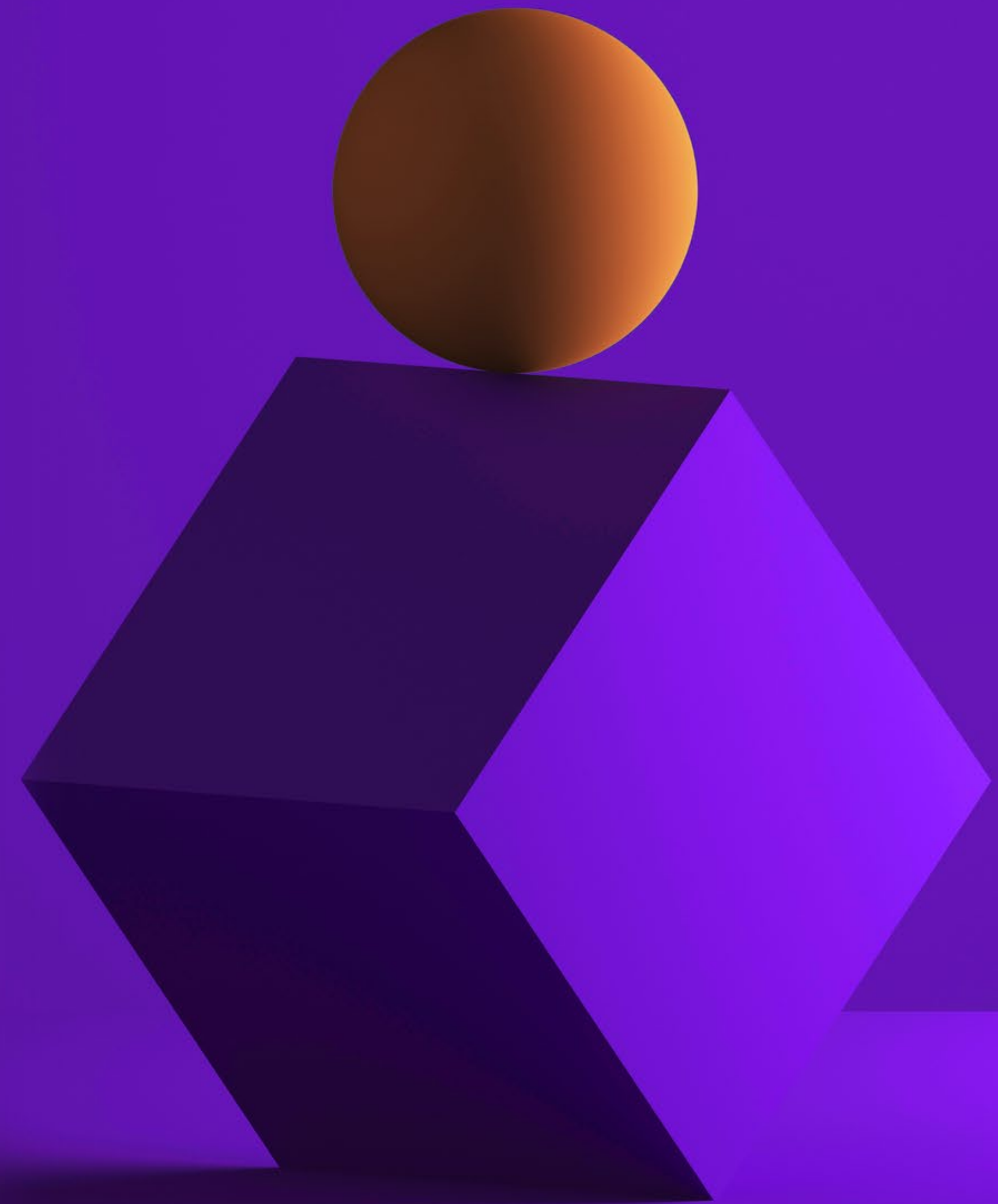


The Deliberative World of Law Firm Branding:

For law firm CMOs, setting the business apart starts with making the case for brand



Introduction

Among marketing leaders, the law firm CMO stands alone—facing unique challenges when seeking to harness the power of brand for the good of their organization. Law firms can benefit from having strong brands just as all other providers of professional services. But they don't—and can't—approach branding and agency partnerships as other businesses do. Caught in that tension is the law firm CMO, who stands with one foot in the world of disciplined legal culture and practices and the other in the intuitive, human and emotional world of brand persuasion and engagement. The law firm's ability to wield brand as a value creation tool rests on the CMO's ability to make the case for it—and to initiate a rebrand process that unites the entire firm behind it.

