



PRE-CONDITIONING PROSPECTS BEFORE 1st APPT

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DISCLAIMER

Disclaimer: This Module contains tools, techniques and strategies that are highly-controversial, very politically incorrect and which a few lawyers have even gone so far as to call “evil”.

In this Module I will show you some little-known tools you can use to be a highly-effective rainmaker. I will undoubtedly alienate myself from some very successful Rainmakers from whom I have gleaned and discerned these lessons over the past 10 years of observation. But these tools and techniques and strategies have the power to do much good for our profession and for our clients.

These same tools however put in the wrong hands could be used to do great harm to your clients and prospective clients and if mis-used to yourself too. So I sought spiritual counsel before deciding whether or not I should put this information out into the world like this. In the end I have to rely on my belief that contrary to all bad jokes made about us, of the many thousands of lawyers I have had the opportunity to work with, speak with, counsel, train and teach I can honestly and sincerely say that very, very few were true assholes. Instead most are honest, well-meaning men and women who take pride in our profession and sincerely want to help their clients.

Ultimately though it will be up to you whether to use the teachings and tools and techniques in this Module for good or for evil. In both the long run and the short run you will be a happier lawyer and you will make more money if you deploy the contents of this module for good.



PRE-CONDITIONING PROSPECTIVE CLIENTS TO WANT TO HIRE YOUR FIRM BEFORE THEY MEET WITH YOU FOR THAT FIRST APPOINTMENT

Why is this worth learning and worth doing?

1. Because you only have 168 hours per week available to you. So you don't have time to waste with people who are not going to be a good fit for your law firm.
2. Because meeting with a potential client who decides to hire you gives you an emotional and energy boost that helps you get more and better work done. But the exact opposite happens when a potential client decides NOT to hire you. It takes an emotional toll.
3. Because for many people there is value in repetition. So no matter how compelling you are in person, for many of your potential clients, they simply need to be exposed to your message multiple times before it will "sink in" and they are ready to hire you.
4. Because people have different communication styles. And not everyone of your potential clients will be equally persuaded by the same message if it is only available to them auditory. Some need to read the message. Others want to see social proof. So we try and give potential clients our message in every way we can before we meet with them for that first time.
5. Because lawyers who invest the time to precondition potential clients to want to hire their firms before the first meeting have happier clients, happier staff and we make more money.



What makes this work?

What makes preconditioning so effective that it's worth doing?

No matter if your potential client is a Fortune 500 Executive or a street thug they all have one thing in common. They are human beings. And as such they all tend to make their purchasing decisions in a similar and predictable way.

First they feel pressure to take some kind of action. The pressure may stem from a desire to provide for a safe and secure future for their loved ones, estate planning for example. Or the pressure may be of a more immediate nature such as when someone is arrested or threatened with some other immediate negative consequence for inaction or delay.

Next they search for a way to feel better about their predicament. This is an important distinction to make that what they are looking for is a feeling, not necessarily the end result. In other words the process by which human beings make our purchasing decisions is rarely rational and almost always driven by our emotions.

First we tend to make an emotional decision and then we use our logic to justify it. So, yes logically, this may all seem like a bunch of bullshit but that doesn't make it any less true that most clients, even the most sophisticated, tend to make most of their attorney-hiring decisions based on how they feel about that lawyer or that law firm. So doesn't it make obvious common-sense to begin as early-on as possible to establish that "feel good" relationship? Of course it does.

So here's exactly how we're going to do it. . .



How do I precondition potential clients to want to hire my firm even before our first meeting?

Step 1

Be sure you have made a deliberate decision that the goal is to persuade them to want to hire your firm and not just you. This is an important but very-often missed distinction. By persuading the potential client to want to hire your firm instead of just you, even if you are a solo practitioner, you lay the foundation in the beginning of the relationship to leverage staff, associates, other attorneys and even other professionals. That way you can ask for and expect your clients to respect and comply with your firm's policies and procedures. Clients who hire law firms expect to follow rules. Clients who hire lawyers expect to ask for exceptions to the rules as a personal favor.

