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Information Governance: data in the digital era must be properly managed

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If you aren't using hashtags, you are preaching to the choir





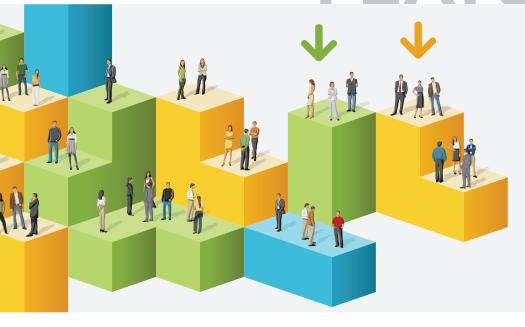
# client relationship management

The importance of maintaining and nurturing client relationships cannot be overstated. Client-focused software tools help strengthen your firm's prospect management and intake process, allowing you to spend more time on your practice.

## FEATURES



/lav/Jun 2015



#### Client Relationship Management Software

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#### LAW + TECH

#### Information Governance

The digital era would seem to have offered relief from paper's long, cumbersome reign over information management, but data in the voluminous, intangible digital era must also be properly managed.



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### SEO OBITER DICTA

#### WaaS: You need to know what this means

The concept of Software as a Service (SaaS) dates back to the 1960s. As computers became more mainstream in daily business operations, the software that made these machines work was generally a one-time purchase per version. Over the last 30 years, the majority of software was sold using the standard model of selling a version and making users upgrade every two to three years.

Enterprise users learned a long time ago that this was an impractical way to maintain their software. Their needs changed frequently and their software needed updates monthly, not biannually. Thus, software developers could offer SaaS solutions. Saas gives developers a monthly stream of income, allows them to accelerate software development and, by doing so, to meet the changing needs of their clients.

With the advent of cloud computing, powerful mobile devices and faster internet, boxed single-version software is quickly being replaced by cloud applications with monthly fees. QuickBooks software users are no longer upgrading every two to three years, they are moving to the \$12 to \$40 QuickBooks Online. Adobe Systems in 2013 stopped selling their Creative Suite and individual software, and instead users now pay \$29 per month for an individual application or \$49 per month for Creative Cloud and access all of their software. Freelancers and businesses that used to get hit with \$1,800 to \$3,000 license fees every two to three years now pay a convenient monthly fee and always enjoy the most up-to-date offerings from Adobe.

While SaaS has gone from a Fortune 500 standard to the cloud software solutions used by startups, small businesses and households, websites have not followed suit.

#### Website as a Service

Your law firm's marketing process needs to be dynamic. It needs to be monitored and updated, and it must adjust to changes from legislative reforms, market influence, competition, demographics and so on. Yet websites remain in this cycle of:

- 1. Fresh design and programming.
- 2. Design goes untouched for two to three years.
- 3. Website is stale and obsolete in four to five years.
- 4. Rebuild and repeat.

As your website limps along in obsolescence for a few years, you miss out on new cases. It becomes that thing you need to deal with instead of a valuable part of your marketing plan.



Your law firm's marketing process needs to be dynamic. If you treat your website as a service, it can be monitored and updated regularly.

Some companies are already starting to coin the term "Website as a Service" or WaaS, but it is far from mainstream and probably four to five years away from being a common practice among law firms.

What the concept promises is an ever-evolving website. Rather than the current pattern of design, stale, obsolete, redesign, stale, obsolete, a WaaS model keeps your design, content and back-end framework always up to date. As users expect new features, new layouts and compatibility with new devices like smart watches and Google Glass, your website can adapt. Instead of buying and waiting then re-buying, you are paying for ongoing service.

If you have recently built a new website, you don't have to wait for a WaaS solution to knock on your door to try one. You can treat your website as a service by budgeting for website updates throughout the year. Whether it's design changes, programming upgrades, features, content or all of the above, your website should never be considered complete. It should be a living, growing, changing organism that reflects your living, growing and changing law firm.

What WaaS solutions will promise in the future, you can deliver today simply by making your website a priority. People are using various devices to access the internet but they are still looking at websites. Whether it's on a five-inch screen, a 10-inch iPad, a one-inch watch or a frame in the corner of a client's eye, your website needs to be there and adapting to every form of media. Therefore, your website's look, feel and framework should be an ongoing investment and never crossed off your list as "done."

- Jason Bland



# STAYING AHEAD

IN GOOGLE'S NEW

# MOBILE WORLD

How does Google judge mobile-friendliness in a post-Mobilegeddon world?

Google began rolling out its most recent major algorithm update, hyperbolically dubbed Mobilegeddon, on April 21. The change only affected mobile searches, and it was feared it would drastically affect the rankings of websites that do not have a mobile-friendly version.

Google quietly makes hundreds of adjustments to its algorithm every year, but the search giant took the rare step of telling the public about this mobile update ahead of time. Prior to the update, estimates were that up to 40 percent of all websites were not up to Google's mobile-friendly user experience standards. Both Google's announcement and the high number of poorly performing mobile pages likely added to the general air of mobile-readiness panic.

#### The results are in

Now that several weeks have passed, it is clear that the effects of Mobilegeddon have not been as dire as predicted, although some movement has been seen in mobile search results. Websites with zero or few mobile-friendly pages have taken a small hit, usually a decline of around one to three places. The position change for non-mobile-friendly URLs tends to be greater after the first page of results, but volatility is generally higher the further one moves away from page one.

So far it appears that no dramatic swings in placement — either positively or negatively — have materialized, and those that have occurred are still a bit unpredictable. In short, the types of adjustments that have been seen since the update are not atypical.



While the storm may not have been as dire as predicted, many websites did update their pages in preparation for the change. Google reported a 4.7 percent increase in the number of mobile-friendly sites during April and May. Google's announcement of the update alone appears to have forced some change in the way websites behave internet-wide.

#### **Smartphone and desktop results** continue to diverge

As Google continues to try to serve results specific to the needs of people using different devices, the disparity between desktop and mobile search results pages will grow. SEOClarity reported that mobile and desktop search listing divergence jumped from 67 percent to 73 percent in the days directly following the update.