Stakes are high for getting a law firm rebrand or brand refresh greenlit and completed. Perceptions of law firms (and expectations for them) have fundamentally changed in recent decades, making competition more complex and nuanced. The CMO knows brand can help their firm face these challenges and make the critical impacts for which they're accountable, even in a transformed landscape:

- Differentiating the law firm from its competition
- Enhancing the firm's reputation across clients, prospects and legal talent
- Developing an energizing, unifying and inspiring culture (including post-merger/acquisition) that improves the client experience
- Defining clear growth paths for practice groups and/or within Swiss vereins while maintaining a consistent identity in the eyes of all audiences
- Ultimately driving top-line revenue growth

“Whereas the law is passionless, passion must ever sway the heart of man.

— Aristotle

A fresh, forward-leaning statement of vision or purpose can build confidence in everything from geographic expansions to mergers and acquisitions.

Beyond even these benefits, CMOs know brand can serve as a tool for managing common disruptions in law firm life—building on moments of change to create new value.

Through a distinct visual identity, messaging that resonates across audiences, and experiences that are reassuring in their consistency, brand can shape how people perceive the firm as it evolves while inviting them to be part of shaping its future, together.

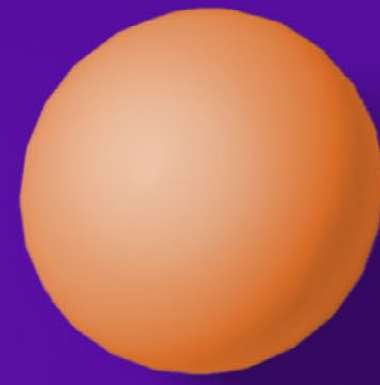
But before brand can shape culture and serve as a recruiting and retention tool, before it can unite teams post-merger or persuade one prospect to send that email inquiry, it must forge its identity and develop its expression in a singular, exacting context: at the partners' table.

That is where the law firm CMO makes their first argument—that competitive realities merit the effort to deliberate a new brand.

“You’re looking at a painstaking process with the right agency, a good 18 months start to finish, to roll out an effective new brand,” says previous DeSantis Breindel client Lisa Simon, Chief Marketing and Business Development Officer at Lewis Roca.

“You need those resources and non-billable hours to build a brand to stand the test of time—an identity to differentiate you meaningfully in our incredibly competitive landscape.”

01 Urgency to differentiate is on the rise



"To the potential buyer, a product is a complex cluster of value satisfactions.... Differentiation is not limited to giving customers what they expect. What they expect may be augmented by things they have never thought about."

– Theodore Levitt, *Harvard Business Review*

The need for law firms to embrace brand as a value-creating tool only grows, as expectations for law firms have shifted dramatically. What a firm stands for now matters more than ever—and this is true for both clients, who expect all professional services to be aligned not only with their business needs but also their values, and post-pandemic employees, who yearn to be part of positive cultures where they can feel their work lives are meaningful.

Disappearing are the days when founding partners drove nearly all client acquisition through personal networks, their names and reputations synonymous with the business. And the very strategies that many firms pursued to scale and gain stability—entering into mergers, diversifying into new practice areas, opening offices in new regions—now require them to find new methods for acquiring clients. A select few of the most dominant, venerable firms may still rely on name partners with prestige university degrees to grow. But beyond them, the crowded legal field is evolving beyond even secondary differentiators.

Many of these changes can be traced back to the 2008 financial crisis, when companies began to build in-house legal teams and review vendor relationships more critically—destabilizing previously strong relationships with outside counsel. Since then, legal services have also become increasingly commoditized, with more and more resources available online or marketed on a product-by-product basis. New delivery models and fee structures for legal work fundamentally reshaped perceptions and expectations, along with the signals that law firms send to attract people.

For law firm CMOs, evolving competitive dynamics and growth pressures demand relentless adaptability.

Conventional marketing messages (relatively undifferentiated, straightforward v. memorable) no longer resonate or motivate action. Today, the largest law firms—often benefiting from pure name recognition—dominate competitive landscapes while perfectly qualified mid-sized firms are caught in what *The American Lawyer* calls the “Hollow Middle,” unable to pave growth paths.

These are the shifting competitive sands and business development challenges that keep law firm CMOs up at night.

Partners will share concerns about how consolidation may have diluted brand equity earned over decades of specializing in core practice areas—and announcing it proudly. But the CMO knows that today’s general counsels and C-suites are no longer satisfied with table stakes in the form of quality services, no matter their need. Prospects seek a law firm whose mission or purpose matches their own, and for a partnership that makes them feel empowered, even noble in their work.

Adding to the complexity, growth pushed many firms into new operating structures, introducing new internal dynamics that will impact any proposed brand updates. Hierarchies once concentrated decision-making power about big questions like how to attract new business. But now, broader partnerships engage far more people in the management of the firm.