Step 2

Begin by empowering your staff to manage your calendar for you. In these days of mobile technology it is tempting to take this important job away from staff and just do it ourselves. But that is a law office management and a law practice marketing mistake. Because like it or not, clients respect busy lawyers more than they respect a lawyer who is perceived to be "too available". Part of pre-conditioning a potential client to want to hire your firm before they even meet with you for the first time is understanding the theatrical and dramatic nature of what is playing-out in the mind of a person who is feeling pressure to solve an important problem.

They want to feel important. And it's pretty hard to feel important if you're seeking counsel from someone who is not perceived to be as important as your problem or opportunity. So be prepared to defy conventional wisdom. Conventional wisdom will get you conventional results. If you want to distinguish yourself in the mind of your potential clients and make them feel lucky to get the chance to meet with you then practice the art of being less available.

This begins by having someone else manage your calendar for you. If you are a solo I would encourage you think about hiring a virtual assistant. Or at the very least get



into the habit of never being by your calendar when put on the spot by anyone other than a judge.

Step 3

Define what is and is not an “emergency” in your unique practice area. Define it by objective criteria that you and your staff can use to determine if a potential client is going to get an “emergency appointment” or else wait for your next opening.

I would suggest for very practical reasons discussed above that your next-available opening should never be less than two weeks away. By offering a date and time that is two-weeks-away (or more) your staff is far less likely to offer-up a date & time with which the prospect has a conflict. This actually makes it easier not harder to get the appointment scheduled.

And don’t you worry. In Steps 4, 5 and 6 we’ll begin making very good use of that time to “tell your story” to the potential client. So that when they do arrive, they will be practically chomping at the bit and hoping you will help them.

Step 4

I want to begin this step by sharing a concept that is at once very simple and very powerful. This one concept by itself could very well be the single most important law firm marketing concept in this entire program. Lots of only-moderately-good lawyers have made millions of dollars by mastering this concept. Not that you should settle for being only moderately good at the practice of law. Quite the opposite. Being great at what you do makes it so much more fun to be a lawyer. Plus it’s the right thing to do to always strive to do your best and get better. So here it goes. . . And don’t say I didn’t warn you how simple this is. . . Remember, unlike many so-called law firm marketing “gurus” out there who either don’t know better or else they seem to want to feed off your ignorance, I never said marketing a law firm is complicated. It’s not.

Alright, the first thing to wrap your head around is the notion that as attorneys we’re all very good at thinking analytically. We think in terms of litanies and sequences. We think in terms of counts in a pleading and paragraphs and sub-paragraphs in the contracts we draft. This is one of the reasons why Legalese is so



impenetrable to non-lawyers. But most everyone else, even your most sophisticated non-lawyer clients, prospective clients and referral sources, they don't think the way we do!

Instead, they think in terms of a series of narratives. Everything they think and do is the result of a narrative. They tell themselves a story in their heads about getting in their car to go to the store to pick-up a gallon of milk and drop-off their mail on the way back. Likewise they think and imagine and tell themselves a story about what it's going to be like to hire a lawyer. And then they tell themselves a different story about what it's going to be like to be represented by a lawyer. And so on and so forth.

The only problem with all of this, at least from our perspective as the lawyers we'd prefer for them to imagine hiring and being represented by, is that most of your prospective clients and even some of your best potential referral sources they don't have a good template to work with when they're imagining the whole experience.

They can imagine going to a new store they've never been to before because they can take another similar experience when they went to another store and they can use that as the template for what they imagine it's going to be like to go to a new store. So it's all nice & comfy and non-threatening. Grocery store, shoe store, bookstore. It's all pretty much the same thing, right? You park, you shop, you pay, you go home and consume.

But what if you've never hired a lawyer before? Or worse, what if the only other lawyer you ever hired before didn't bother to choreograph the whole experience for you and maybe you had a bad experience. If you got food poisoning the first time you went to a grocery store you might have a whole different perspective on retail shopping right?

But it gets even worse because a potential client who really does have no prior experience hiring a lawyer to use as a template upon which to base their story about you where are they likely to get their templates from and start imagining what the upcoming experience with you is going to be like? That's right. One of the



moronically unrealistic television shows your prospective clients and even some of your most sophisticated potential referral sources spend hours studying every week. Of course your clients are not stupid. They know those shows are not real. But in the absence of any other template to base their story to themselves on about what it's going to be like to hire your law firm and be represented by you, they are going to arrive expecting it to be more like one of those TV shows than not. Because like it or not, those are already the most familiar stories and they already feel comfortable with them.

