



WSSFC 2023

Practice Management Track – Session 2

Know Your Niche

Presented By:

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Collin Schaefer, Ogden Glazer + Schaefer, Madison

About the Presenters...

Mayville “May” LaRosa is an Associate at Law Office of Pietro Canestrelli, APC, a boutique tax controversy firm in Temecula and San Diego, CA. She holds a B.A. in Jurisprudence from University of Baltimore, a J.D. and L.L.M (Taxation) from Thomas Jefferson School of Law. Before joining Law Office of Pietro Canestrelli, May was a solo practitioner. She is a member of the Dane County Bar Association, San Diego Bar Association, and State Bar of Wisconsin. In her spare time, she likes crocheting and working on her student private pilot license.

Anthony Murdock is a founding member of Murdock Law, S.C., a Milwaukee-based firm that grew out of the idea that the practice of law could be more efficient, more profitable, and even fun. He believes that staying at the forefront of technology and focusing on continual, incremental improvements are the keys to running a successful firm. Murdock Law helps individuals and businesses resolve their commercial, construction, and insurance disputes.

Collin Schaefer is a partner in the law firm of Ogden Glazer + Schaefer. He received his undergraduate degree from Bradley University in International Business and Spanish, and his law degree from the University of Wisconsin. After graduation, Collin started practice in Dodge County before opening a solo firm in Cedarburg and eventually, merging his firm with Erin Ogden and Jeff Glazer of OgdenGlazer. At OG+S Collin’s practice focuses on startups, securities, alcohol beverage licensing\permitting, trademarks and real estate. Collin is the past president of the Dodge County Bar Association, the Cedarburg Chamber of Commerce, and is a volunteer with Legal Action’s Eviction Defense Project. Outside of the office, Collin enjoys spending time with his wife (Kim) and son (Noah), gardening, and hiking.

Know Your Niche - Ethical Considerations

The following are the Wisconsin Rules governing the professional conduct of attorneys in our State. Please reference this during the panel discussion if you have additional questions, or if having the rules handy during the presentation is helpful.

Wisconsin Rules of Professional Conduct

SCR 20:7.1 Communications concerning a lawyer's services A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it: (a) contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading; (b) is likely to create an unjustified expectation about results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law; or (c) compares the lawyer's services with other lawyers' services, unless the comparison can be factually substantiated; or (d) contains any paid testimonial about, or paid endorsement of, the lawyer without identifying the fact that payment has been made or, if the testimonial or endorsement is not made by an actual client, without identifying that fact.

SCR 20:7.2 Advertising (a) Subject to the requirements of SCR 20:7.1 and SCR 20:7.3, a lawyer may advertise services through written, recorded or electronic communication, including public media. (b) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may: (1) pay the reasonable cost of advertisements or communications permitted by this rule; (2) pay the usual charges of a legal service plan or a not-for-profit or qualified lawyer referral service. A qualified lawyer referral service is a lawyer referral service that has been approved by an appropriate regulatory authority; (3) pay for a law practice in accordance with SCR 20:1.17; and (4) refer clients to another lawyer or nonlawyer professional pursuant to an agreement not otherwise prohibited under these rules that provides for the other person to refer clients or customers to the lawyer, if (i) the reciprocal referral arrangement is not exclusive; (ii) the client gives informed consent; (iii) there is no interference with the lawyer's independence of professional judgment or with the client-lawyer relationship; and (iv) information relating to representation of a client is protected as required by SCR 20:1.6. (c) Any communication made pursuant to this rule shall include the name and office address of at least one lawyer or law firm responsible for its content.

SCR 20:7.4 Communication of fields of practice (a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. (b) A lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "patent attorney" or a substantially similar designation. (c) A lawyer engaged in admiralty practice may use the designation "admiralty," "proctor in admiralty" or a substantially similar designation. (d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless: (1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate state authority or that has been accredited by the American Bar Association; and (2) the name of the certifying organization is clearly identified in the communication.

ABA Model Rules

The following are the ABA model rules of professional conduct related to the Know Your Niche presentation. Please reference this during the panel discussion if you have additional questions, or if having the rules handy during the presentation is helpful.

