

# BLF

## BIGGER LAW FIRM

A magazine for attorneys

100% ORGANIC

NATURAL & EDITORIAL

## VIRTUAL IMPRESSION

Key performance indicators:  
finding the metrics that matter

## PRIVACY

Maintaining your privacy and security  
in the age of Google

## MESSAGING

Tips for creating strategy & style  
guides for consistently branded  
marketing content

BUILT MANUALLY

HIGH-VALUE

STRATEGIES AND IDEAS FOR

# LINK BUILDING

*Google has officially confirmed that its three most important ranking factors are RankBrain, content and links. Links to your content show Google that your website may help consumers find the answers to their queries.*





## Link Building Strategies and Ideas

Google has confirmed that its three most important ranking factors are RankBrain, content and links. Google has not clarified order of importance between content and links, but it has stated that RankBrain is the third most important ranking factor.

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## LAW + TECH

### Blockchain: from an internet of information to an internet of value

One truly 21st-century technology is going beyond the ordinary to fuel black markets, protect financial and physical assets and eliminate middlemen in any number of industries.



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## VIRTUAL IMPRESSION

### Key performance indicators

Nearly every online interaction generates information that is easily measured, but to determine the best return on investment, law firms need to zero in on the most crucial metrics. These are your firm's key performance indicators (KPIs).

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*Bigger Law Firm*™ was founded to introduce lawyers to new marketing and firm management ideas. Advancing technology is helping law firms cover more territory, expand with less overhead and advertise with smaller budgets. So many tools exist, but if attorneys are not aware of these resources, they cannot integrate them into their practice. The *Bigger Law Firm* magazine is written by experienced legal marketing professionals who work with lawyers every day. This publication is just one more way Custom Legal Marketing™ is helping attorneys Build a Bigger Law Firm™.

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# OBITER DICTA

Bounce rate is often misunderstood. Most website owners aspire to lower bounce rates. This may not always be the best strategy.

A bounce occurs when a user visits only one page on a website. The bounce rate is the number of bounces, or single-page sessions, divided by all sessions.

That is Google's official definition. A bounce is technically a session in which someone visits one page and takes only one action, or a single hit session. A single page visit may not always be recorded as a single hit session, which will be discussed in more detail below.

Bounce rate is calculated for individual pages and for the website as a whole. A high bounce rate seems bad, but is it? Here are four common myths about bounce rate, and a new way to approach it.

**Myth 1: People who bounce are not interested in the page**  
If a visitor clicks on one of your pages, spends ten minutes reading it, writes down your phone number and calls you, this is a bounce. By almost any measure, it was a highly successful visit. However, that ten minutes is never recorded, and Google has no way of knowing the visit resulted in a conversion.

Visitors can spend a lot of time on a page and never trigger an event. Those visitors may be genuinely interested in your content, even though they bounce.

**Myth 2: You should always try to lower bounce rate**  
This myth assumes that all bounces are bad. If a visit is counted as a bounce, Analytics records zero duration for that visit. In the example above, the ten minutes the visitor spent on your page would be recorded as zero. But that bounce was not a negative action. A visitor may come to one of your pages looking for a specific piece of information, like a phone number, address or information about a practice area. They find it and leave. Those bounces are not negative; the visitors found exactly what they wanted.

Some pages have naturally high bounce rates. If you are setting up targeted landing pages for pay-per click campaigns, for example, you may not want visitors leaving those pages. The whole page may be designed in a way to keep visitors on it, and therefore a high bounce rate is OK.

Other pages may act as gateway pages, specifically encouraging visitors to click through for additional information. A high bounce rate on these pages is generally bad, and in this case you would want to test methods for lowering the bounce rate.



## Myth 3: Your bounce rate affects your rankings

Google has confirmed that it does not use Analytics data as a ranking factor. Since bounce rate data are only available if a website has Analytics installed, Google's algorithm does not take bounce rate into consideration.

It seems logical to say that a high bounce rate must equate to poor user experience, but the metric is more complicated than that. Some argue that Google says one thing and does another, and you will likely read articles that claim bounce rate affects rankings. According to Google, that claim is untrue.

## Myth 4: Bounce rate is the same as exit rate

Google Analytics reveals two page abandonment statistics: bounce rate and exit rate. The exit rate is the percentage of time a page is the last page a user visits. A user may have viewed other pages, but the page in question is the one from which the user exited the site.

Exit rate can be instructive, perhaps more so than bounce rate. If your site contains a group of pages with consistently high exit rates, there may be a reason those pages are abandoned more often. You may want to perform an analysis of these pages to see how they could be improved, or whether they need to be eliminated.

## You can control how bounce rate is calculated

You can see how people interact with your pages by enabling Event Tracking and defining events. An event gives Analytics something to see. Once a visitor performs a defined action, Analytics will record it. In this way, a single page visit may become a multi-action visit, and therefore no longer a bounce.

You can set events for a variety of user actions. You can trigger an event once a visitor scrolls past a certain element on a page, or presses play on a video. Or, you could set an event for an ebook download or form submission — even for a click on specific external link text.

Analytics allows you to customize events and the way they are recorded, giving you granular control over your bounce rate statistics. Taking this approach gives you valuable information about the features your visitors use, which they do not and how you can build high-performing pages.

- Kristen Friend



# BLOCKCHAIN

FROM AN INTERNET OF INFORMATION TO AN INTERNET OF VALUE

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Emergent online technologies often make new millionaires out of early adopters and threaten to fundamentally disrupt long-stable industries. This is nothing new. But one truly 21st-century technology is going beyond the ordinary to fuel black markets, protect financial and physical assets and eliminate middlemen in any number of industries. The most important technology since the internet is called blockchain.