Now if you're about write me off as a lunatic I have to warn you that you ignore reality at your own peril. Because you may not like to think that this is how your average, even your average sophisticated client is thinking. But that doesn't change the fact that this really is how they are thinking. Just going around telling themselves these stories and imagining what it's going to be like to work with your law firm.

So now that you know what you're up against and why it will make your life and your staff's life and yes, your clients' lives easier too when you replace the fictional and flawed stories in their heads about what it's going to be like to hire a lawyer. And replace those stories with better ones. In the next step I'm going to tell you how to begin to tell them a better story that ends with them hiring you and cooperating with your firm's policies and procedures.

Step 5

OK, first things first, you have to decide what your story is going to be. Then we will take advantage of the time between when the prospective client first schedules the appointment and when they're going to actually get face to face or live on the telephone with you. And we're going to use that time to deliver your story to them in as many ways and as many times as reasonably possible. Because I'd much prefer for you to hire a postal carrier for the price of a postage stamp and get them to help you tell your story and we'll talk about how to leverage staff and technology to help tell your story ahead-of-time so that it is fully digested and becomes their new way of thinking for your prospective new client by the time they come to see you for that critical first time. Remember, we want them to be playing re-runs of the "right" story in their heads with you cast as their lawyer and



they as your client. This way you will have a much easier time meeting, even exceeding their expectations.

In the next step I will share a sample communication sequence you can trigger one a potential client schedules their first appointment with you. This sequence will not take any chances on how they prefer to learn. We'll be using letters, emails, post-cards and even voices and images to help tell your story. But for now, let's focus on the elements that your story should address.

Your story should address each of the following key points. In this order. This is a proven format in which to tell a persuasive story. So until you have tried it and have a good baseline to test against, stick with this formula. It was given to me by none other than world-class persuader Dave Lakhani with whom I had the very unique opportunity to spend a week on a private island learning the ways of this master persuader. If I were to share the names of some of his other clients you might be very impressed. And if this is a subject you are very interested in learning more about. . . how to become a very persuasive lawyer I can think of none better for you to learn from than Dave whose books are available on Amazon and whom I can arrange a retreat for our Gold Members if you tell me you are interested.

OK so here it goes... A persuasive story answers the questions of who, what, when, where why and how in the following format:

Grab me by the ears. You want a statement so powerful that [if you said it out loud] people 15 feet away would stop what they are doing to come and listen or they would strain their ears and good manners to eavesdrop.

In the context of the story we are going to build for your prospective new client who has just scheduled an appointment to come and meet you for the first time this may be a simple restatement of your "Magic Statement" used as the headline of your letter. Forget about a simple introduction or boring old confirmation letter. Just because a prospective new client has schedule an appointment to come in and see you does not mean they are ready to hire you.



This first letter from you to them should re-state the benefits of coming in to see you. As discussed above you can focus on the negatives or you can focus on the positives. But you will be a happier lawyer and your law firm will make more money if you invest the time to help focus the prospective client's attention on exactly why they are coming to see you the week after next. Think this is unnecessary because “. . . don't they already know why they're coming to see me?” Think again! At this point we have no reliable way of knowing what the prospective client thinks or why they have told themselves they should come to see you. So we will use this point of pre-contact as an opportunity to help them frame the question and the answer.

Lay the foundation. In this part of your communication you lay the groundwork. You include any information your prospective new client must know to understand your story. You fill-in likely holes in their knowledge about the matter at hand and give them enough background so they will be able to understand what you will be saying during the appointment so that when they hear it from you it won't be the first time they have been exposed to that information or those ideas. This way they can spend the time processing before they get to see you and be prepared to make an admittedly important decision after an admittedly short amount of “facetime” with you.

