

MEDIA & COMMUNICATION

Maximize Client Alerts

By Janet Falk

Reports of the death of the client alert are greatly exaggerated. But that does not mean the client alert is alive and well; in fact, some might say it is doomed to be perpetually moribund. Why?

The four-page client alert simply will not perform well at a time when corporate clients of all industries and sizes are under extreme pressure to do more with less, meet shareholder and analyst expectations for ROI and EPS, and keep operations within the boundaries. Corporate counsel — and indeed all business executives — devote far less time to staying current with the nuances of legal and regulatory changes; they look to their law firm to keep an eye on that ball. As in the past, a client alert must adhere to the standard format of summary, context, the trigger event and the consequences for businesses. Now, it must do so in a format that is speedily produced, shorter in length and with higher impact.

Here are suggestions on how you might help your firm's attorneys compose client alerts that are actionable, from a client's perspective, and also quotable, from a reporter's perspective.

1. PLAN AHEAD

When a U.S. Supreme Court, State Supreme Court or Appellate Court decision is expected, or when a law is on the governor's desk awaiting signature, or when the SEC is finalizing a regulation, everyone and her sister knows what's coming down the road — *and the pending alert treating this matter should be nearly ready to go.*

Ideally, at this stage, it requires only the insertion of the citation of the case, law or regulation, a burnishing of the anticipated impact and concrete suggestions of next steps that clients should be prepared to take by the referenced timetable. As you know, your law firm is not the only game in town and your competitors as well have already outlined their alerts. Assemble your resources so that the alert can be finalized and distributed within short order, to make sure it is among the first to arrive in your clients' in-boxes.

2. PUT THE READER FRONT AND CENTER

Client alerts must address the issues that most concern the corporate counsel or business owner. How will this new law, requirement or ruling affect the daily operations of their business and their industry? *The alert must be specific* and anticipate the kinds of processes, safeguards, accountability and compliance issues that will arise. These may entail investment, disruption of production, relocation or extensive interruptions in productivity. Naturally, the volume of costs and lost revenue depend on a variety of factors that are particular to certain size companies, among other concerns. Highlighting the most likely scenarios and considerations, at a minimum, establishes a framework and a springboard for a follow-up conversation.

3. KEEP THE ALERT ACCESSIBLE

Make sure the content uses simple and direct language. This approach will permit the client to more easily *share the alert with non-attorney directors* of business divisions, and build support for future use of your firm's services tacking the issue. Do not make the client do the work of translating legalese to his colleagues; even corporate counsel appreciate it when the author of a client alert takes into account that he will be interacting with non-lawyers on this time-sensitive subject. The best alerts are comprised of a series of short paragraphs, are not much longer than

one page, and have a call to action to remind the reader of the next logical step. Indicate precisely whether that next step is to call the attorney or another contact at the law firm, attend an event your firm is organizing for further discussion, or click on a link to view additional details or request more information.

4. MAKE THE ALERT MEMORABLE

After the client reads the alert and answers the call to action, she will set it aside and turn to her next task. Don't let the content of the alert die there; a little wordsmithing can prolong its life. One tactic is to *use an acronym or alliteration*. Give clients something to help them easily remember the subject and thrust of the alert. Either an acronym like SWOT (Strength, Weakness, Opportunity, Threat) or alliterative wordplay through a sequence of short words starting with the same sound will create hooks that enhance content retention.

5. CONSIDER A LESS FORMAL FORMAT

Even when the draft mentioned above has been dropped into the firm's fully branded layout and is waiting for the trigger event, it takes time to turn that document around into an e-mail format with pdf and social media links. Some firms are finding success with a *direct e-mail that gives the whiff of a more personal and immediate communiqué*. Such an alert can be sent as a merge e-mail with a modest amount of firm branding to ensure consistency.

6. USE THE ALERT AS A PLATFORM FOR A MEDIA PITCH

Reporters specializing in that industry are prime targets for media outreach on the latest legal and regulatory developments. *Select an excerpt* of the meatiest part of the alert and encourage your media relations colleagues *to share it with the reporters* at the news services and key trade weeklies and monthlies. If there is an urban concentration of businesses in the industry, such as the automotive companies in Detroit, reach out to the daily newspapers there, even if your firm does not have an office in that area.

7. MAKE THE ATTORNEY QUOTABLE

Often, *use of a rhyme, pun or allusion* to pop culture in an interview will make a reporter's ears perk up. The journalist has to transfer the import of this matter to his readers; snappy language helps them engage their audience. As you know, the more you can help a reporter prepare their stories easily and quickly, the stronger your relationship will be and the more likely your attorney will be the source cited in the news story.

8. MAKE IT VISUAL

If possible, *suggest an analogy or image* that encapsulates the key concern of the alert. As with the alliteration and acronym mentioned, a picture is worth a thousand words and can facilitate the reporter's understanding of the consequences that companies will face as a result of this latest change.

9. MERCHANDISE IT

Emphasize the impact of the new development in references to the alert on Twitter, Facebook, Linked In and blog activity, as well as the firm's website in the publication section. *Reporters monitor social media for story ideas*, so cast a few lines on those waters and see what might be reeled in.

CONCLUSION

All of these suggestions are ultimately rendered more valuable when firms embed links and use analytics to track the actions taken by the readers. What percentage of e-mails were opened and how soon after the distribution? What is the level of activity and engagement of individual

clients? Did the recipient distribute the alert to anyone else? What were the next steps taken by the attorney and the client in the week following the distribution?

In other words, was the client alert truly actionable, truly effective? If the alert is delivered on a timely basis, is reader-centric, and in lay language with memorable visuals, then you've helped your attorney speak to the clients' most pressing needs in ways that will make a lasting impression and keep the door open for the next conversation.

Janet Falk provides media relations and marketing communications services to law firms and consultants. Contact her at 212-6577-5770 or janet@janetfalk.com.

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