

# African American Law Firms and The Importance of Strategic Advertising

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## **Abstract**

African American (AA) law firms in the 21<sup>st</sup> century have found themselves competing for market sustainability in a majority led industry that spends billions on advertisements (Li 2017). AA attorneys as a whole are continuously finding themselves collectively pouring millions of dollars in radio and television advertisements in order to acquire new clients to survive. Interestingly, no sound advertisement strategy is usually executed by these well intended but misguided law firms at the majority and minority levels and both types of firms end up spending a lot of valuable money in various media outlets that produce little or no positive financial results. Therefore, it is recommended that sound marketing advertising theory based on theoretical and practical advertising strategies be used to yield high returns that will position an AA law firm to achieve a sustainable competitive advantage in the marketplace at very little cost with better returns on advertisement investments. The AIDA model (Lavidge & Steiner, 1961) and five other strategies (Gotter 2018) where an emphasis on internet and viral marketing are offered as great tools to provide quantitative, qualitative and search engine optimization procedures to measure advertising effectiveness and establish efficiencies in a cluttered and poorly executed advertising age of law firms that currently exist.

## **Introduction**

African American (AA) firms that fail to apply sound advertising strategies waste a lot of money and lose market presence because of ill developed projects aimed at creating new business through mass media outlets. Additionally, firms fail to understand the important fact that an advertisement may achieve its communication objectives (getting the message out), but fail miserably at achieving its behavioral objectives which

is the actual purchase of a service or good. Therefore, several advertising strategies should be employed to assure successful campaigns are achieved in the marketplace. Specifically, a firm should set communication objectives as well as behavioral objectives. Separation of these two outcomes are key to measuring advertisement effectiveness and efficiency. After the communication and behavioral objectives have been set, AA law firms can then apply each objective at the AIDA model level and precisely execute an effective advertising campaign that can be quantitatively and qualitatively be measured at every level. The AA firm must make sure it utilizes excellent Search Engine Optimization (SEO), AdWords and other internet-based strategies to successfully target and convert potential clients into active customers. Law firms are also actively advertising on Instagram to reach younger audiences in need of legal representation (Shruthi 2018).

## **Discussion**

First, the AA law firm should set clear objectives concerning the advertising campaign it wants to execute (Duncan 2005). Objectives should answer the following three questions: (1) Why are we doing this ad campaign? (2) What message and copy content strategy should be used to successfully reach our targeted client? and finally, (3) What type of response do we expect from the advertisement campaign (financial, customer acquisition etc.)?

So many firms have made major mistakes not knowing what to expect from an advertising campaign. It is all too common to find companies advertise consistently in the same media because that is what their competitors are doing. Sadly, most of the time,

companies advertise repeatedly because they are following their competitors and experience no positive returns financially or otherwise. A common mistake by many firms is that share of voice (advertising repeatedly in various media) doesn't equate into positive financial returns or increase top of mind recall by consumers. Therefore, by stating clear communication and behavioral objectives, negative outcomes are substantially reduced concerning the advertisement campaign.

When setting objectives, law firms should determine whether the ad campaign will yield increased awareness, increase interest, create a desire for the service or promote the action to obtain the service (retain the lawyer). This is what is known as the Attention, Interest, Desire and Action model (AIDA) of advertising (see Fig. 1). AIDA is similar to and based on the Maslow's hierarchy of needs pyramid theory (Maslow 1968). Marketing theory further developed the Hierarchy of Effects Model (HOEM) to bring relevance to the process or stages of response that consumers will go through as they are exposed to an advertisement. Consequently, the AIDA portion of the HOEM is the most focused area as it pertains to consumer choice via an ad exposure during the purchase intent process. Therefore, to understand the AIDA model, one must understand Maslow's hierarchy of needs model which states that all need levels are pre-potent (gets their strength or can't be obtained until lower ordered needs are met). Interestingly, there is greater probability for lower ordered needs to be achieved than higher ordered needs. Therefore, as one goes up the pyramid of needs, the probability of achieving them is more difficult and some levels are never reached by individuals at all. The AIDA model performs exactly the same way.

