



Common reasons 50-something lawyers lose clients

“I’m having a senior moment.”

BY BOB WEISS

On a regular basis, I meet attorneys in their fifties who tell me their compensation has dropped because they no longer originate business as they once did. Some tell me that their business-owner clients have sold out or transitioned management of a closely-held company to a son or daughter. Others explain that the in-house counsel they have worked with for years has retired, or moved up in the client organization and a new general counsel was appointed to replace them. The new general counsel or client contact “wanted a lawyer their own age,” say the fifty-somethings. But these lawyers with declining books of business seldom look for what they may have done that has contributed to their situation.

When I meet these lawyers, there are obvious commonalities. When I interview their former clients and former referral sources I learn “wanting a lawyer their own age” was not the primary reason for the change in counsel. Clients and referral sources instead say the reason they changed counsel was because their 50+ year-old lawyers showed indications that they were not as competent — despite their experience — or as motivated about the practice of law as the younger lawyers selected to replace them.

Specifically, I see the following characteristics in veteran lawyers, usually over

the age of 50, who report their practices are in decline.

- They have largely quit attending functions or meetings of key trade groups where their clients and referral sources gather.
- They too often say: “I’ve been practicing 30 years and in my experience....” Clients and referral sources tell me they find such statements irrelevant, even annoying. Some say it indicates their lawyer isn’t open to new ideas.
- Many prefer the phone or use the fax rather than e-mail and scanning. They complain about and struggle to use technology. Many still dictate and type poorly. They don’t realize the phone today has a diminished role in business (80 percent-plus of business communication is now done by e-mail).
- Many have dated wardrobes and hairstyles. The same shirt they used to wear with a tie is now worn without one. Their glasses have large lenses that are many years out of style.
- Some say: “Just a second — I’m having a senior moment.” To a younger person, that’s like saying, “I’m old and my memory is not what it used to be?” an in-house lawyer recently told me. Doesn’t sound good, does it?
- Many are physically out-of-shape and do not project vitality.

When a non-lawyer bases the selection of counsel on anecdotal evidence, it

is no surprise. They aren’t lawyers, so relying on non-legal factors in the selection process makes sense. What is revealing is that other lawyers rely on those factors, too.

So, does experience count anymore? Survey after survey shows that the two most important factors in selecting counsel are a familiarity with the legal issue at hand and knowledge of an industry. Veteran lawyers who avoid the pitfalls described above can use their experience to compete successfully with younger lawyers and maintain control of their file flow and rate.



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