Engage their emotions. Get them excited. Move them to a place where they are experiencing feelings of hope, despair, optimism and excitement or fear and guilt. Again, it is your choice how you choose to use these tools. But in stage three of this step you must get them feeling something. Be sure you use points they are going to have a hard time disagreeing with. Be sure to address things that they know are going to happen immediately in connection with the problem or opportunity they are coming to discuss with you.

Layer on the proof. If you can do so within the parameters of your State's Bar Rules give them an example featuring someone like themselves. Tell them his or her story letting them know this is a real person. If you have no other reference, tell a story about yourself and why you care about a particular group of people or why you care about the type of work you do or even why you take so much pride in having such a well-run law office. But whatever you do, at this stage you should be



demonstrating that you really, truly do give a crap. If you have been quoted in any articles, if you have written relevant letter to the editor, if you have written an article on point now would be the time to put it in front of your prospective new clients even if you think they may have already seen it.

Answer their questions. Lay out at least three to five questions you know from experience they are likely to have at this point and answer them pre-emptively. Let them know you are an expert because you know exactly what it is they likely have questions about. Layer on more proof and reassure them that they are not all alone but that many other of your clients had the same questions and what the outcome was. If your State's Bar Rules do not allow you to go into details reassure them that other clients usually feel a lot better when they have a chance to work through and talk through these questions with you. This is also the place to answer the question we all know is on every prospective client's mind at this point: Price and payment terms. And remember you're doing yourself no favors by allowing a person to come in and take up your time who has no way to pay for your services. If your fees are outside their means let them know at this point that you will be happy to make a referral to a qualified but less expensive attorney.

Give them enough information so they can draw your conclusions. Do not overwhelm them with a treatise of information. Your clients are not supposed to know and I assure you only the D & F clients want to know as much about the law as you do. Don't be misleading or dishonest here. Simply be selective. And give them enough details so as to provoke a few more small questions that you know will be resolved in favor of hiring your firm. Now remind them what they have to do by when and why they should. Which leads us to. . .

Get them involved and get their feedback. At this point they want reassurance that they are doing everything right. They don't want to have to worry that they are missing something. So we want to give them something that they can do to demonstrate that they understand and how all of this information you have shared applies to them so that they will feel better about the notion that the solution they have been searching for awaits them in your office. The best way to do this is by giving them the New Client Questionnaire to complete and bring with them to that



first appointment or if you are dealing mostly with more sophisticated business clientele they'll likely want to send this information to your office ahead-of-time.

Trust-Busters/Trust-Builders

	Trust Busters	Trust Builders
Unrealistic Expectations	Over-Promising/Under-Delivering	Delivering what you commit to based on realistically-established expectations
	Late Deliverables	Timely Deliverables based on well-calculated time-frames with margin for error
	Price Range Estimates	Value-based fee agreements
Inefficient Use of Time	Unfocused Sales Calls	Quick & efficient sales calls and meetings
	Inaccurate information gathering & analysis	Analysis delivered after the sales call consistent with the agreed process for problem solving
	"Spa days"	meetings that honor your client's valuable professional & personal time
Dependability	Conflicting sales styles	Sales Calls and meetings that have a clear "Lead"
	Improper "Close"	Sales calls that leave prospect with clear understanding of any agreed next steps
	Gossip	Candid and up-front assurance of confidentiality
Not Listening to Prospects	Ignoring Objections	Truly hearing spoken and unspoken objections and having the courage to address them
	Pitching	Catching
	Suggesting already-failed solutions	Honoring client by inquiring what they have already tried.
Dishonesty	Trying to sell in an inappropriate time & place	Professional requests for a sales appointment
	Misleading purpose of a meeting	Matter-of-fact statement of purpose for requested appointment
	Violating trust of one client to impress another	Honoring assurances of confidentiality in all you say and do.
Trust-Distractors	Forgetting names	Remembering names or if you can't, then devising system to help yourself
	Poor personal hygiene	Acceptable personal hygiene and neat, professional appearance
	Tardiness	Promptness that honors your client's own valuable time.



Sample three-part letter sequence to prospective new clients

This sequence is triggered when prospective new client schedules appointment. Suggest print, sign, address, stuff & stamp all three letters at once in a batch.

Drop letter 1 in mail right away. “Day 0.”

Put a post-it note with date to drop letter 2 in mail on “Day 3.”