Rule 7.1: Communications Concerning a Lawyer's Services. A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading.

Rule 7.2: Communications Concerning a Lawyer's Services: Specific Rules

(a) A lawyer may communicate information regarding the lawyer's services through any media.

(b) A lawyer shall not compensate, give or promise anything of value to a person for recommending the lawyer's services except that a lawyer may:

(1) pay the reasonable costs of advertisements or communications permitted by this Rule;

(2) pay the usual charges of a legal service plan or a not-for-profit or qualified lawyer referral service;

(3) pay for a law practice in accordance with Rule 1.17;

(4) refer clients to another lawyer or a nonlawyer professional pursuant to an agreement not otherwise prohibited under these Rules that provides for the other person to refer clients or customers to the lawyer, if:

(i) the reciprocal referral agreement is not exclusive; and

(ii) the client is informed of the existence and nature of the agreement; and

(5) give nominal gifts as an expression of appreciation that are neither intended nor reasonably expected to be a form of compensation for recommending a lawyer's services.

(c) A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law, unless:

(1) the lawyer has been certified as a specialist by an organization that has been approved by an appropriate authority of the state or the District of Columbia or a U.S. Territory or that has been accredited by the American Bar Association; and

(2) the name of the certifying organization is clearly identified in the communication.

(d) Any communication made under this Rule must include the name and contact information of at least one lawyer or law firm responsible for its content.

Additional Reading

The following articles and links are additional reading on niche practices that attendees may find interesting.

Buchdahl, Micah, (2017) The Pro and Cons of Niche Practice Marketing, *The Niche Marketing Issue*, (November 2017) <https://www.lawpracticetoday.org/article/pros-cons-niche-practice-marketing/>

Another Pitch for the Niche

By Carolyn Elefant | December 5, 2008

I've posted [before](#) on the value of a niche practice to a successful law practice, but two items in today's news make me realize that it's time for an encore. First up, this [Los Angeles Times](#) story describes a 26 year old biglaw associate who heads a team of lawyers at a large firm — all because he came up with the idea of a video game practice area. Today, the group handles a variety of issues, including licensing, IP, legal issues related to virtual worlds, contracts, tax, immigration issues associated with foreign workers and consumer fraud and class actions. Second, here's a [story](#) about Texas lawyer Zandra Anderson, who decided to specialize in dog law, after she was pushed out of medical malpractice and personal injury work by tort reform legislation. Today, she has a statewide practice, [Texas Dog Lawyer.com](#).

Most lawyers resist niches, fearing that they're too limiting – both intellectually and from a marketing perspective. As to the first point, niches, though deep also run broad. Most niches require knowledge of a variety of cross over practice areas. For example, a dog lawyer encounters issues related to wills and trusts (i.e., who will take care of a dog after you're gone); custody in divorce cases not to mention regulatory issues governing veterinarian practices or animal control and of course, dog bite cases. In many cases, a niche lawyer may need to team up with other attorneys to handle these diverse issues.

A niche also makes you more marketable, not less because it makes you memorable. Here in DC, one of my colleagues David Kaufman is an attorney who does [Business Brawls](#) – litigating business deals gone bad. I've been at networking lunches and even though there may be 20 other people who do litigation, the one person everyone remembers is David or “that business brawls guy.” Though I've never asked him about it, I'm sure that he winds up getting other types of litigation matters just because of the memorability factor.

Niches have at least two other benefits. First, they give you broader range. As a niche attorney, you can often capture a state wide or even national market instead of just competing on a local level. Second, niches are great for the ego because they allow you, in the [words of Seth Godin](#) to be “the best in the world,” even if that world is narrow. For a lawyer starting out, being the best “event and party planning lawyer in Illinois” or the best entirely virtual, non-profit lawyer in the country can offer a huge boost to the ego.

Remember, you don't have to do the niche all the time – starting out, your niche may not account for more than 10-20 percent of your revenue. But even a narrow focus can get you broad exposure for your entire practice.

Do you have an interesting niche, or idea for a niche? Please share it below.