With greater responsibility for law firm leadership has come higher compensation for the ever-more-numerous parties involved—meaning partnerships don’t only need to agree on new ways to compete for clients, but for talent. Skilled attorneys with leadership potential will see attractive offers from far more firms. And just like clients, they’re motivated by the hope of experiencing a greater sense of purpose.

CMOs have an answer: invest in brand, recognized and celebrated for defining ownable territory: what makes you different.

Pushing the firm’s messaging beyond familiar differentiators like quality, legacy scale, innovation or client focus, brand can express a law firm’s core principles and even its humanity, addressing employee and client needs far deeper than those for “a satisfying job” or “a good lawyer.”

Especially as more and more once-specialized firms embrace the stability of generalized practice, brand’s power to differentiate people’s personal connection with a firm is invaluable. A strong, differentiated law firm brand provides a unique competitive edge, sustaining the firm’s reputation and goodwill across relationships and through all-important evaluation periods.

CMOs have an answer: invest in brand, recognized and celebrated for defining ownable territory: what makes you different.

For CMOs, making this case requires launching in-depth conversations with managing partners and other decision makers who are themselves business development experts with perspectives on what drives revenue growth at their firms. They'll need branding processes and potential validated to meet their high standards for necessity and effectiveness—an understandable position for leadership to take.

“Studies on the personality traits of lawyers have shown that skepticism is actually their dominant trait,” notes Lisa Olney, Principal at LKO Consulting, who previously led marketing and business development at both Littler (which DeSantis Breindel rebranded) and Bernstein Litowitz Berger & Grossmann LLP.

“It’s their role to question and challenge; it’s part of what makes them outstanding attorneys.”

She goes on to explain:

“Our role is to present the case for how branding works in the law firm context and what it can do, and to propose a process that includes enough opportunities to get buy-in from key stakeholders without muddying the results—something that is

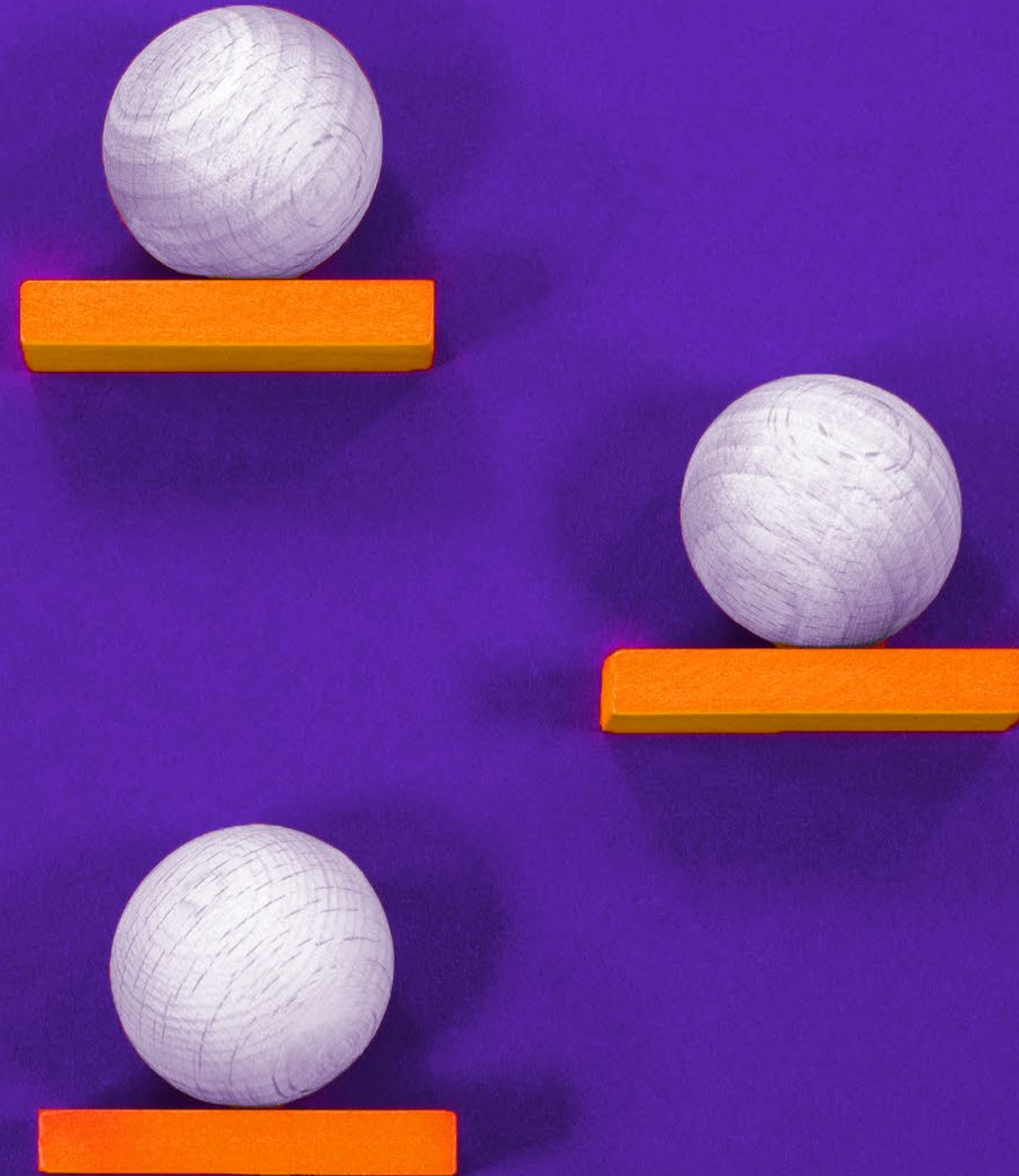
a necessity when working in a partnership structure but may be more than some agencies are accustomed to.”