The types of content shown in results are also becoming more device-specific. Webpages are now competing with apps in mobile search results, and users have the option to open or install apps directly from within the search results page. As new varieties of content flood the web, mobile results will only continue to become more distinct from desktop results.

The increasing disparity between mobile and desktop search results is making a one-size-fits-all marketing strategy progressively non-viable. Monitoring the ways by which traffic arrives on your pages is not optional. You must be able to predict and optimize for the different types of searches people are making on tablets, smartphones and desktops.

#### **Predicting Google's proclivities**

Mobile-friendliness has become synonymous with responsive design, and having responsively designed or mobile-specific pages is a big factor in how Google determines whether those pages are mobile-friendly. User-friendliness is critical, but it is not the only thing Google is analyzing.

As mobile-ready design becomes more standard, these additional determinants will be what sets a website apart:

1. What is your page load speed?

Google has repeatedly said that it prefers responsive design, a method for creating layouts that adjust fluidly to a user's screen size, over a dedicated mobile site. Responsively-designed sites serve content to all devices from the same URL, whereas a dedicated mobile site will use a different URL, like mobile.lawexample.com.

enough to read naturally? Google is also looking at links — both buttons and links within page copy. Are links tappable? Are they big enough and far enough apart?

3. Can visitors see all page elements? Do not incorporate technologies that most browsers no longer show. Adobe Flash is the most infamous example of such.

Device makers, designers and developers have been trying to get Flash out of website design for years. In April 2010,

#### Speed: How do the big brands perform?

It is surprisingly difficult to pass Google's speed test. Even big brands fail often. Here is a sampling of how some large sites perform. (Google considers scores of 85 points or above to be passing.)

#### Law Firms:

Jones Day: Mobile-friendly: Yes. Page speed: 57/100 DLA Piper: Mobile-friendly: Yes. Page speed: 57/100 Clifford Chance: Mobile-friendly: No. Page speed: 54/100

#### News.

Bloomberg: Mobile-friendly: Yes. Page speed: 63/100 New York Times: Mobile-friendly: Yes. Page speed: 73/100 NPR: Mobile-friendly: Yes. Page speed: 53/100



Google's Mobile Friendly Test and Page Speed Insights tools tell a different story than its public statements. When URLs are run through the tool, both types of pages are being rated user-friendly. Pages utilizing responsive design, however, are less likely to pass Google's speed test. A high user-friendliness score is great, but a low speed score can affect a page's overall mobile-friendliness grade.

If you test a page with the Page Speed Insights tool, Google provides a grade, a list of items that need to be fixed and a list of rules your site passes.

2. How easy are your pages to read? When judging readability, Google looks at text size. Does the reader have to zoom in to view content, or is text large Apple decided not to display Flash on the iPhone, iPad or iPod Touch. Steve Jobs' announcement ignited debate and bickering, but in retrospect it was the right call. You do not need Flash to view interactive content or videos.

Now, using Flash might affect your placement in mobile search results. This applies to any use of Flash, including old Flash-based YouTube embed codes. All are seen as negatives by Google's algorithm.

Over 60 percent of all online activity happens on mobile devices, and Google is unlikely to stop pushing for a more mobile-friendly internet any time soon. Tracking your site's mobile performance and keeping apprised of Google's standards will help you avoid costly ranking changes.

- Kristen Friend

# client relationship management

From elementary business concept to specialized software tool

The importance of maintaining and nurturing client relationships cannot be overstated. Client-focused software tools help strengthen your firm's prospect management and intake process, allowing you to spend more time on your practice.





n nearly any industry, including law, communication between individuals is a key factor in every business deal. Broad-based marketing can bring in prospects, but a personal touch and an emotional connection helps close the deal. Excellent service yields repeat business, but a well-timed reaching-out to a friendly client accelerates the process and strengthens the bond.

Young attorneys with just a few clients can easily keep a mental record of their business relationships, just as anyone can remember important characteristics of their closest friends and family. But prudence dictates that as your client base grows, you need better tools to track the unique relationship you have with each of them so that you can tailor your service to their needs and generate repeat business.



Client relationship management system (CRM) is the name for computer software meant to be that tool. CRM is, at its root, an elementary business concept. Any experienced businessperson knows that relationships drive business, and the concepts behind CRM are as old as business. A Rolodex embodies CRM concepts, as does a mailing list for holiday greeting cards, a brief note about a client's personal characteristics and a written reminder to follow up with prospects. But using computer software better enables you to perform all these tasks more efficiently, giving you more time to practice law while nurturing important connections.

The internet is both a boon and a hindrance to today's attorneys. On the one hand, many people use the internet as a sole means of seeking professional services. This means that an effective and engaging web presence can result in business generated at extremely low cost in terms of money and time. On the other hand, the availability of quality legal information and fill-in-the-blank forms means that industrious individuals might be able to handle some matters entirely on their own where they would have sought to hire an attorney just a few years ago. CRM can help you stay ahead of the curve by consistently giving your relationships a personal touch that not every attorney can deliver.

A distinction must be drawn between high-profile, premier software suites that embody the term "CRM" and smaller offerings that provide basic business development and contact management tools. The quintessential use-case for a premier CRM software system is a very large sales firm. Such a firm might have thousands of existing and prospective customers, any of which might yield new business on any given day, and each of those customers might deal with more than one sales representative. Full-fledged CRM applications are indispensable to these types of firms, despite their steep per-user licensing fees and complex implementation. However, most small- to medium-sized law firms will not fit this profile at all.

Fortunately, a variety of far simpler CRM tools are available to businesses of all types. Some are not marketed as "CRM" per se, but anything that helps foster lasting relationships with clients and contacts is of potential use to law firms big and small. This article will explain several types of software available ranging from modest enhancements, to applications you may already use, to powerful dedicated CRM software suites.

#### Gmail add-ons: Small-scale CRM tools

The basis for all CRM lies in improving communication between you and your client. Gmail, Google's popular web-based email client, is among the most widely-used communication tools in the world. Third-party enhancements to Gmail can not only keep timely information at your fingertips, but can give the email client whole new types of functionality.