Why a Niche Practice is Good for Legal Ethics and Great for Business

Posted on [May 18, 2015](#) | Comments Off



The very first ethics rule says lawyers must be competent in matters or fields in which they represent clients. Rule 1.1 (Competence) requires you to have substantive knowledge of the law and prepare thoroughly for the representation.

Another ethics rule says lawyers must be diligent in representing clients. Rule 1.3 (Diligence) requires you to take lawful and ethical measures to meet your client's objectives, follow through on potential solutions, and attend to matters in a timely manner.

While general practice lawyers are competent and diligent in most cases, being too much of a generalist can lead to mediocre work, dissatisfied clients, and subpar outcomes.

In contrast, developing a niche practice allows you to focus on specific areas of law and deepen your knowledge and experience in those areas. Having a niche usually leads to more personalized client service and better results for clients.

What is competence?

ABA Model Rule 1.1, which is wholly adopted in the Minnesota Rules of Professional Conduct, states:

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

Competence can be achieved by reasonable preparation, necessary study, and association with a lawyer of established competence in the field. The lawyer does not need to have "special training or prior experience" to handle a matter competently.

But in some circumstances, expertise in a particular field of law is required. The complexity and specialized nature of a matter is relevant. The lawyer's general experience, the lawyer's training and experience in the field, and the preparation and study the lawyer is able to give the matter are also significant.

The lawyer should also keep abreast of changes in the law and its practice, engage in continuing study and education, and comply with all continuing legal education requirements to which the lawyer is subject.

Developing competence requires focus. And it's easier to focus when you choose, build and market a niche practice.

What is diligence?

ABA Model Rule 1.3, which is wholly adopted in the Minnesota Rules of Professional Conduct, states:

A lawyer shall act with reasonable diligence and promptness in representing a client.

Diligence involves pursuing a matter for the client "despite opposition, obstruction, or personal inconvenience to the lawyer" and using lawful and ethical means to achieve a client's objectives.

Diligence also includes controlling your work load so you handle every matter competently. It also means avoiding procrastination and neglect of client matters. Comment 3 of Rule 1.3 states:

A client's interests often can be adversely affected by the passage of time or the change of conditions; in extreme instances, as when a lawyer overlooks a statute of limitations, the client's legal position may be destroyed. Even when the client's interests are not affected in substance, however, unreasonable delay can cause a client needless anxiety and undermine confidence in the lawyer's trustworthiness.

Being diligent requires promptness, responsiveness, and awareness of important details. These qualities are harder to sustain when your attention is scattered across multiple practice areas and a wide range of client matters.

Why is a niche practice good for legal ethics?

When solos and small firm lawyers practice in multiple areas – immigration, criminal law, estate and wills, and family law, for instance – they can spread themselves too thin. If you try to take on every conceivable client in every possible situation, you normally have less time, capacity and experience to provide competent and diligent representation. A niche practice helps you to minimize distractions and set your top priorities.

1. You're better able to keep up with changes and nuances in the law

By focusing on your core competencies, you're more likely to stay abreast with changes in the law and to understand complex issues. When you have a niche practice, you have more time and interest to read books, law journals, articles, case law, legislation and practice guides, join organizations, attend advanced CLEs, and write and speak about your areas of law. You're better positioned to know the law inside out, and therefore serve your clients competently and diligently.

If you're a generalist, you normally have less time and fewer resources to build your knowledge and expertise in specific areas. Your knowledge is more likely to be a mile wide and an inch deep, which affects the level of competence and diligence you bring to client matters.

2. You have more opportunities to develop your expertise

When you establish yourself as an expert in your niche area, you attract more clients with the problems that you solve. You can take your niche practice to the next level by developing sub-specialties in that area. Focusing on subsets can be particularly beneficial when there are plenty of lawyers in your niche.

A niche practice leads to more opportunities to develop your knowledge, skills and experience in your areas of strength and interest. This makes it much easier for you to avoid pitfalls, spot latent but critical issues, and develop creative and viable solutions for your clients.

3. You become more attentive to clients and more focused on client matters

Having a niche practice encourages you to select the clients you want to work with and the types of matters you want to handle. Being more selective allows you to attend to your ideal clients and to do more meaningful work.