Bringing in a knowledgeable branding firm earlier rather than later can help CMOs persuade partners that brand—through design, voice, messaging and experiences—can address the rising need to differentiate from competition. Agency partners that establish a good rapport with the firm’s decision makers early can help CMOs build confidence in the branding initiative. And all-important strategy work from an objective third party can reveal unexpected growth opportunities.

“Branding agencies come with an outside perspective on the law firm’s identity and unique value to clients,” Olney explains.

“They’re also in a strong position to challenge assumptions and encourage bolder creativity. Sometimes you need someone specialized to tell you, ‘You can achieve more if you go further.’”

02 Process unearths promise



"If I had one hour to save the world, I would spend fifty-five minutes defining the problem and only five minutes finding the solution."

– Albert Einstein

To fellow CMOs, both Olney and Simon offer the same advice: select branding partners with extraordinary care, and plan for every necessary layer of process together.

Welcome foundational questions (from across the firm) about the nature and function of brand, and partner with the agency to formalize detailed decision-making frameworks for shaping the new one. Map critical moments for gathering feedback. When there are many managing partners or decision makers whose buy-in is essential, convene them to outline the rationale behind every methodical step.

"Sometimes it's the process itself that yields the results," Simon notes.

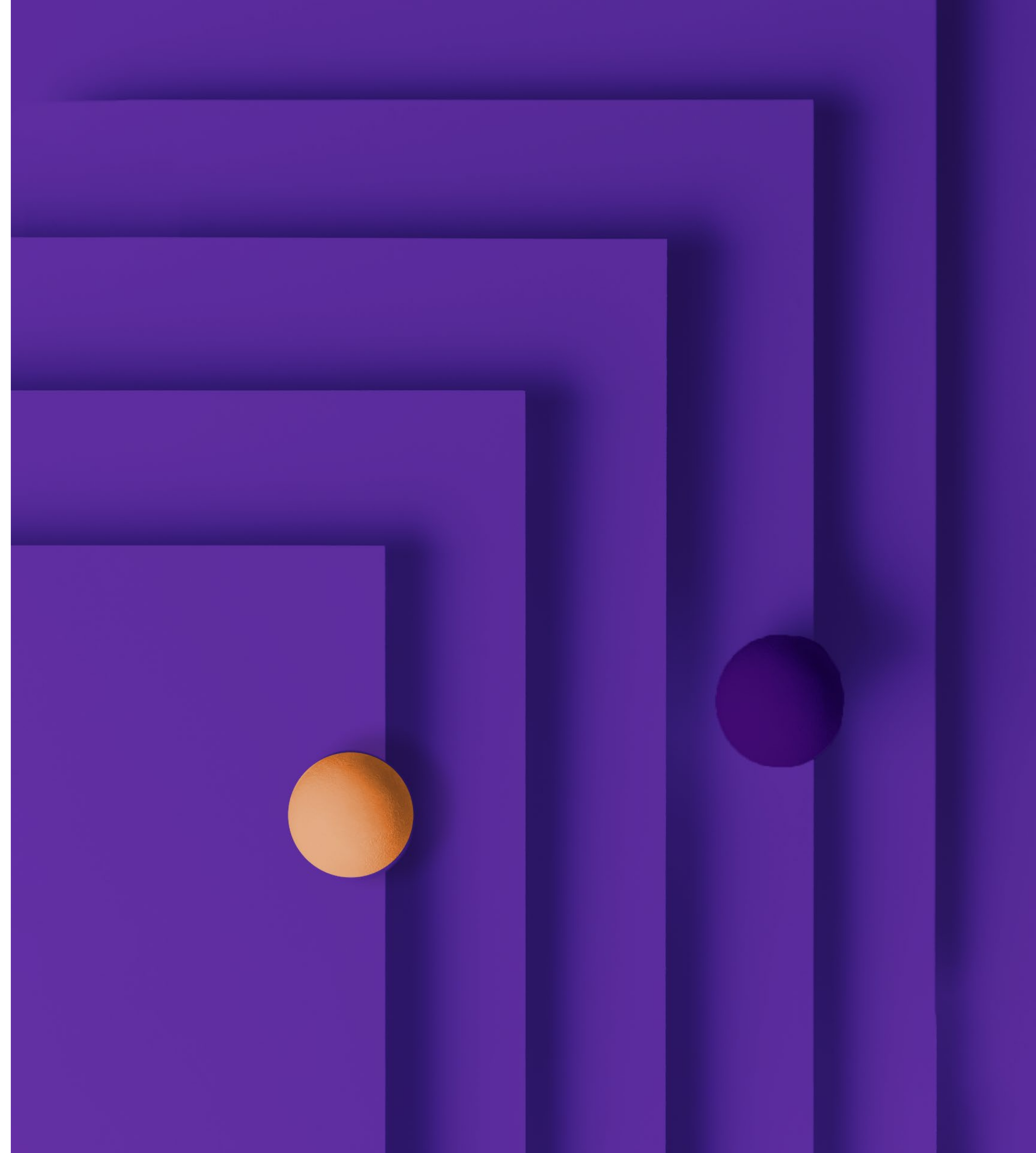
"You get everyone in the same room, speaking the same language and becoming proponents of what we're doing together. You confirm and reconfirm objectives. And then when it's time to review design or messaging work in progress, you get phenomenal feedback."