Put post-it note with date to drop letter 3 in mail on “Day 7”



Date
Name
Address
Address

Re: An important message from your attorney

Dear _____,

On DATE at TIME you and I are scheduled to have a meeting. What's going to happen at that meeting is going to make you feel good. Let me explain. . .

In my law firm we take an unusual approach to helping our clients. For example this letter from an attorney about your feelings. Because having confidence in yourself and your decisions is important too. And I know from personal experience what it can feel like to be on your side of the desk. So let me take a few minutes right now to let you know what you can expect.

Before we're done I'll share my own story too. That way you and your family can feel comfortable. And you'll never have to hesitate to ask me or anyone on my staff any questions you ever have about How To Protect Your Assets and Yourself From Nursing Home Poverty. That way you can enjoy all the benefits of having a "Life Plan". Not least of which the feelings of relief that many of our clients tell us wash-over them after our first meeting together when we'll separate fact from fiction for you.

Because when it comes to this unique area of the law, what we don't know can really hurt us. And what we think we may know based on tidbits of advice from our well-meaning friends or family. . . out of context, or based on their incomplete understanding of your particular circumstances, or the law. . . these "Tidbits" can be like slow-ticking time-bombs threatening to erode your quality of life in the future.

Let Me Tell You A Story

Of course I'll never share your personal information. Everything we discuss will be held in the strictest of confidence. So instead of telling you a story about a particular client, I'd like to tell you a story about a fictional character I've made-up based on my hundreds of clients over the years. This way, you can begin to envision how the process works and feel more comfortable with what to expect. . .

Let's call them John and Jane Doe. John and Jane owned a successful business. They had a very nice family and lived in a beautiful home that was nearly paid-off when the first came to see me. They also enjoyed owning a summer cottage that had been in Jane's family for several generations. John read an article in the local paper about the benefits of my firm's unique "Life Plan" approach instead of allowing my clients to go away with just a mere Will and Trust arrangement, which is admittedly the more common approach. But just having a Will and/or a Trust is an approach which John and Jane learned during our first meeting with many shortcomings that we'll discuss together too.



Like many of my clients do, Jane clipped that article out of the paper and kept after John to schedule their first appointment with me for many months. Of course like so many busy people they kept putting it off until an unexpected tragedy struck one of their neighbors. And then they witnessed first-hand what it looks like when one of those “Tidbits” blows-up. So John got things started and called our office to schedule their first appointment, just like you have. So congratulations on taking the first step. Here’s what comes next. . .

Our Time Is Valuable

My time is valuable to me and my family. Just like your time is valuable to you and yours. And just like John and Jane’s time was valuable to them.

So to make sure we have the most productive meeting possible my Staff sent to the Doe’s, just like they will send to you a Confidential New Client Questionnaire. It will arrive in a few days together with a self-addressed stamped envelope for your convenience.

To help us be as productive as possible during our time together. And so that you can feel as good as possible during and after our meeting, I want to ask you to please plan some quiet-time to complete the Confidential Questionnaire and send it back to us. This will help us make you happy. And that will help make me happy. And it will help make my staff happy too. So please set aside about half-an-hour for that Questionnaire before our meeting.

In The Meantime

That letter from my staff will arrive to you in the mail in a few days. And my office will call you the day before the meeting with a courtesy confirmation so you have nothing to worry about. In the meantime I’d like to ask you to begin keeping a list. Write down all the questions, concerns and ideas that come to your mind as you start preparing for our appointment. And I promise we’ll do everything possible to make sure you leave that appointment feeling with your questions answered and feeling great.

Sincerely yours,

Attorney Name

p.s. Please give it a few days for that Questionnaire to arrive in the mail. That will be an important part of how we’re going to make this a very positive experience for you and your family.



Date

Name

Address

Address

Re: The information you were expecting

Dear ,

Hello. My name is . I am the paralegal assigned to help make sure you live a long and happy life, and have a great experience with our law firm. And I'm very good at my job with "Way Above Average" in all of my quarterly reviews. If I get another review like that, then as my reward is going to give me a "spa day" at

But to get my spa day I need your help!