The more familiar you are with the area of law, the more effectively you can deliver the work product, communicate with clients, and provide accurate advice. You know who to call and what resources to use. You are better able to evaluate the strengths and weaknesses in a case, choose the best strategies, overcome obstacles, and make educated guesses about the outcome.

Developing a niche practice not only allows you to be competent, but also to be diligent in attending to client matters. You become more efficient, productive and streamlined in what you do.

Why is a niche practice great for your law firm?

Competence and diligence are basic ingredients of a successful law practice. Limiting your services to certain areas and/or subareas of the law generally leads to deeper expertise, unique experience and higher success rates in client matters. In turn, this increases the odds of your building and sustaining a successful law firm.

1. You find it easier to attract prospects and clients

One of the most rewarding aspects of a niche practice is being the “go-to” person for your particular area of law, industry or geographic area. For example, through education-based marketing to your target audience, you develop your credibility, reputation, and expertise in your niche.

When prospects and clients know what you do and how you can help them, it’s easier to get them to contact you and hire you. Referral sources also have a better sense of what you do and are more comfortable sending potential clients to you.

It is tempting to engage in “door law” (i.e. take any case that lands on your desk or accept any client that enters the door) – especially when you’re starting out or trying to grow your practice. But being too much of a generalist often gets in the way of building a sustainable practice.

A niche practice enables you to build a recognizable brand that stands out in the market. If you are consistent and deliberate in targeting your ideal clients with the right messages through the right medium, you are more likely to set yourself up as the expert in your area of practice.

2. You create a better work product for your clients

If you target your ideal clients, instead of take on any client, you will attain deeper fulfillment in your practice. If you practice in areas that you enjoy the most, you will be more inclined to do the necessary work for better outcomes.

Although over-specialization has risks – such as getting bored, losing out on potential clients, and having your practice tank when the economy shifts, the work dries up, or the law changes – over-generalization frequently carries even greater risks. Having more than one niche area or subarea will help you guard against the risks of limiting your practice too much.

3. You deliver exceptional client service

Practicing multiple areas of law can lead to a lack of focus, which reduces productivity, effectiveness and efficiency. Having too many types of matters to handle requires you to switch frequently from one area to another. This can leave you feeling scattered and drained. If you spread yourself too thin across multiple practice areas, it’s more difficult to wow your clients and get referrals.

By limiting your practice to niche areas in which you excel and thrive, you are more likely to respond promptly to inquiries, meet deadlines, and provide exceptional representation to your clients.

Conclusion

There are some situations where being a general practitioner works well and is a sensible choice. Effective general practitioners have a broad range of skills, knowledge and experience they can apply across practice areas. Those who live in small towns or rural areas, where there are only a few lawyers, often benefit from being generalists.

But in most cases – unless you have a reliable and well-trained team to which you may delegate duties responsibly- it’s much harder to meet your ethical obligations and run a thriving law firm as a generalist. And even when you have a great team, you – the individual lawyer – still often need a niche practice to truly build your expertise and provide exceptional service.

The advantages and benefits tend to outweigh the trade-offs and risks that come with developing a niche practice. Doing your market research, creating a business plan, and reaching out to your ideal clients are critical for your niche practice to succeed.

* * *

SPECIAL NOTE: Want to learn more about why a niche practice is good for legal ethics and great for business?

Attend the Minnesota CLE live webcast on May 26, 2015 at 9 am, titled [5 Ethics Mistakes that Solos and Small Law Firms Make \(and the Ethical Solutions to Avoid and Overcome Them\)](#).

At this 1-hour CLE, I will talk about building a niche practice, creating and implementing [systems](#), offering [unbundled legal services](#) and [flat fee agreements](#), and other ethical solutions to address 5 common ethics mistakes.

This article provides general information only. Do not consider it as legal advice for any individual case or situation. The sharing or receipt of this information does not create an attorney-client relationship.

The author, Dyan Williams, is admitted to the Minnesota state bar and focuses on the Minnesota Rules of Professional Conduct in her articles. Check your individual state rules of professional conduct, regulations, ethics opinions and case precedents, instead of relying on this article for specific guidance.