An agency partner must plan to support the CMO by leading deliberations ... which will take time. Lara Day, Chief Culture & Communications Officer at Brownstein Hyatt Farber Schreck, LLP, also worked closely with DeSantis Breindel on a rebrand. She left the corporate PR/communications business years ago. But she still remembers the one thing that changed for her most when she joined a law firm: pace.

“A lot of agencies work at lightning speed for [other types of] clients, who push to get things done every day,” Day explains.

“But within law firms, you have to make sure all constituents participate. Many opportunities to deliberate ideas have to be factored into the timelines. When they’re not, the agency and firm make for an odd couple.”

In the best scenarios, the branding agency proposes a bespoke process, balancing the needs of the project with the culture and norms of the law firm and its leadership. The result is a roadmap that creates space for all-important debates while calling out milestones to inspire and sustain momentum—a plan that will appear stronger from every angle when the CMO presents it for approval.



03 To differentiate, explore enduring truths



“For 85 years, we’ve always known there was something different about our firm. Today, we found out what it is.”

– Lathrop Gage, after rebranding with DeSantis Breindel

Once every decision maker approves the process, hammering out a law firm’s brand requires two things: curiosity and stamina.

The branding agency, supporting the CMO on their complex path to final approvals, needs to capitalize on its access to people, insights and viewpoints to explore the firm’s core value.

It’s time for discovery: the rigorous, all-determining phase that reveals the best path forward.

Today, a law firm’s brand lives in its people and the individual moments they share with clients—the details of their shared journey. All professional services firms pledge to provide white-glove client experiences. But by sifting through the unique passions and strengths of their partners, associates and staff in relation to client hopes, law firms can discover the values they embody and the intangibles they deliver that others don’t. These insights will be as valuable when recruiting as when pursuing new clients.

Qualitative and quantitative research makes for strong foundations within any branding exercise. But law firms, with their bias toward diligence, position themselves to gain the most by welcoming tireless analysis. The CMO can smooth the agency’s path, scheduling in-depth interviews with clients across practice areas and employees across levels to unearth invaluable perspectives.

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As the process marches methodically forward, credible, enduring strengths will begin to surface. The aspects of firm culture that are the most uplifting—vital to tap, given how hard these teams work. The reassuring or emboldening energy that moves clients to feel, “This attorney and firm understand not only my legal needs, but me, and what I hoped I’d find here.” Leadership may be surprised to learn what delights people most about their firm: its collaborative spirit, its ingenuity, its human touch in times of crisis.

From Day’s perspective, agencies need to match their law firm client’s investment of energy and even exceed it, calling out progress to keep the layered brand-building journey as energizing as it is productive. Some firms change managing partners as frequently as every three years. Building a new brand will consume valuable, finite leadership focus, and the partners in question feel pressure to deliver a durable brand that can continue to create value long after their management cycle ends.

“Many types of projects other than branding can keep moving with more confidence,” Day observes. “Partners know necessary consensus-building can dilute the power of great ideas. So they need to see a new brand taking shape that feels authentic and can be activated. They need to believe the firm’s life and future is really going to change.”

Documenting each learning and detailing how brand can help the firm respond as they move forward, the CMO can then justify (and as necessary, defend) the creative recommendations developed by their agency. Having successfully made the case to rebrand, they’ll now have to validate every creative choice.