#### **Boomerang**

Boomerang gets its name from a feature that allows you to temporarily

As your client base grows, you need better tools to track the unique relationship you have with each of them so that you can tailor your service to their needs and generate repeat and referral business.

cast an email out of your inbox so that it returns back to you — like a boomerang — when you have time to deal with it, or when the message is timely. At that point, the email returns to the top of your inbox, attracting your notice.

Another type of "boomerang" applies to outgoing messages. When you send an email that requires a response, you can set a duration of time after which you will have to follow up. If you receive no reply within that time, your outgoing message returns to the top of your inbox.

Boomerang also allows you to compose messages and schedule them for delivery at a later time. You might schedule an email in observance of a date that is important to the client, such as the anniversary of the opening of a business. Or you could compose a series of holiday greeting emails during downtime over the long Thanksgiving weekend. Boomerang's basic service is free, while advanced features and support come with a monthly fee. It works with Chrome, Firefox and Safari web browsers.

#### Streak

Streak is another Gmail add-on that incorporates email enhancements similar to those offered by Boomerang. But its most impressive feature transforms Gmail both visually and functionally into a business development tool. Streak calls the feature "pipelines." A pipeline is a sequence of categories through which your contacts move as you develop

deals with them. A pipeline might have your prospects progressing from cold leads, to responsive leads, to initial consultations and finally to closed deals. A growing firm might have a separate pipeline for the hiring of new attorneys and staff. A number of pipeline templates are provided, and all are customizable.

### Law practice management software: Multi-faceted legal tools with CRM features

Law practice management software (LPM) combines a number of tools specifically designed to help attorneys minimize the time they spend on mundane administrative tasks. Basic features include: time-tracking, which keeps timers at the attorney's fingertips on computers and smartphones; highly automated invoicing; and document management, including creating templates and sharing access to documents among associates.

A good LPM will also integrate with several popular third-party tools, like Gmail and Google Calendar, Dropbox and Quickbooks. Now, many LPM suites go beyond these basics to include customer relationship management features.





Here are just a few leading LPM products and examples of the CRM features they provide:

**Salesboom** features email marketing campaigns along with lead creation and lead tracking.

Actionstep boasts a "client portal" feature that gives each client access to a unique, firm-branded online space containing documents, communication and a calendar pertaining to their specific matters.

**Rocket Matter** is another LPM that features client portals, Rocket Matter also offers firm-wide contact sharing and basic conflict checking.

**CoCounselor** is an LPM is designed specifically for personal injury attorneys. It integrates with social media sites to monitor posts made by clients and defendants.

Most LPM vendors offer a free trial to start, and several offer basic features for a limited number of users at no cost. If you are not already using LPM, check out the products mentioned above, or any that seem well-reviewed and catch your attention. If you are using LPM, what CRM features are present, and are you making use of them? What features are missing? Might another product suit you better?

When it comes to strengthening your firm's CRM game, the "sweet spot" may likely be law practice management software that also incorporates essential CRM features.

LPM can save the your firm a great deal of time by making time-tracking, invoicing and document sharing simple and transparent. The market is mature, and several high-quality products are available with completely free basic service levels or free trials.

#### **CLOUD SOFTWARE**

When you research the applications discussed herein, you will see them described as "cloud" software. Also called "software as a service," cloud software is computer applications accessed and operated via the internet, using a web browser or smartphone app. This is in contrast to desktop software, which runs self-contained on your computer.

For example, Gmail and Google Docs are cloud-based competitors to desktop applications like Microsoft Outlook and Office. Most new software made today is partially or entirely cloud-enabled, and the trend is only getting stronger. Here are a few reasons why cloud software is here to stay:

#### **MOBILITY**

Cloud software often incorporates smartphone and tablet apps. In other cases, it is simply accessed via a web browser. Any internet-enabled device can be a tool for managing your practice.

#### **SECURITY**

Data generated by cloud software is stored in the cloud – that is, on computers controlled by the vendor. Industry-standard security protocols for the storage and transmission of these data are robust, proven and widely adopted. Data centers are highly specialized facilities that keep storage computers safe from damage, loss and theft. The data truly is safer in the cloud than with you. (Data may optionally be stored locally on your device for offline access.)

#### **EASE OF USE**

Mobile apps both install and update to new versions in just seconds. Web-accessible software requires no installation at all. It's also completely up to date each time you load the page. Desktop software, on the other hand, tends to require much more time and sometimes even a restart to install updates.

#### **FLEXIBILITY**

Because so little data exists on your computer or mobile device, theft or loss of the device is not as detrimental as it once was (in terms of both security and inconvenience). Likewise, switching to a new device or wiping the disk for a clean start is a far simpler matter thanks to cloud software.



With beefed-up CRM features like client portals, marketing campaigns and lead tracking, LPM makes more sense than ever.

#### **Full-fledged CRM suites**

Large firms and those that engage in extensive marketing and lead generation or have unusually large contact lists may see value in a dedicated CRM software tool.

A firm's choice of CRM tool depends entirely on its budget and goals. Most products in this category are fairly sophisticated and will take some time to implement. These tend to be on the expensive side. Others have at least a few features that are readily deployed, sometimes at no cost. The common bond is a feature set that helps users manage many existing relationships as well as track many leads on new clients at any given time.

#### InterAction

InterAction by LexisNexis is a major CRM platform tailored specifically to law firms. It has several features that capitalize on the complex web of relationships present at any large firm. The application analyzes email and contact lists to determine who knows whom both within and outside the firm and to assess the strength of those relationships.

Associates can see which of their coworkers are involved with a given client or prospect and can discover relationships between those third parties, enabling them to recognize connections that might otherwise go unnoticed.

Activity logging monitors a user's most important clients and notifies when a coworker contacts those clients or updates their information. And

automatically generated client briefings help prepare attorneys for meetings.

#### CRM4Legal

CRM4Legal by Aderant is a software package that integrates tightly with Microsoft Office and Outlook. Its focus is on facilitating marketing efforts and contact management using tailored enhancements to software that many large firms have already deployed to every attorney and staff member firm-wide.

#### i/o Grow

i/o Grow is a set of tools that integrates with popular third-party communication and social networking services. It integrates one-click lead generation into Gmail and LinkedIn. It allows the user to monitor Twitter for mentions of clients and practice areas, facilitating protection of brand reputation and generation of leads. i/o Grow is marketed to businesses of all types, not just law firms.