#

Photo by: [Jean-Francois Gornet](#)

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Have a niche legal practice? Here's how to describe your practice to referral sources



Here's what to say to referral sources when you have a niche legal practice that's not easily understood

February 11, 2022 Referral marketing

Lawyers with niche legal practices not well-understood by other lawyers need to convey what they do in a way that makes it easy for those other lawyers to send them referrals.

If you've read any of my blog posts or you've watched any of my videos, you know I am bullish on thought-leadership marketing and content marketing for lawyers and law firms.

Most lawyers and law firms that engage in content marketing and thought-leadership marketing focus their efforts overwhelmingly on reaching current, prospective, and past clients.

That's all well and good, but most law firms and lawyers get a fair amount of business from referrals. So they're missing a big opportunity when they do not direct their content marketing and thought-leadership marketing efforts toward referral sources.

When you are a personal injury attorney, a criminal defense attorney, a trusts and estates attorney, or another attorney with a traditional and easily understood legal practice, it is not hard to convey to your referral sources the work you do for clients and the kinds of cases those referral sources should send you.

But what happens when you're an attorney with a niche area of law that isn't well understood—even by lawyers? I'm thinking of, for example, consumer rights lawyers, insurance lawyers who focus on a niche within the insurance industry, and transportation and maritime lawyers.

Lawyers in these three practice areas have practices their referral sources might understand and be knowledgeable about at a high level. But those referral sources are not going to be as familiar with those lawyers' cases as they would be with a personal injury lawyer's cases or a criminal defense lawyer's cases. They're not going to instantly know when a case is the kind they should refer to a lawyer with one of those practices.

If YOU have a niche practice that isn't easily understood by your referral sources, and as a result you are not getting the number of referrals you think you should, you need to tweak how you communicate with your referral sources.

You need to speak to them in **fact patterns**.

Why talk to referral sources in fact patterns?

The idea of talking to referral sources in fact patterns might sound a bit weird at first.

But if you have a niche legal practice, you can't talk to your referral sources about particular statutes or court decisions as a form of shorthand. They're not going to know what the hell you're talking about. They'll be familiar with the statutes and court decisions within their practices, but most likely not those within other practices.

(Remember, the benefit of a niche practice is that it is not as prevalent a practice as broader practices, and it will require specialized knowledge that most lawyers do not have. Therefore, you can become a trusted authority in a niche area of law more easily than in a general practice on account of the (likely) scarcity of other attorneys who practice that niche area of law.)

If you have a niche legal practice, talking in fact patterns to your referral sources allows you to bridge the knowledge gap between you and the (likely) little information your referral sources have about your practice. This will help your referral sources more easily see the real-world examples of cases they should send you. Talking in fact patterns trains your referral sources to spot issues their prospective or current clients have that you might be able to help them with.

Let's say you're a consumer rights attorney and you focus on Fair Credit Reporting Act cases in which causes of action arise when, for example, a credit reporting agency does not properly resolve a false credit report it produced for a consumer.

If you talk in your marketing materials that go to other referring attorneys about FCRA cases and various provisions of the statute, those referring attorneys are going to lose interest and they're not going to care. That content is probably going to be too in the weeds to hold their attention.

But if you start talking in fact patterns, you will likely get a different result.

For example, you can say, "The kinds of cases we handle include instances when someone received their credit report and it had someone else's information on it."

Or you can say, "We help people who didn't get a job because their background check came back with incorrect criminal histories remove those criminal histories and hold accountable the companies responsible for making that error."

When you talk in fact patterns, you are talking in the kinds of frameworks easily understood by lawyers who may be able to refer you business. In fact, depending on your relationship, they can even structure their intake conversations with prospective clients to inquire about whether any prospective clients have the kinds of legal problems you can help them with. You've made it that easy for them by giving real-world examples of the work you do.

Fact patterns work in all of your referral marketing tools

What's great about speaking in fact patterns, in addition to helping your referral sources understand the kinds of client matters they can send your way, is that you can easily talk in fact patterns in all of your referral marketing materials.

You can talk in fact patterns in your referral network newsletters.

You can talk in fact patterns in your LinkedIn posts.

You can talk in fact patterns in articles you write for legal industry publications.

You can talk in fact patterns on the phone with, or in emails to, your referral sources.