These essential elements will define the new brand:

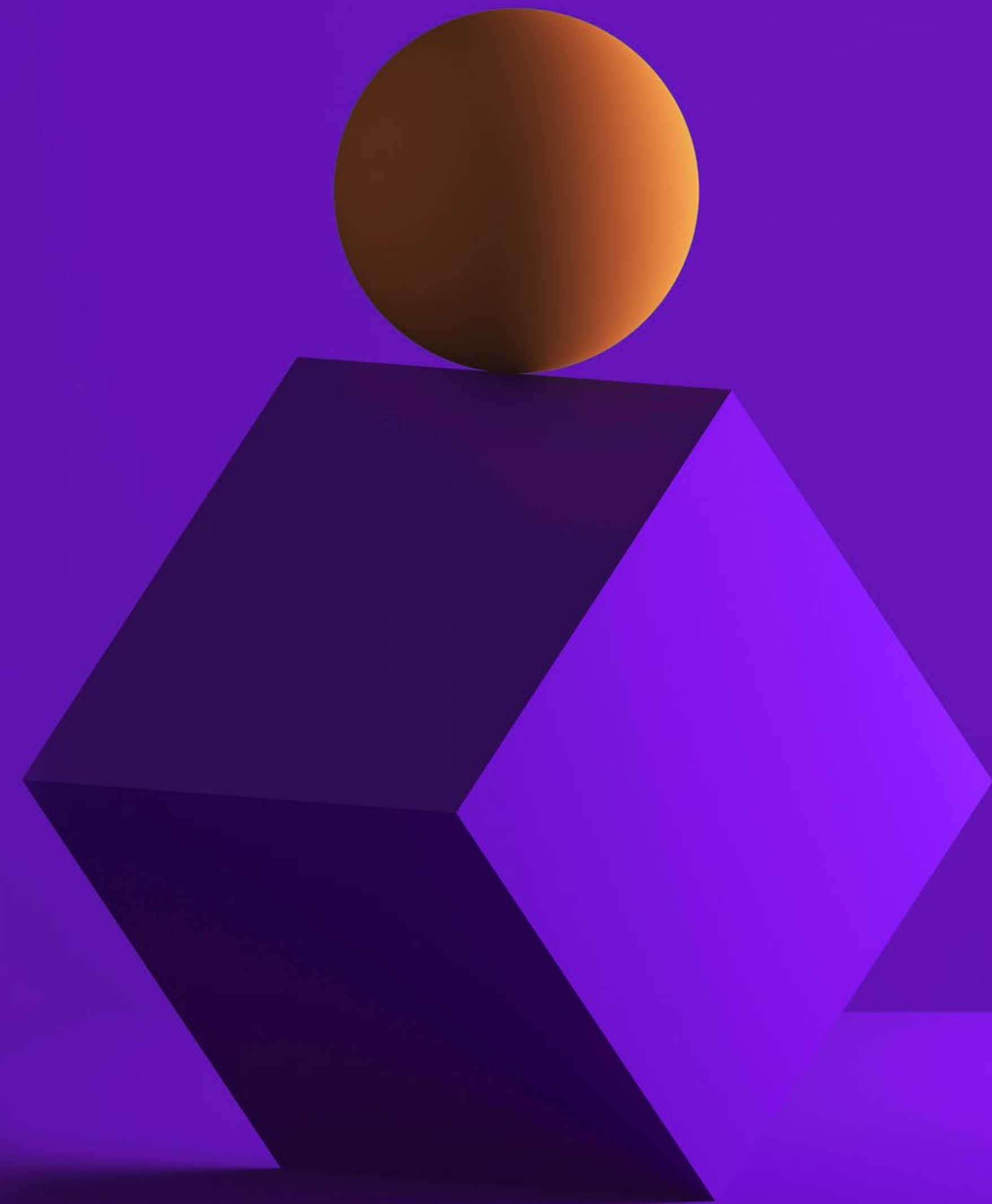
- Narrative: the firm’s story, highlighting its vision, purpose and value
- Values: the principles that guide the law firm’s behavior in relationships
- Voice: the tone the law firm will use in communications
- Visual identity: the law firm’s comprehensive set of brand visuals and standards
- Messaging: the stories the law firm tells and commitments it makes to meet needs
- Experience principles: the standards that will guide the behavior of the firm’s people, ultimately elevating and enhancing the client journey

Of these brand components, visuals (like logos) and messages (including everything from advertising headlines to detailed website copy) may be most familiar or simple to codify. But CMOs also recognize the power of brand experience, and they may request reinforcing insights from their agencies to argue for the principles to shape it.

“The brand is not our color story or a short-term direction to take with our ad copy,” Olney explains.