Most dedicated CRM will integrate with popular billing, invoicing and LPM tools, but whether they will work with a given firm's preferred

software must be determined on a case-by-case basis.

The larger the firm, the more potential pitfalls it will face in implementing CRM. Some features are automatic, but others require active participation by each attorney, including the firm's "rainmakers" who may feel territorial over their clients and resistant to even modest changes in their style of business. To be prepared for fluctuations in the market and case load, however, all attorneys should be involved in business development. This will help ensure a steady flow of work even during down times.

#### Conclusion

Customer relationship management must be a priority for all attorneys who want to grow their businesses. But clearly, CRM is a broad term that encompasses business foundations as basic as customer service. Whether you decide your practice simply needs a bit of communication enhancement, or a large-scale deployment of dedicated CRM software, a host of high-quality offerings are available to help you grow your law firm.

The availability of legal information and fill-in-the-blank forms online means that industrious individuals might wish to handle matters entirely on their own where they would have sought to hire an attorney just a few years ago. CRM can help you stay ahead of the curve by giving your relationships a personal touch such services cannot deliver.













- Ryan Conley



### **Information Governance**

A comprehensive approach for managing information in a digital world



In the pre-digital age of paper-recorded information, many law firms have at some stage had to struggle with mountains of paper that have overwhelmed the storage capacity, efficiency and even profitability of all but the most resourceful of firms. The digital era would seem to have offered relief from paper's long, cumbersome reign over information management, but data in the voluminous, intangible digital era must also be properly managed. This is an imperative most effectively achieved through the implementation of information governance.

Information governance sounds as though it implies a system of control over data, and in a sense it does involve taking charge of information. But more precisely defined, information governance is a comprehensive, multi-faceted approach for managing, employing and processing information so as to maximize its benefits for an enterprise while meeting regulatory, legal, security, environmental and operational requirements.

The need for such a holistic framework for dealing with huge amounts of data is reflected in some sobering statistics about just how much information is populating and rapidly proliferating in the digital universe. Because data production in the world is doubling every two years, the amount of information in the already wide expanse of the digital universe has been projected to multiply tenfold between 2013 and 2020, with the growth rate rising even more rapidly at some businesses.

Law firms, which among businesses are relatively new to the digital world and traditionally favor comfort zones evidence processed through e-discovery, only one is actually produced.

From a cost perspective alone, the aforementioned statistic suggests that the benefits of being able to return only relevant information through e-discovery can be substantial, to the tune of up to a 1,000 percent reduction of costs. Considering the fact that e-discovery is estimated to cost between \$1.5 million to \$3 million per terabyte of stored information, that would translate into some serious savings. However, even if that figure is far too generous, less optimistic projections would still translate into significant savings.

The old lumbering model does not work very well when transmission of electronic data can move faster than a gavel in a courtroom, nor is it compatible with an industry that must adapt to and operate in an internet-driven world.

heavily fortified by documentation, are particularly prone to prodigious data creation. But the old lumbering model does not work very well when transmission of electronic data can move faster than a gavel in a courtroom, nor is it compatible with an industry that increasingly must adapt to and operate within an internet-driven world.

One factor that has not changed in the legal profession but which makes the adoption of information governance all the more compelling is one that looms over every law firm: litigation and especially its associated process of discovery.

Within the modern framework of e-discovery, the following statistic neatly encapsulates the point of why information governance is so important: For every 1,044 pages of More conservative, realistic projections for savings that information governance confers upon e-discovery are behind the more basic, yet essentially correct definition of information governance as a system for controlling data. That is because a proactive means for gaining control of and managing more effectively the classification and storage of information makes it easier for a firm to identify and retrieve only the pieces of data that are relevant to a specific issue.

Some of the key reasons why it is so important for a firm to take charge of its data were enumerated in a 2014 survey of various businesses, a survey whose findings are nonetheless very applicable to law firms. Among the findings, the survey revealed that 50 percent of all businesses had to recreate information because they could not locate the original.

Remarkably, 90 percent of these businesses were clueless about the content in their stored data. And finally, 58 percent of the companies had the burdensome habit of retaining information indefinitely.

#### Why govern data?

The importance of actively governing data rather than allowing data to proliferate to the point where its daunting size governs a firm points to the need for getting ahead of and controlling data accumulation. This is accomplished by identifying and deleting duplicate or extraneous information — as much as 69 percent of data in the possession of most enterprises has no business, legal or regulatory value — and when applied to e-discovery, this application of information governance can dramatically reduce the amount of data to be searched.

Another beneficial and digital-relevant means of controlling and organizing data accumulation is through the use of Cloud-based computing provided by third-party web servers. The Cloud offers a flexible, relatively secure and cost-effective means of archiving information as well as a significant expansion of storage space while freeing up on-premises software.

For law firms, another aspect of litigation that makes reining in data through information governance all the more important is the need for meeting evolving regulatory requirements, particularly security and protection mandates, whether they impact internal information or information belonging to a firm's clients. A prime example is the 2013 Health Information Portability and Accountability Act, which requires organizational security and protection of stored health information.



Security is a serious, though surmountable, challenge of effective information governance, and it is one that law firms must ensure to avoid any potential damage to their reputation or finances. Information governance that provides effective information security will include a focus on the key concepts of confidentiality, integrity, accessibility, authenticity and reliability.

#### Security: Striking a balance between confidentiality and accessibility

The value of integrity, authenticity and reliability to law firms is pretty straightforward — information should be accurate, credible and trusted. However, firms must find a way to strike a balance between the need for confidentiality and having accessibility to information. Only authorized users should have access to information. yet the appropriate people must have access to that information when they need it.

Some of the ways in which firms can ensure that the information security aspect of information governance will be implemented include the following: all data should be classified and organized to enable easier identification and retrieval; all sensitive or personal information should be password protected or, better yet, encrypted, which permits the anonymizing of data; and all obsolete data, including data held by third parties, should be safely deleted or destroyed, an objective that ensures data will not be vulnerable to external attack or exploitation.

