

## Process helps lawyers accept, implement innovation

Janet Ellen Raasch

*Janet Ellen Raasch is a writer, ghostwriter and blogger ([www.constantcontentblog.com](http://www.constantcontentblog.com)) who works closely with professional services providers – especially lawyers, law firms, legal consultants and legal organizations – to help them achieve name recognition and new business through publication of keyword-rich content for the web and social media sites as well as articles and books for print. She can be reached at (303) 399-5041 or [jeraasch@msn.com](mailto:jeraasch@msn.com).*

Marketers operate in the realm of innovation. If it's been done before, they believe, it's rarely worth doing the same way again. Most lawyers, by contrast, operate in the realm of precedent. If it hasn't been done before, it's risky.

A special challenge arises when the two worlds meet – when eager marketers try to lead cautious-by-nature lawyers into the uncomfortable territory of innovation.

Plus, there are additional reasons why lawyers in general are loath to innovate. They tend to be impatient, which makes them poor listeners in marketing meetings. They are afraid of failure. They fear being held accountable for bad results

Although getting lawyers to innovate is challenging, it's not impossible. Lawyers are process-oriented. Marketers who want to encourage lawyers to innovate can achieve success by acknowledging this fact and following a careful step-by-step process. Identify in advance what might hinder you, and figure out how to fix it.

“In addition, lawyers enjoy success just as much as the next person,” said Larry Kohn. “Marketers who want to advance an innovative project should counter-balance lawyers’ lack of patience, fear of failure and fear of reprisals with a clear vision of the value of a successful marketing project in advancing a lawyer’s or a law firm’s success.

“Always ask yourself and your lawyers, is the risk of failure or reprisal so great that it cancels out the many, rich benefits of success?” said Kohn. “If you are truly honest with yourself, you have to admit that it rarely does.”

Kohn discussed how law firm marketers can identify, develop and implement innovative ideas in a law firm at the monthly educational meeting of the Rocky Mountain Chapter of the Legal Marketing Association ([www.legalmarketing.org/rockymountain](http://www.legalmarketing.org/rockymountain)). The presentation took place Sept. 11 at Fogo de Chao restaurant in LoDo, Denver.

Kohn has been president of Los Angeles-based Kohn Communications for 27 years. During that time, he has worked with more than 1,000 law firms and conducted more than 28,000 individual lawyer coaching sessions. He is co-author of two popular books, most recently *Selling in Your Comfort Zone (Safe and Effective Strategies for Developing New Clients)*.

### **Process to successful innovation**

Kohn's innovation process involves nine steps.

*Generate an innovative idea.* “Innovative ideas are all around us,” said Kohn. “I ask lawyers to actively generate their own ideas, which trains them to think about innovation. I ask them to look outside the carefully defined world of law to the greater world around them to discover transferable strategies.

“I want them to see the world not as noise, but as a catalyst,” said Kohn. “Which things in your environment set themselves apart from the noise and get your attention? For example, why do you open one piece of junk mail and not another? How can what you observe in the wider world be applied to your practice or your law firm?”

*List the benefits of implementing this idea.* Begin by listing the personal benefits to you if your idea succeeds. Will you make more money? Will you achieve a greater profile within the firm? A clear understanding of these potential benefits makes it much more likely that you will work hard to achieve your innovation. Move on to list the benefits to the law firm. Arm yourself with research that substantiates your claims.

*List the risks of not implementing this idea.* Once again, start with the personal risks and move on to the firm-wide risks. Are you happy with your career just the way it is? Does your firm have all the work it needs? What is likely to happen if you do nothing? Once again, substantiate. Do your research. Prepare and rehearse language that clearly expresses the risk of doing nothing.

*Prepare your strategy for implementation.* “The two greatest motivators are safety and fear,” said Kohn. “A ‘safety’ strategy emphasizes the good and protective things that will happen as a result of your innovation. A ‘fear’ strategy emphasizes the bad things that will happen if you fail to innovate.

“Any strategy must also include a maintenance component,” said Kohn. “What needs to happen next? Who will be responsible? Always negotiate the next step. Keep the ball in your own court so that you can keep things moving.”

*Why will your strategy be effective?* List all of the reasons that your strategy will be effective. Anticipate every possible argument questioning these reasons. If you do not have a ready answer, do some additional research. Read, talk with others, surf the internet. The answers are there. Be prepared to answer any question with solid facts.

*What resources will you need?* New ideas require resources, which can include time, money, hired expertise and equipment. Any one of these can be a roadblock on the road to acceptance of your planned innovation, unless you have carefully considered them ahead of time, determined the cost and determined the reasons why the innovation is worth the cost.

*What are the obstacles to implementation?* “Step back from your innovative idea and examine it like an objective observer,” said Kohn. “Imagine every possible objection that someone could have. Consider every possible event or trend that could de-rail your idea. Decide ahead of time exactly how you will counter every single one of these objections or roadblocks.”

*What is your recommended deadline?* Have in mind an absolute deadline by which your innovation should become reality. Set the date, and then work backwards to create interim deadlines. Be rigorous about meeting these deadlines.

*Who are your ideal advocates?* If your innovation is personal, who in your life needs to be on board in order for you to succeed? Who can help you achieve your goals? If your innovation is for the law firm, you will need powerful internal advocates – both to get your idea accepted and then, once it is accepted, to get the resources you need. Have your advocates lined up before you even propose your idea. Do this in private.

“Innovation can be challenging for individual lawyers as well as law firms – and for the law firm marketing professionals who work with them” said Kohn.

“Careful preparation makes all the difference,” said Kohn. “Following this process to lay the necessary groundwork makes it much more likely that lawyers will conquer their fear of innovation, failure and reprisal -- and focus instead on the ‘success’ side of the innovation equation.”