First at the base of the AIDA model, is awareness or attention. What this means is that the most probable thing an advertiser should ever expect to get as a result of an advertising campaign is awareness generated to the targeted audience. This means when setting objectives, awareness should be at the top of the list of results a firm should expect to achieve. After the targeted audience has been exposed to the ad campaign, the law firm should expect people to know who they are, where they are, what separates them from other firms, how they can be reached and what service they provide. This should be the fundamental and most anticipated response to an effective ad campaign. Additionally, measures of awareness can be easily conducted for effectiveness by recall and recognition research randomly conducted through telephone surveys in a given target market area. The key thing a law firm should know is that awareness is the most powerful response to expect from advertising and that it does not guarantee immediate revenue stream. Awareness can lead to financial increase for a firm but it will occur gradually over time and not immediately realized. Therefore, advertising should not be looked at as a quick fix remedy for long term profitability. It will take time for the effectiveness of an advertising campaign to be realized by law firms so proper planning and patience are essential.

Next, the law firm should expect interest of the potential client towards the firm's service to be generated by an ad campaign. As the ad is repeatedly played on various media, consumers will become aware of the firm's name and its specialization and begin to seek more information about the firm in case the need ever arises for that law firm's services. Some ad campaigns are so powerful that the consumer may start to focus on the service provided even though they never thought that it was needed.

Thirdly, the law firm should expect to stimulate desire within the potential client that will set their law firm apart from other law firms by communicating the uniqueness of the firm and areas of specialties that the firm can provide. When a potential client is at a point of choosing within their evoked set of law firms, the ad campaign must have contained elements in it that will stimulate a desire that goes beyond the need level that will propel the potential client into pursuing the law firm. Claims in the ad that show how much compensation has been won by the law firm or dollar amounts of settlements will help the potential client lean towards a desire to get a particular firm to handle his/her case. This is the point where the client pursues the law firm. Notably, this stage in the AIDA model is one the most difficult stages to get a potential client to. Most potential clients don't make it to this stage and level in the advertising effectiveness pyramid.

Finally, the least likely stage a potential client will reach who's been exposed to the ad campaign several times is at the action level. The ability to get a potential client to act (purchase or pay retainer) is very difficult to attain by a law firm based on advertisements alone. The probability of a potential client retaining a law firm based on advertisement exposure is very unlikely. It is the least likely behavior to expect based on the AIDA model. However, if the objectives are clearly set at each stage of the AIDA model within an advertising campaign a firm can be more realistic about the expectations it expects to receive from an ad campaign. Notably, if a law firm were to quantify the probability of the effectiveness of an ad on its target audience, the firm could justify budget spending more confidently and efficiently. This could easily be done by knowing what percentage of the target audience are affected by the advertisement. The AIDA

model makes its strongest contribution here by showing that after the potential client is exposed to the advertisement, 50% of them would become aware of the firm. Secondly, 25% of potential clients exposed to the ad would then go further to the stage of actually being interested in finding out more about the firm. Next, 12% would develop a desire to further pursue the firm to evaluate what it really does unique versus other firms. However, in the end, only 6% of all potential clients that saw the advertisement would be moved to act or even retain the law firm for services.

Next, the African American led law firm must now utilize robust and effective strategies to identify and successfully hit the intended target of its campaign. Gotter (2018) offers 5 strategies that help African American law firms effectively reach their objectives. (1)

Optimize Search Engine Online content. This is achieved by using key words in your search engine optimization (SEO) strategy where a definite term resonates with the desired client that the firm is targeting. (2) Create an easy to navigate website, blog and vlog. It is important to make sure that the website and all pages are easy to read, navigate and digest. Too often, law firms cram and clutter content on their website and the potential client can't get a good understanding of what the law firm specializes in. As a result, the potential client quickly moves on to another website that is more easily readable, and the content is laid out very plain and simple. (3) Offers, contact forms and call to action (CTA) should be utilized in the content strategy in order to get a response from a potential client and measure the advertisement's effectiveness. Offers include statements that will allow the client to not have to pay anything at all for initial consultation and or the entire case process. Contact forms should be clearly and simply designed to get the potential clients contact information in order to follow up in case the