There is an additional step firms should take to ensure information security, and it concerns social media. With so much of a firm's proprietary information, customer preferences or marketing trends posted on Facebook, Twitter or LinkedIn, there is always the risk that employee use

of those platforms could result in unintentional or intentional leaks of confidential or personal information. Firms must guard against this possibility through reasonable management of such employee communications, just as they would for employee use of emails.

It stands to reason that effective information governance involves management of human resources as much as it does management of the information itself, and the former requires adequate training of staff. However, statistics show that only 16 percent of all businesses conduct regular information governance training of their employees; another 31 percent do no training at all.

#### Customize governance programs to fit your law firm's needs

While large law firms with their vast volumes of information stand to gain the most from the implementation of an information governance program, the streamlining, time-saving and cost-effective benefits such data management provides apply to medium and small firms as well, if only on a smaller scale. Indeed, one could argue that medium and small firms, with their more limited resources, particularly can use the leg up that an information governance program will provide to keep information from disproportionately overloading a firm's capacity to handle all of it.

An information governance program should be customized to fit the specific needs of a firm, but every information governance program should share some common traits, not least of which is the need to craft a statement that defines in basic terms what the firm seeks to accomplish through implementation of the program.

#### WHY SHOULD FIRMS **USE INFORMATION GOVERNANCE?**

Actively managing data to prevent it from reaching an unmanageable size will help your firm stay in control and organized when cases require critical information to be readily available.

#### **IRRELEVANT DATA CAN BE COSTLY**

Estimates are that as much as 69 percent of data in the possession of most enterprises has no business, legal or regulatory value. Having a data governance strategy reduces costs during e-discovery.

#### **REGULATIONS REQUIRE COMPLIANCE**

Regulatory requirements, particularly those pertaining to security and technology, are continuously evolving. When new rules covering either internal firm communications or client information are proposed, having a strategy in place will allow your firm to adapt quickly.

#### **SECURITY MATTERS**

Firms must find a way to strike a balance between the need for confidentiality access to information. Data should be organized, categorized and encrypted, and access should be limited only to attorneys who justifiably need it. Obsolete data, including that held by third parties, should be safely deleted or destroyed.

But beyond a statement defining the objectives of a firm's information governance program, the firm must also determine which key players will be executing the program, including the members of a ruling committee and a records manager.

While these leading executive and administrative positions are important, a firm's information governance program must be inclusive, i.e., the firm must define the roles that all other employees will play in carrying out and upholding its information governance policies and procedures.

An information governance policy can cover issues such as security, records management, archiving, records disposal, data privacy and information sharing. More specific procedures will govern how a firm and its employees

Using information governance as a proactive means for gaining control of and managing more effectively the classification and storage of data makes it easier for a firm to identify and retrieve only the pieces of information that are relevant to a specific issue.

work with information, including the creation or receipt of information, personal information, and the storing, sharing and deletion of information.

Implementation of an information governance program is not a simple, seamless task and may come across as a challenge to some firms. Thus, it is best achieved when methodically assembled as if each component is treated as a building block and in no particular rush. Information governance is also not a static process and should always be monitored,

updated and reviewed to suit a firm's specific situation and needs.

Operating within a highly competitive and evolving industry, law firms should be particularly sensitive to the need for minimizing the risks and costs of information management. Through the implementation of information governance, law firms can realize those objectives and significantly improve the way they conduct their business.

- James Ambroff-Tahan

# FLAGSHIP CHOOSE POWER

The seas are rough. The tides are unpredictable.

The wind can throw you off course or fill your sails with incredible power. **Choose power.** 





#### TAKING THE LAW INTO YOUR OWN HANDHELD

#### EmPower and attorney locator apps offer new opportunities for exposure

Finding attorneys online via legal apps is not new, but some recent additions to the market are accelerating competition. Google is now showing apps in mobile search results, which provides an excellent opportunity for attorneys to reach potential clients who are increasingly using smartphones to search for legal assistance.

Google App Indexing opens a whole new marketing world. When someone searches for legal information on a smartphone, Google now includes related apps in the results, whether or not they are installed on the device. Previously, those searching for particular information would have seen relevant apps only if they already resided on the smartphone being used.

Google App Indexing already contains 30 billion links. When a user is searching for legal information, and indexed content from an app is relevant to the search (on Android devices), an app install button will appear in search results. For example, if the user is looking for information on the division of property pending a divorce or for an attorney who handles DWI arrests, Google may show an attorney locator app. A quick tap and the potential client is sent to the Google Play store to set up the app and explore relevant content.

This drives new users to apps, expands an app developer's marketing reach and delivers information to those who otherwise would not have such accessibility. There is something very empowering about being able to immediately download and use an app from within a search result.

One of the newest attorney locator apps, projected to be on the market in late summer 2015, is EmPower from U.S.-based Encore Digital Media, LLC. Their team consists of advocates, attorneys, IT professionals and consumer representatives interested in developing an app that allows people to easily access attorney information.

EmPower boasts outstanding features and sterling support. It includes an attorney search based on name, location and practice areas and offers a full digital directory with lawyers website, office, biography and name. Directions to the attorney's office are provided with

Google App Indexing opens a new marketing world. When someone searches for legal information on a smartphone, Google includes related apps in search results and gives users the opportunity to install them from within the results page.

an interactive mapping feature. All attorney biographies are available, and the app offers the option to call or directly email attorneys.

EmPower is new and has not yet had the chance to prove itself in the trenches. However, it seems the company may offer the app free when it becomes available on Android devices and iPhones. EmPower also mentions three "Tier packages" with the first tier referred to as the Premium Tier One.

Tier One: Premium includes the attorney and the law firm with lawyer name, picture, law firm logo, address, phone number, email address, areas of practice, information on rates,

name of firm, firm address, law firm website address, officer hours, a brief 300-word bio the equivalent to a keyword search.

Beta Special Price: \$1,500

**Tier Two:** Standard includes lawyer search, attorney name and picture, address, phone number, email, practice areas, education, admission information, rate information, a brief 150-word biography and the equivalent to keyword search. Beta Special Price: \$1,000

Tier Three: Basic includes lawyer information, lawyer name, address, phone number, email and areas of practice. Beta Special Price: \$500

EmPower is not the only attorney locator app out there. However, many are packaged as "Ask an Attorney" apps, rather than full search apps. If someone wishes to ask an attorney a question, they would find it convenient to be able to find that lawyer should they wish to speak to him or her.