“The brand needs to include promises we make to clients about what they can expect to experience with us—a reflection of us at our best. It needs to be a driver of internal behavior and come to life in how we interact with others. Of all the aspects of a brand, I believe the experience principles make it the most real.”

Differentiating through experience may be a particularly strong strategy for law firms. After all, every single word or phrase a law firm plans to publish will need to go under one unforgiving microscope.



04 Aspiration v. Precision



"The leading rule for the lawyer, as for the man of every calling, is diligence."

– Abraham Lincoln

No discussion of the law firm branding process can overlook partners' exacting standards for new messaging. As Olney puts it: **"You have to operate with an understanding of how powerful the words are, because that's where attorneys live."**

Lawyers specialize in practicing caution and care. They spend their days helping clients find paths of least risk and resistance, visiting and revisiting positions from every viewpoint to ensure they're sound. Famously, they're particular with language: what you can and cannot say, what you must never guarantee. And when scores of partners at different levels, all experts in interpretation, need to agree on Who we are, What we do and Why we do it—all while threading the needle of legal compliance—that creates its own challenge. (An essential skill for law firm CMOs: arbitration.)

The law firm brand can't be built on aspiration, much less hyperbole. Legal practices can't promise to win cases or be smarter than anyone else. They need their brands to do what others do: forge lasting emotional connections through tailored messages and experiences that drive action. But for leadership and clients, what gives a firm credibility is its specificity. The spirit of their branding must match the substance of their work.

Many branding firms are great at drumming up excitement and raising hopes. But they can struggle to balance aspiration with authenticity to the law firm standard.

A consumer brand can build its identity around love, like Subaru. One of Coca-Cola's most memorable campaigns invited shoppers to "Choose Happiness."

Even in the B2B space, many brands can ground their value proposition in positive emotions and personal validation (we've written before on the myth of the all-rational B2B buyer).

But agencies partnering with law firm CMOs can't brainstorm new messages with the same creative abandon that will fly in other industries. Law firm brands cannot and will not risk misrepresenting themselves—even within vaguely positive marketing terms—as both a matter of ethics and law (there are things they are not permitted to say). Every message must be extraordinarily disciplined, even those shaped to inspire people.

The legal field is so unique in this way that it supports an entire community of branding agencies that only work with law firms. They know partners' concerns about messaging and the parameters to work within. But while it's always good to work with people who know a specific business very well, there are times it's even more important to work with those who understand the end customer.

"DeSantis Breindel was not the safest choice when we were looking for a branding firm," Day notes.

"But we loved the fact that they knew our client industries so well."

Helpfully, a brand's voice—its tone in all communications—can help a law firm send important signals and cues to the audiences who need them, bringing a new dimension to even the most carefully worded messaging. What the firm says can be subtly calibrated by how it says it. This delicate facet of the brand works on instinctual levels, moving audiences to feel confident that the law firm's messages are for them.

05 When a brand gets definitive, value springs from more sources



"A great brand is a story that is never completely told."

– Scott Bedbury

Once complete, the law firm's new brand—forged and refined through process and debate, already validated in the hearts of every audience—positions the CMO to pursue new growth. A freshly-abbreviated name can vault a legacy practice perceived as old-fashioned into the current moment. New messaging born of understanding can speak to prospects, clients and employees in a clear, consistent voice they want to hear—even across different practice areas and client personalities.

Given the complex structure of today's firms, CMOs recognize the power of such consistency. A single identity after multiple mergers brings clarity to the firm's story and helps everyone who engages it understand its fundamental value proposition—even if its service offerings vary from practice areas to technology products to training.

"Law firms benefit greatly from clear brand architecture," Olney states.

"Our clients can be extremely different, but one brand identity that includes every service keeps us consistent and memorable, and offers a framework to bring new offerings to market seamlessly."

The strongest brands establish flexibility, giving the law firm, its people and its clients room to breathe and evolve.

This can be especially true of taglines, which are quite special in the legal world. The most powerful can define the firm's spirit— its most differentiating ethos—in ways that spark deep connections even as they signal that the firm's greatest leaps forward still lie ahead.

Brownstein's brand became centered around "We're All In." For Day, the phrase aptly captures the firm's outsized, resourceful dedication to its clients. It also supports their strategic growth path. More than 25 years ago, one of the firm's founders identified an opportunity to expand into Washington, D.C. to create a bipartisan lobbying shop that would support clients facing more regulatory, legislative and political challenges. And today, that differentiating practice has become the number one shop in the country as it engages elected officials to help them understand more businesses' points of view.

"We became one of the first non-D.C. law firms to open a lobbying practice," Day explains.

"It's a direction we could confidently go 'all-in' because we knew it would be right for our clients and therefore a space in which we could thrive."

