Illinois

Illinois requires active, practicing attorneys to state in their annual registration whether their organization has a written succession plan.[4] However, the Rule interestingly does not require a plan exist.

New York

The New York Rule of Professional Conduct regarding diligence (Rule 1.3 and its Comment 5) mirrors the ABA Rule in stating that "to avoid possible prejudice to client interests, a sole practitioner is well advised to prepare a plan that designates another competent lawyer to review client files, notify each client of the lawyer's death or disability, and determine whether there is a need for immediate protective action."[5] While designation of a successor attorney is not required, it is certainly recommended.

Texas

The Texas State Bar urges its attorneys to develop succession plans and even designate a custodian-attorney in advance. Texas practitioners can use the state bar portal to designate a custodian-attorney. The custodian-attorney does not inherit the lawyer's law practice, but it is anticipated they will serve in a more limited role to wind down the practice. Texas likewise provides that upon notice of the unexpected death of a busy solo practitioner (in the absence of any succession plan), the Office of Chief Disciplinary Counsel or other interested person may petition the Court to assume jurisdiction of the lawyer's practice. Pursuant to the rules, the Court will appoint a Texas attorney to serve as a custodian-attorney.[6]

How can I set up my surrogate attorney for success?

Quite simply, efficiently running your practice is the best way to prepare your surrogate attorney in the event they will need to step in to fill your shoes. Regardless of the size of your practice, implementing and documenting consistent office procedures and protocols is paramount. By developing a manual or simple training materials that clearly communicate how to use the firm's calendaring system, the conflicts check procedure, and accounting systems or billing software, the surrogate attorney should be able to seamlessly transition into your practice.

Practically speaking, perhaps most important means to ensure a smooth transition is maintaining an active file list and calendar. The surrogate attorney's first order of business will likely be reviewing your file list and cross-checking it against the calendar to ensure no court dates or deadlines are missed. Assistants and paralegals may assist with keeping you organized on a day-to-day basis, but they should also be well equipped to assist the surrogate attorney. Quite frankly, your practice – and maybe even your estate – is at risk if your files are poorly documented or incomplete. Develop and implement best practices in terms of organization now – for yourself and your designated surrogate attorney.

With respect to communication, the fee agreement is an effective means to advise clients who they may contact in the event of your death or incapacity. Consider adding a provision to your fee agreement with the surrogate attorney's name and contact information. Most clients will appreciate the proactive steps you have taken in protecting their interests should you be unable to continue to represent them.

While planning for the possibility of an unforeseen disability or death may make your stomach turn, designating a surrogate attorney can be the perfect remedy (without the chalky aftertaste).

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[1] *Indiana Disciplinary Rule 23, Section 27(b)(1).*

[2] *Florida Rule of Professional Conduct 1-3.8(d).*

[3] *South Carolina Rule of Professional Conduct 1.19(a).*

[4] *Illinois Supreme Court Rule 756(g)(4).*

[5] *New York Rule of Professional Conduct, Rule 1.3, Comment 5.*

[6] *Texas Rule of Disciplinary Procedure 13.04.*

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Monica has over 20 years of expertise in the insurance industry. She is an avid animal lover and shelter volunteer who is passionate about cooking, fishing, spending time with her daughters and of course insurance!