

## Law Firm Direct Mail Marketing Backgrounder

The increase in competition among law firms has made traditional forms of advertising, such as the phone book, ineffective in reaching the desired market. Attorneys are increasingly turning to new and innovative forms of advertising such as direct mail marketing.

The Supreme Court opened the door to attorney advertising in 1977 with their decision in Bates v. State Bar of Arizona. Subsequently, in 1998, the Supreme Court in Shapero v. Kentucky Bar Association upheld the rights of attorneys to send targeted direct mail solicitation to persons known to need legal assistance.

However, in 1995 the Supreme Court upheld the rights of states to place restrictions on direct mail solicitations if the restrictions support a substantial state interest. This was the case in The Florida Bar v. Went For It, where the Supreme Court upheld Florida's 30 day ban on sending solicitations to individuals involved in accidents or disasters.

The American Bar Association recognizes the need for attorneys to advertise. In the comments to their Model Rules of Professional Conduct the ABA states:

“To assist the public in obtaining legal services, lawyers should be allowed to make known their services not only through reputation but also through organized information campaigns in the form of advertising.”

Law Firms use direct mail marketing both as a supplement to other forms of advertising and as the primary marketing means of gaining new clients. Typical mail volumes for direct mail marketing can range from 100 – 2,000 letters per week depending on the specific marketing objectives of the law firm.

Individuals responding to a mailing can range from 3% - 25% of the mailing, while new client retention ranges from 1% - 6% of the mailing.

Attorneys use direct mail marketing for a variety of different practices areas. Law firms can gain new clients in traffic, landlord/tenant, bankruptcy, tax appeal, commercial business and even criminal matters.