Strong and elastic, specific and wide-ranging, the well-deliberated law firm brand gives these unique businesses continuity through the turbulence they can

always expect. For firms with frequent successions, well-defined culture can provide stability even as it guides behaviors with clients and prospects. Economic downturns and upswings often push new practice areas into demand, but the firm with a clear, resonant brand can shift its focus without sacrificing why people choose it.

Ongoing employee engagement programs keep a brand fresh and ever-strengthening. Simon is planning a "Brand Infusion" series to amplify celebrations of Lewis Roca's new brand (built with DeSantis Breindel and launched during the pandemic). The initiative will include both external campaigns and rich internal training, preparing the firm's attorneys and staff to deliver on the promise of their new brand in every interaction. These activities will help the firm attract talent more likely to thrive within their culture and clients who'll see their needs reflected in every form of outreach.

Beyond these benefits? Pure possibility. The law firm-branding agency partnership can redefine what a brand can be and do for a legal practice. It can absolutely differentiate the firm, meeting today's competitive needs. But given the exhaustive time and diligence CMOs and their agency partners must pour into the project of branding, more firms can and should explore the power of a brand to guide creation of new value. New services, new products, new experiences for

clients and employees alike—the process defining not only what the firm is but supporting deliberations about what it can become. To stand apart. To connect more deeply. To compete only with itself.

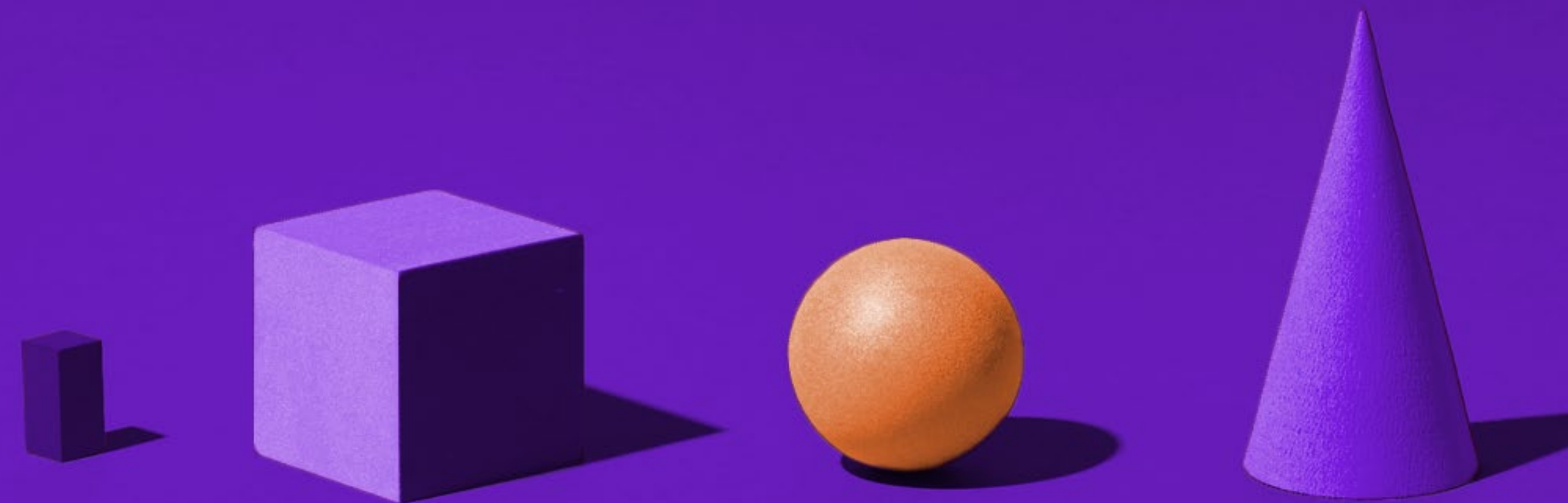
This is the strong competitive position that law firm CMOs hope to reach as they make the case for brand—relishing the challenge of building the internal consensus to get there. With a savvy, experienced agency guiding the process as their ally, they know they can add brand to the firm's value creating assets, helping it do everything from attracting new clients to inspiring every employee with a renewed sense of purpose.

“Brand can be a huge uniter of the firm,” Simon states.

“After our rebrand, employees expressed a new sense of pride—they told me they felt more connected to each other and the brand, and they wanted to see where we could go.”

When clear competitive differentiation meets pure employee engagement? That's return on branding investment, an outcome worth every hour of effort and diligence.

Case closed.





About DeSantis Breindel

DeSantis Breindel is the leading B2B branding agency in NYC. We work with leaders, founders and investors taking that next big leap—merging or acquiring, spinning off or going public, entering a new category or redefining the one you're in. At these game-changing moments, we partner to build brands that drive enduring value—value born of deeper connections with your clients and your prospects, the people in your boardroom and your breakroom—so you can leap further than you ever thought possible.

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