Anytime you speak with a referral source is an opportune time to talk to them about your practice—in the form of fact patterns.

Talk in fact patterns, not causes of action

When lawyers engage in referral marketing, they have to make it easy for their referral sources, normally other lawyers, to send them referrals. This is especially true for lawyers with niche legal practices.

To make it easy to be referred cases, lawyers must help their referral sources understand the kinds of client matters those lawyers handle.

Talking in causes of action to referral sources, *i.e.*, “We handle Fair Credit Reporting Act cases,” comes naturally to lawyers because that's what we do throughout our day. We talk about the cases and statutes that apply to our clients' legal issues.

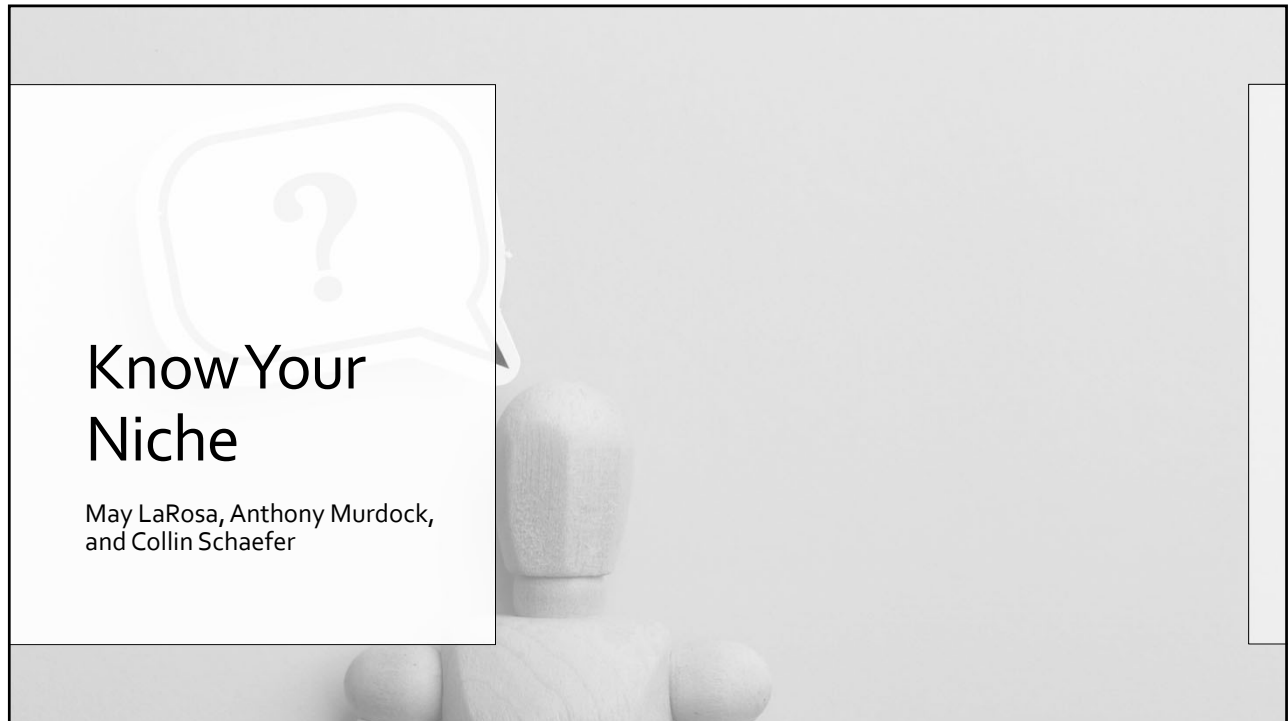
But when lawyers in niche practices talk in causes of action, they do themselves no favors with respect to engaging referral sources. Without additional guidance, those referral sources aren't going to know how to translate those causes of action to the situations clients find themselves in.

Talking in fact patterns, however, provides that translation for referral sources, and helps them understand the kinds of client issues they can send to another lawyer.