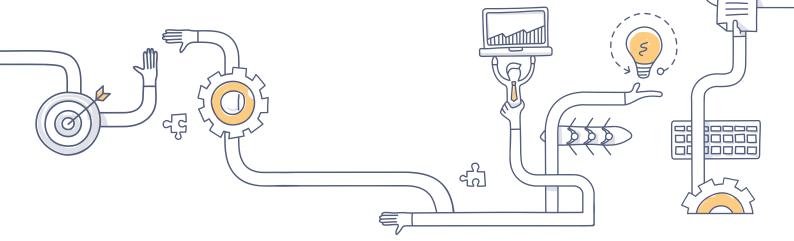
Niche variations on the find an attorney application theme also exist, such as the BernieSez.com app and website. BernieSez provides services to those who need traffic citations handled. Users upload basic information and usually a snapshot of their traffic ticket. Traffic attorneys then bid on representing the individual who posted looking for legal representation.

Are attorney locator apps worthwhile? Certainly people looking for information pertaining to a legal issue would be happy to have access to them. Google will continue to adjust search results to fit user needs, and your firm should be actively seeking ways to proactively stay in front of the most online viewers possible.

- Kerrie Spencer

# GETTING HIGH FIVES WITH **HTML5**

> THE SOURCE CODE OF THE INTERNET HAS ALWAYS BEEN A LOOSELY INTERPRETED LANGUAGE, WITH EACH BROWSER HAVING THEIR OWN TAKE ON HOW WEB PAGES SHOULD BE RENDERED FOR USERS. THE LATEST VERSION OF HTML IS A HUGE IMPROVEMENT BECAUSE IT NORMALIZES IDEAS THAT DEVELOPERS WANT TO WRITE ONCE AND WORK ACROSS ALL BROWSERS.



#### < STANDARDS MATTER >

The standards published by W3C incorporate decades of patterns that simplify the instructions that make up the web. There have been several different variations of HTML such as XHTML and DOM Level 2 HTML, as well as Javascript and CSS, which have all been loosely defined and interpreted differently by browsers. If you wanted to style a box of content to look consistent across different machines, you would have several tricks to ensure the pixels matched.

HTML5 is a generational leap in making the web a better place. It subsumes different variations of syntax into one single standard, introduces many new elements and improves the source code to be more human readable. Unfortunately, a lot of these changes are much needed revisions on old implementations and are not entirely reverse compatible.

Legacy, out-of-date browsers are the most detrimental to the Internet. Since browsers have been around, there have been security holes and exploits in browsers. Not only does running an older browser put your machine and personal data at risk, but web pages will appear 'broken' or featureless unless there are fallbacks in place which are expensive to implement.

The era of HTML4 was ruled by Internet Explorer. Browser market share varies depending on the source, but the consensus is that IE now controls less than 50 percent, and its share is steadily declining. HTML5 was released in a time when browsers like Chrome, Firefox and Opera push out quicker updates and reduce the window during which users are behind technologically.



#### < FINALLY, MARKUP DESIGNED FOR SEMANTICS >

The new version of the HTML specification brings a plethora of elements which makes code easier to read and browsers easier to interface. An easy way to tell if you are viewing an HTML5 page is to view the source and look at the very first line for the document declaration. An old declaration will look something like:

<!DOCTYPE html PUBLIC "-//W3C// DTD XHTML 1.0 Transitional//EN" "http://www.w3.org/TR/xhtml1/ DTD/xhtml1-transitional.dtd">

This long string of text would tell browsers and website validators the type of syntax in which the page was supposed to be written. With the new HTML5 specification, which eliminates the need for different specifications, all you should see is:

#### <!DOCTYPE html>

That's all that is needed to define the document as the latest spec. Other new tags such as <main>, <header>,<footer>,<content> and <aside> don't produce visually different elements but instead give pages a richer semantic structure which makes it easier for search engines to distinguish content and navigational elements.

#### < NEW APIS FOR SMARTER PAGES >

Flash is a tremendous burden on internet users: it's resource intensive, expensive and difficult to create and has been the target of countless security exploits. It has been kept on life support because of its perceived simplicity in playing audio and video files. Now we have the <video> and <audio> tags, which play hardware accelerated media in as little as one line of code without the need for any plugins.

Consumer hardware is far more powerful than it was 15 years ago, and many presentation elements are being shifted

from servers back to the user's machine. The <canvas> element allows for simple, bitmap based manipulation of 2D elements to be done on the flv. A user could add text or even draw on an image without desktop editing software.

66

With CSS3 and modern Javascript APIs, it is possible to make beautiful user experiences that work across all browsers.

"

Scalabe Vector Graphics (SVGs) are also enjoying increasing support. Instead of saving an icon or logo as a bitmap image (which is better suited for larger images, photographs), it can be exported into a file which contains the maths that make up the icon. The SVG file can be embedded inside the HTML document itself, which greatly improves page speed by reducing the number of requests it has to make.

Web storage is the likely successor to cookies since it offers a better API, 1.000 times more data capacity per entry and allows web applications to manipulate user specific information all in the browser without needed to have a connection. It means web applications can use your browser as a temporary or semi-permanent database, perfect for offline use.

Safe handling of user input is a mandatory practice. Server side validation should always be done but client-side validation (before information is sent to your server) is not as common because it needed a Javascript approach. Now a few attributes on your form fields will ensure the user is

made aware of incorrect data entry and prevent the form from being submitted.

#### < WITH GREAT MARKUP **COMES GREAT STYLESHEETS >**

HTML5 brings desired improvements to the structure of web pages by unifying the various hacks and underdeveloped ideas. This alone doesn't make beautiful and user-friendly pages. Cascading style sheets, now in its third version (CSS3), separates content and design on web pages.

CSS3 brings greater control over how content can be styled and better effects without the need to use Javascript or pre-made images. Responsive web-design, the de facto method of building web pages, is made possible thanks to media queries: CSS which is only applied when certain conditions about the user's display are met. Media queries can style the page depending on screen size and even pixel density.