So won't you please take 20 minutes out of your busy schedule to complete and return our "New Client Confidential Questionnaire" which I have enclosed with this letter? And if you have any questions or doubts about it I want you to pick up the telephone and call me directly. Because part of my performance evaluation is based on being sure the attorneys here in our firm have all the information ahead of time from new clients.

That way they can study your answers ahead-of-time. And be sure you don't leave our office with any of those "Tidbits" of only partial or dangerous or confusing mis-information about how to protect your assets and yourself and your family. So that you can live a longer and less-stressful life and be happier because you will be able to avoid Nursing Home Poverty which is a very real problem I had no idea about before I came to work for this law firm, by the way.

Please help me, help you. Please take a moment right now to reassure yourself that the enclosed Questionnaire really will take you only about 20 minutes to complete. And then use the self-addressed-stamped envelope I prepared for you to return that information back to me so I can put it in your file as soon as possible for the attorney to see.

Here's what to expect when you get here.

First of all your first appointment is FREE. It will usually last about an hour. When you walk in from our free parking lot into our street-level office (no stairs and no elevator to bother with) I'll probably be the one to greet you. We'll get you a refreshment and once you are settled there will be someone to accompany you to the conference room.



NAME will probably begin by reviewing your Questionnaire with you to be sure he has a clear and complete understanding of your circumstance. That way when he explains some of your options and helps you think through the pros & cons of each one, it will make more sense. Along the way I am sure Mr. NAME will share all the information you need to make the best decision possible for yourself and your family. And leave-behind all of those pesky “Tidbits” once & for all.

In the meantime, please do remember to complete and return your Questionnaire and help me get my spa day!

Thank you,

NAME

p.s. Everyone I see coming out of our conference room usually has a big smile on their faces and a big sense of relief. I’m sure you will too.



Date

Name

Address

Address

Re: I want to reassure you and to be sure you know exactly what to expect

Dear _____,

I know that coming to see an attorney about planning your estate the right way can be a little intimidating for some people. Not least of which because none of us likes to think about our own mortality. And sometimes estate planning can involve thinking about some uncomfortable family issues too. But I want to reassure you that my approach to “Life Planning” is going to make this an empowering and believe it or not even an enjoyable experience for you. And that you will leave my office feeling good.

As a reminder, we are scheduled to meet on DATE at TIME in LOCATION. And since NAME has already sent you out our New Client Questionnaire to complete and return before you get here, we’ll be able to make this a much easier and much more enjoyable experience for you. If you have not yet completed and returned that Questionnaire please do so immediately and call NAME if you need a new copy sent to you.

In the meantime, I thought I would take a few minutes to let you know what to expect. I know NAME already painted a picture for you and described how easy it is to get to our office and how you will be greeted and made to feel comfortable upon your arrival. Now let me tell you what to expect once we shut the door and we have complete privacy in the conference room.

The first thing I generally find to be the most helpful to do is review the Questionnaire to be sure I have a clear and complete understanding of your unique circumstances instead of trying to offer you some kind of “one-size, fits-all” type of solution. After I understand all of your concerns and after I have answered all of your questions we’ll discuss some of your options and I’ll help you weigh the pros & cons of each one. And then depending on which option you feel would serve you best we’ll decide what if anything to do next. Obviously I cannot tell you ahead-of-time what those options will be since we have not met yet.

One question that comes up a lot though is “What is this going to cost?” My fees typically range from \$X to \$Y. Depending on what you ultimately decide you want to accomplish. Don’t worry though. There is no charge for our initial consultation. And we can often structure a fee arrangement to accommodate your family’s budget.

Plus we offer several “Membership” program options which enable you to take advantage of certain of our premium services at a lower price. And these bring with them added peace-of-mind benefits too. If after our discussion it appears one of these programs would be a good fit for your needs I will be happy to discuss that option with you further.



At this point, if you have already completed and returned the Questionnaire then other than continuing to keep a list of your questions, thought and concerns to bring with you to the meeting, there is nothing you need to be doing to make the meeting a success.

I look forward to meeting you.

NAME

p.s. I've included a copy of an article you may find to be of interest as you prepare for our meeting to discuss benefits of "Life Planning" vs. a mere Last Will & Testament.