potential client is shopping around for different representation concerning their case. Next, there should be a call to action (CTA) where clients are required to act now or call immediately to receive immediate free consultation in the next specified allotted time. The time limited will prompt the potential client to sense the urgency to act now or potentially lose out on a great opportunity to receive the desired service they would like to receive. (4) Incorporate distinctive branding to set yourself apart. At the heart of becoming the top of mind firm for a potential client, an African American Law Firm must develop a distinctive Brand that can be a slogan, Unique selling Proposition (USP), positioning statement, symbol or jingle. Many African American law firms have set themselves apart from others by developing Rapp jingles at the beginning and end of their advertisements. The Rapp jingles are used to reinforce the benefits and advantages of using their law firm. The benefits and advantages are tied in closely with the firm's ability to be able to deliver distinctively from all others they may be considering. Finally, (5) Use Adwords to increase visibility. Google Adwords can be purchased from Google Incorporated and will appear after a potential client searches for "lawyer" or "African American Lawyer" in a search engine. The search engine will immediately pop up with the Firm's information where the address, phone number, website link, slogan, positioning etc. is seen to give the potential client a quick synopsis of the Firm's offerings and services.

### **Conclusion**

Therefore, setting clear communication and behavioral objectives at various levels of the AIDA model, developing a mix of different ad portrayals and key strategies to capitalize on where a potential client might be at in retaining a lawyer are key to a firm's



overall profitability and efficiency. It would be myopic to just set general objectives such as to “increase clients”, or to “grow market share” as successful outcomes. Firm’s that only advertise in traditional media outlets will probably never get significant increase in clients because the modality to find Law Firms and many services are now internet and search engine driven. The firm would be setting itself up for failure in that it would not know how to measure the effectiveness of its advertising outlays and utilization SEO strategies. Therefore, it pays to develop a sound advertisement strategy by setting practical communication and behavioral objectives that are consistent with marketing theory and practice. This would help to develop and maintain a viable ad campaign that will aid the law firm in positioning itself as the preferred firm in a potential client’s mind when the need arises for legal counsel. African American law firms would be able to justify advertising budgets with measurable inputs that would help predict better returns on their initial outlays and created an opportunity to be able to compete with majority firms in a more efficient and effective manner. Finally, utilizing Search Engine Optimization, Adwords and other internet advertising resources will ensure that African American Law Firms not only have a presence in a very competitive marketplace, but also have the ability to effectively reach its target audience.

## Bibliographies

Aaker, David and John G. Myers (1982), *Advertising Management* (2nd ed.), Englewood Cliffs, N.J.: Prentice-Hall.

Duncan, Tom (2005), *Advertising and IMC* (2<sup>nd</sup> ed.), New York, New York. :McGraw-Hill Irwin

Ferrell, O.C. and Hartline, Michael (2005). “*Marketing Strategy: Hierarchy of Effects; The AIDA Model,*” Thomson South-Western.

Gotter, Ann (2018) “5 Effective Advertising Law Firm Strategies,” Disruptive Advertising, Retrieved from <https://www.disruptiveadvertising.com/marketing/law-firm-advertising/>

Lavidge, Robert and Gary Steiner (1961), "A Model for Predictive Measurements of Advertising Effectiveness," *Journal of Marketing*, 25 (6), 59-62.

Li, Victor (2017), Legal Advertising Blows Past \$1 Billion dollars and Goes Viral, ABA Journal, Retrieved from [http://www.abajournal.com/magazine/article/legal\\_advertising\\_viral\\_video](http://www.abajournal.com/magazine/article/legal_advertising_viral_video)

Maslow, Abraham (1946) “A Theory of Human Motivation,” *Psychological Review*, 50, 370-96

Maslow, Abraham (1954) “Motivation and Personality”, New York, Harper and Row, 2-230.

Maslow Abraham (1968), “Towards A Psychology of Being”, New York: Van Nostrand Reinhold, 189-215.

Shruthi (2018). “How Law Firms Can Advertise on Instagram”, Retrieved from <https://good2bsocial.com/how-law-firms-can-advertise-on-instagram/>

Preston, Ivan L., and Esther Thorson. “The Expanded Association Model: Keeping the Hierarchy Concept Alive. ” *Journal of Advertising Research* 24, 1 (1984):59-65.

Ray, Michael L., “Marketing Communications and The Hierarchy of Effects”.’ *Sage Annual Review of Communication Research*, F. Kline ed. 1973.

Figure 1



*The AIDA Model*