Other changes that have been introduced include 3D transformations, keyframe animation, storing images as data and fancy text decoration techniques such as shadows and borders. These new CSS declarations are great for developers because it means fewer lines of code which are easy to maintain, and great for users because nicer effects are produced from fewer computational resources.

#### < MAKING A GOOD THING BETTER >

With CSS3 and modern Javascript APIs, it's possible to make beautiful user experiences that work across all browsers. Search engines will also love your site because they put more weight on well formatted pages that use rich markup tags to distinguish content. HTML5 is not the ultimate technology to answer all technology problems, but it is a huge step in defining a cohesive language that has been difficult to understand.

- Justin Torres

PRODUCT SPOTLIGHT

The Axiom Edge

# paper li & the

### **Benefits of Robo-Journalism**

Automated news production can be an effective marketing tool for your law firm.



The To





#### Osarge News USA





#### sci-fi SENTINEL



ne of the keys to building a superior law firm website is presenting high-quality content, and it is no coincidence that this is also an important factor in optimizing the firm's website for search engines. The written content must be of the highest quality and unassailable accuracy, especially content that addresses questions that prospective clients may have about legal matters. But what about news, blog posts and social media updates? These need to be accurate and appropriate as well, of course, but it is also no secret that quantity matters. If your firm has a news or blog section, a Twitter, Facebook or Tumblr account, they need to be updated frequently, so that users see fresh content and search engines detect that your firm's website is active and current. As the firm's marketing team manages these tasks, it is natural to ask how efficiency can be improved. Enter robo-journalism.

No, it is not yet time to replace all writers and editors with robots. But there are some new tools that can help them quickly present readers with news from a variety of sources, and law firms should be aware of how these tools work. Participating in news aggregation sites, whether as an editor or contributor, can be an important way for firms to present themselves as experts and build the website links that are a key factor in search engine optimization.

News aggregation sites like the Huffington Post were the first to capitalize on the importance of how news is delivered on the internet, often earning more clicks than the New York Times for a story that HuffPo merely excerpted and repackaged. Today, many people turn to their Facebook or Twitter feed for news headlines, sometimes clicking through to read full articles, and sometimes not.

Paper.li is a new product that automates the repackaging of news. If you or your firm are active on Twitter, you may have already discovered that you are an inadvertent contributor to one of the many online newspapers that have been created using the tool.



Paper.li creates an online newspaper for you in a snap, and can be helpful even for personal use. The interface allows you to easily choose Twitter accounts and website news feeds to follow. Then, with the press of a button, the latest relevant news is aggregated into an online newspaper with a clean, readable design. Give your paper a name, and you have created a not-bad-looking online news source, that automatically updates on a daily basis.

Each article is actually a hotlink to the real news source, with a headline, photo and brief excerpt presented on your site. A typical edition of your newspaper may include 70 linked articles in 10 or more sections. If you do not like the selection of news presented, you can begin to tinker, adding news sources, blacklisting others and moving articles around on the page using the easy drag-and-drop interface.

Of course, in addition to its use as a personal news organizer, law firms will want to know how useful Paper.li may be for marketing. There are two main ways that law firms can use Paper.li for such purposes: as editors and as contributors.

Should your firm publish an online newspaper? Let's look at costs and benefits. With Paper.li, a law firm may establish itself as editor of a website with the potential to grow into a trusted news source, with the firm's branding and links to the firm's main site. The higher the quality of the news selected, the more people will subscribe, building the firm's online profile. Your firm may choose to promote content by your own attorneys, helping position them as experts in their field.

effort. Also, setting it and forgetting it is not advisable. Robo-journalism can lead to some odd quirks, and your firm does not want to find itself publishing inappropriate or offensive content because of another Twitter user's hashtag mishap. At a minimum, a member of the firm's marketing team would need to look over a draft version of each edition of your firm's online newspaper before publication; more effort put into selecting news sources will result in a better product,

With Paper.li, your firm may establish itself as editor of a website with the potential to grow into a trusted news source, with your firm's branding and links to your main site.

Paper.li has a free option, and a set-it-and-forget-it mode, which will publish a new daily or twice-weekly edition of your newspaper without you doing anything, so hypothetically the cost of using Paper.li could be zero. However, this is not a viable option for a law firm. For \$9 a month, the Pro features give you finer control over content and a custom domain name, necessary for any serious marketing

more likely to attract readers and clients. What Paper.li does do is provide the firm's marketing team with a very efficient news-gathering tool, which can greatly increase efficiency.

However, even if your firm decides against publishing an online newspaper, Paper.li can aid in your marketing efforts. In fact, it may have already done so. If your firm's attorneys and marketing team are active on Twitter and Facebook, often posting links to articles on the firm's website, then you may already have been published on a Paper.li site. Each hotlinked article contains a link to the original source of the article as well as a link to the Twitter user whose feed it was scraped from.

As news aggregation sites become more and more popular, law firms with an active presence on social media will be featured prominently. Search engines measure those links, and news readers can become potential clients, so search engine optimization strategies and the reliable marketing techniques of getting the firm's name out there work hand-in-hand.

≡ paper.li Corporate Law Win The Entrepreneur's Library: 67 Books for Entrepreneurs (\$1,314.20 Value)

Example of a Paper.li Corporate Law Online Newspaper

- Brendan Conley





#### How do hashtags increase a firm's exposure?

Even if your firm is doing all the right things — posting with regularity, posting interesting and relevant content and posting about stories not directly linked to your firm — without hashtags you are still talking only to your followers with the hopes they will share your posts. By adding hashtags to your posts, you can increase the number of people who are likely to see them and engage with them.

Simply Measured, a company specializing in social media analytics, studied the Twitter activity of the companies on the Interbrand 100 list. It looked at 34,707 tweets (that were not @ replies or retweets) and found that 67 percent of those tweets contained one or more hashtags and 45 percent contained at least one hashtag. Big brands have embraced hashtags, and for good reason. Within the study group, tweets containing hashtags earned 12 percent more engagement (measured by whether the tweet was retweeted or received an @ reply) than those without. The highest engagement level was seen in tweets that contained a hashtag and a link.