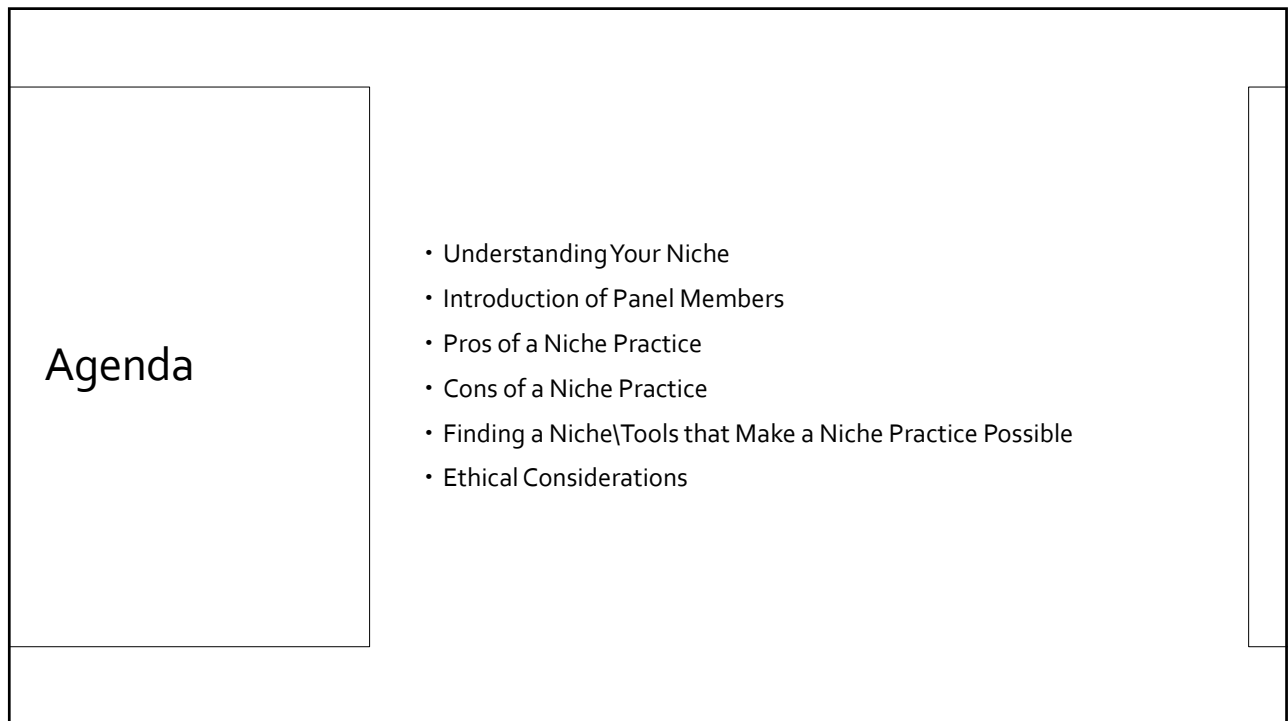
If you're a lawyer in a niche practice who wants to increase the number of referrals you receive, talking in fact patterns to current and prospective referral sources is a key first step to take toward accomplishing that goal.

Interested in more frequently engaging your referral sources through written content? [Click here to schedule a 30-minute Content Strategy Audit to learn if collaborating with an outside strategist and/or writer is the right move for you and your firm.](#)

Wayne Pollock, a former Am Law 50 senior litigation associate, is the founder of Copo Strategies, a legal services and communications firm, and the Law Firm Editorial Service, a content strategy and ghostwriting service for lawyers and their law firms. The Law Firm Editorial Service helps Big Law and boutique law firm partners, and their firms, grow their practices and prominence by collaborating with them to strategize and ethically ghostwrite book-of-business-building marketing and business development content.



1



- Understanding Your Niche
- Introduction of Panel Members
- Pros of a Niche Practice
- Cons of a Niche Practice
- Finding a Niche\Tools that Make a Niche Practice Possible
- Ethical Considerations

2



3

- Understanding Your Niche



4

Understanding Your Niche

- What is a Niche?
 - Taking a focused and targeted approach at solving a specific set of needs.
- Advertised Niche v. a Practice Niche?

5

•Panel Member Introductions – What's Your Niche?