Each retweet and @ reply increases the chances that more people will see the original post. More eyeballs, especially among a group of users that has already indicated an interest in a topic relevant to your firm, will naturally increase awareness about your firm. Additional exposure also gives more users the opportunity to follow your firm.

Hashtags can also connect your post to a wider conversation. Posts that contain a hashtag are automatically linked to other posts with the same hashtag, and they become more searchable by those looking for information on a specific topic.

Posts that contain a popular hashtag are even more likely to be seen, and

adding a trending hashtag to a social media post is a viable marketing tactic. However, be very cautious when using this method. Your post must be related to the popular topic, and it must be respectful of the topic. For example, the Comcast–Time Warner Cable merger received steady coverage for many months and would have potentially affected a large swath of the U.S. population. A business law oriented firm could have created content, like an infographic, detailing the anatomy of a merger and used hashtags to hop on to that news item.

Moreover, the research showed a correlation between the use of hashtags and more followers. Every additional tweet with a hashtag showed up to a two percent increase in new followers. Getting the message to more people is beneficial.

It is worth noting that these results could be dependent on a brand's audience. (The audience for this study consisted predominantly of Moz and Followerwonk customers.) Test engagement and follower levels for different types of posts and different hashtags to determine what works best for your audience.

Even if your firm is doing all the right things – posting with regularity, posting interesting and relevant content and posting about stories not directly linked to your firm – without hashtags you are still talking only to your followers.

#### Do hashtags produce followers?

One study performed by Peter Bray at Followerwonk suggests that hashtag use is correlated with more followers. The research looked at the day-by-day posts of over 4,000 users over an extended period of time. The variables studied included tweets with images, tweets containing URLs and tweets utilizing hashtags, among others. The sample spanned a range of very large Twitter accounts to very small ones, which could skew percentages slightly. Large accounts would need a lot of new followers to show a percentage increase while smaller accounts might only need a few.

Even with this caveat, the results are worth noting. Like Simply Measured, Bray found that roughly 45 percent of all regular tweets use hashtags. Companies of all sizes are recognizing that hashtags equal more exposure and allow them to reach people they may not otherwise.

#### What can your law firm do to take advantage of hashtags?

The benefits of hashtags are real, and any old hashtag won't do. Due to the nature of social media, companies that fail at using hashtag can fail spectacularly.

The NYPD got a digital earful when it tried to use the hashtag #MyNYPD to encourage people to tell positive stories about the police force. This misreading of public sentiment resulted in a PR nightmare, with people tweeting pictures of police violence and attaching the tag, #MyNYPD.

Pizza maker DiGiorno also learned quickly to be careful what hashtag you hijack when it used the hashtag #WhyIStayed, which was being used to discuss domestic violence, to ask people to stay in and have pizza at home. Before you jump into the hashtag game, set up some guidelines.



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Here are some ways your firm can take advantage of hashtags.

#### 1. Establish brand hashtags.

Your brand hashtags are those that will consistently be associated with your firm. Using brand hashtags makes it easier for followers (and their followers) to identify content related to your firm. Keep these hashtags simple. They should be easy to remember and not use too many characters. A brand hashtag may be related to a niche

shows popular hashtags by location, allowing firms to see what people are talking about in their areas. Social media management company Sprout Social offers a trends report that shows what people are talking about when they mention you on Twitter. You can see how often a word or hashtag was mentioned each month and what other top words were associated with that topic.

If you would like to explore words and their associations, Keyhole (keyhole.co) allows you to enter a keyword, hashtag Try attending a Twitter chat or two before attempting to set up your own. A master Twitter Chat Schedule spreadsheet exists as a public-access Google Doc, and it can be used to find regularly occurring chats to attend. (To find the document, google the phrase, "Twitter Chat Schedule Google Doc.")

Tweet Reports (tweetreports.com) also keeps a Twitter chat schedule, organized by topic, moderator, date and time.

#### 4. Promote across channels.

All social networks worth using for marketing purposes support hashtags, and your firm should use hashtags on all platforms. However, be sensitive to the ways in which hashtags are generally used on different sites. Hashtags on Facebook and Twitter tend to describe topics while hashtags on Instagram tend to describe the image. Do not simply post the same update to all networks; consider how each network's users will consume the information.

#### 5. Use proper hashtag etiquette.

Too many hashtags is too much of a good thing. Engagement starts to fall off around three hashtags per post, and brands tend to see follower loss associated with the use of too many hashtags. Using many more than two is considered spam. It is also considered hashtag spam to automatically post updates centered around someone else's event. For example, a firm that uses the hashtag #ABATechShow to shamelessly promote its IP practice will quickly be called out for poor judgement.

Hashtags have made their way into mainstream social acceptance and are not likely to disappear any time soon. Your firm can use hashtags to gain a wider audience, increase its authority, grow its follower base and create a community of people who can organically assist with new client outreach.

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practice area, or it may be the name of an event you host regularly. You may also consider creating a tagline out of a hashtag, like #FinanciallyFocused or #ClientPartners. Brand hashtags can be a creative way of building a recognizable connection with your firm and an organized marketing concept.

Choose brand hashtags with caution. Once you release them into the social media hinterlands, you cannot take them back. Consider ways your hashtag could be commandeered, like #MyNYPD. Look at what else the hashtag may spell. In 2012, Susan Boyle's team chose the tag #Susanalbumparty (Susan Album Party) as a promotional hashtag for her album release. Unfortunately, an alternative spelling was quickly noted (see the word preceding "bum"), and mockery ensued.

#### 2. Research to find the best hashtags.

Tools can help with hashtag research. Trendsmap (www.trendsmap.com)

or URL to discover associated topics. Keyhole tells you who is talking about the keyword, where the mentions are coming from, what other topics people are using with the keyword and what influencers are talking about the topic, among other things.

The goal of your research should be to discover what people are talking about and determine how those topics may be related to your firm or practice areas. Ignore any trends that are not relevant to your firm.

#### 3. Host a Twitter chat.

A Twitter chat is a public discussion centered around a specific hashtag. Firms with good social media reach could use Twitter chats in the same way they use webinars — only with more interaction. Twitter chats put you in a virtual room with a group of people interested in your topic. You can answer questions instantly and get immediate feedback.

- Kristen Friend



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