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Panel
Member: May
LaRosa

- What is your niche?
 - Tax Controversy and Planning
- How did you find your niche?
 - Following my passion and love for history
- How do you advertise\find clients? Referrals from other firms, friends
- Personal Tips\Tricks
 - Encouraging clients to build their “Dream Team” of expertise.
 - Tax Attorney
 - Business Attorney
 - Finance/Wealth Advisor – these often work with an Estate Planning Attorney
 - CPA/EA
 - The “dream team” then become a referral source

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Panel
Member:
Anthony
Murdock

- What is your niche? Litigation: Real Estate Property Disputes (construction, misrepresentations, property insurance claims)
- How did you find your niche?
 - Working with clients on similar\related matters
- How do you advertise\find clients?
 - Website, construction trade organizations, referral sources
- Personal Tips\Tricks
 - How would potential clients search for you?
 - What questions would they ask?
 - Content to addresses those questions
 - Referral sources - Who do your potential clients talk to first?

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Panel
Member:
Collin Schaefer

- What is your niche?
 - High Growth Startups (Fundraising etc.)
 - Alcohol \ Food and Beverage
- How did you find your niche?
 - Went into law with the intention of working with startups\businesses
 - Was mentored by my business partner Jeff Glazer (seemed more appropriate than, "I love to drink")
- How do you advertise\find clients?
 - Other Attorneys
 - Frequent presentations to the State Bar on Food\Bev issues
 - Always happy to help\abundance mentality
 - Clients (word of mouth)
 - Food\Bev clients are great promoters
- Personal Tips\Tricks
 - Initial calls\meetings are on the phone or virtual
 - Join industry groups (Brewers Guild of Wisconsin)
 - Blog baby, blog!

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•How to Find a Niche



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How to Find a Niche

- Identify your strengths and weaknesses
- Identify your ideal clients
- Market research
 - How do clients find you?
 - How do clients find your competitors?
 - Is there demand for your niche in your area?
 - Either expand your geographic area or
 - Expand your practice area

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How to Find a Niche cont.

- Thoughts on Marketing
 - Blog and Whitepapers (SEO in a niche may be easier!)
 - Referrals from other attorneys (collaboration\abundance approach)
 - Presentations (State Bar \ Local Bar Association)
 - Attending other Non-Legal Conferences (Expo table)

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•Pros of a Niche Practice



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Pros of A Niche Practice

- Clients are more interested in hiring experts* rather than general practitioners.
- Ability to command higher rates.
- Focused marketing: Stand out from the crowd
 - Less competition the more specialized a Niche becomes
 - e.g. Estate Planning (broad niche) v. estate planning for digital assets (narrow niche).
 - The Key is to find the right balance
 - Only attorney at a lot of conferences
- Focused practice = better lawyering in that practice areas.
- Easier to become knowledge leader\trusted advisor.

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•Cons of a Niche Practice



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Cons of a Niche Practice

- More volatile
 - Can you pay the bills?
 - Turning away work that you may depend on.
- If the market changes, may need to reinvent yourself
- Less interesting for some attorneys
- Mentorship of new talent even more important to grow your practice

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- Ethical Considerations



17

Ethical Considerations

SCR 20:7.1 – Communications Concerning a Lawyer’s Services

- A lawyer shall not make false or misleading communications about their services.

18

Ethical
Considerations
cont.

SCR 20:7.2 Advertising

- A lawyer shall not compensate, give or promise anything of value to a person for recommending the lawyer's services except that a lawyer may
 - (1) pay the reasonable costs of advertisements or communications permitted by this Rule;
 - (2) pay the usual charges of a legal service plan or a not-for-profit or qualified lawyer referral service;
- A lawyer shall not state or imply that a lawyer is certified as a specialist in a particular field of law

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Ethical
Considerations
cont.

**SCR 20:7.4 Communication of Fields of Practice
Communication of Fields of Practice and Specialization**

- Lawyers may communicate information about their fields of practice, but they must do so in a way that is not misleading or deceptive.
- Model Rules allow lawyers to indicate areas of law in which they practice, but they must be cautious not to create unjustified expectations. Don't call yourself in "Expert" or a "specialist" unless you have received official recognition or certifications in a field of law.

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Questions?