#### **Bitcoin: promise and peril**

If you have not heard of blockchain, you have probably heard of its most widespread application, bitcoin. A so-called “cryptocurrency,” it has skyrocketed in value from zero at its inception in 2009, to around \$600 a year ago, to a recent high of \$5000 per bitcoin in early September. Blockchain technology and the bitcoin currency were developed in conjunction, but think of blockchain like Windows and bitcoin like Excel. Bitcoin runs on blockchain, but a blockchain can run more than just bitcoin.

Bitcoin’s early moments in the spotlight tended to revolve almost entirely around unsavory subjects. With care, one can purchase and spend bitcoin with near-perfect anonymity. This makes it immensely attractive to criminals who need to hide their transactions. Its only rival in terms of its ability to be transferred anonymously is paper currency. And unlike currency, bitcoin can be electronically transferred great distances at very low expense.

#### **Black markets**

Together with Tor, an internet protocol that anonymizes web traffic, bitcoin made possible the Silk Road, the veritable Amazon of illicit drugs, forged documents and other contraband. Upon the seizure of the site and the arrest of its founder in November, 2014, Silk Road was a clearinghouse for tens of millions of dollars in annual drug sales by hundreds of vendors — all paid for in bitcoin, and all delivered to customers’ doorsteps by the United States Postal Service.

## BLOCKCHAIN IS OFTEN REFERRED TO AS A “TRUSTLESS” SYSTEM.

*Trust is distributed among the myriad network nodes, each in complete agreement as to the historical record.*

In the ongoing battle between law enforcement and hidden websites, the balance of power swings wildly. High-profile seizures of black market sites like Silk Road are regular, but newcomers always fill the vacuum. Though stories like these can serve to introduce large swaths of the public to bitcoin, the promise and importance of blockchain is often lost amid the controversy.

### Understanding blockchain

A blockchain is a public, distributed ledger that is highly resistant to tampering. Each “block” of transactions is cryptographically linked to the preceding block, and the complete chain of blocks contains a record of every transaction ever made in a given application. In order for a computer to act as a “node,” for the bitcoin blockchain and participate in the ongoing calculation of transactions, the computer must first retrieve and verify the complete blockchain sequence.

Herein lies the key difference between blockchain and traditional transaction networks. When money flows through a bank, the sender and recipient trust the bank to accurately record those transactions and verify their legitimacy. Even transactions in paper currency involve a certain level of trust in the government issuing that currency. With blockchain, the required trust is distributed among the myriad network nodes — each in

complete agreement as to the historical record — and the mathematical rules that govern the system.

### Private blockchains

Private organizations can implement their own, private blockchains that operate by their own rules. Many of the world’s largest banks are beginning to get their feet wet with blockchain. They see the potential to reduce fraud by moving away from monolithic, centralized databases that serve as very attractive targets for attack.

IBM is partnering with Walmart, Dole and others to use blockchain to track their food supply chains. Establishing an immutable record of a chain of custody can help track and contain the spread of food-borne illness.

Thus, large corporations see enough potential in blockchain to spin up test projects of a limited scope. The downside risk is quite low for them, as they can easily afford the cost of development. But what about bringing blockchain to the masses of entrepreneurs and tech startups? Blockchain needs a way to attract those with great talent and risk tolerance but limited resources.

### Ethereum: blockchain’s killer app?

Bitcoin has successfully served as a proof of concept for blockchain technology for eight years. Many believe that bitcoin’s story is just beginning. Others have strong doubts as to its ability to disrupt entrenched financial networks. In any case, bitcoin is not blockchain’s “killer app” — the application that makes everybody aware of a new technology platform and want to get on board.

The killer app may turn out to be Ethereum.

All kinds of businesses can and will be replicated on blockchain. But the work required to accomplish this is

great, and the skills required are not widespread. Ethereum aims to greatly reduce this barrier to entry.

If someone wanted to build a decentralized (blockchain) version of a given service, they would likely spend a great deal of their time and resources on the decentralization aspect relative to building out the actual service — in which their true talents and resources likely lie. To fix this, Ethereum acts as a platform upon which to build decentralized applications.

## ONE OF THE CORE BENEFITS OF THE BLOCKCHAIN IS THAT TRANSACTIONS ARE PEER-TO-PEER.

*The closest thing to a middleman in a blockchain transaction is the computer network itself, and it only skims off enough to keep itself running.*

As the Ethereum platform matures — it went live in 2015 — it will attract projects of increasing sophistication and potential market penetration. Already, one startup, Ujo, is using Ethereum to sell digital music. Another is running a pilot of a ride-hailing app in Israel. Examples such as these are still limited, and their transaction volume remains small. But interest in Ethereum is climbing rapidly, and many more projects are in early development stages.

Whether bitcoin and ethereum can fulfill their promise remains to be seen. But blockchain technology has the potential to disrupt, enhance and transform a great many industries. And its story is just beginning.

- Ryan Conley

# Key Performance Indicators

## FINDING THE METRICS THAT MATTER

One reason online marketing can be so effective for law firms is the amount of data that is available about how prospective clients come into contact with the firm. Nearly every online interaction generates information that is easily measured, but to determine the best return on investment, law firms need to zero in on the most crucial metrics. These are your firm's key performance indicators (KPIs), and identifying and measuring them can be vital to success.

The flood of data available to law firms can be overwhelming, and that is why your firm must focus only on key indicators.



### Taking stock

The first step in assessing your firm's KPIs is making sure that you are collecting all the information that is available. The raw data on clients, revenue and expenses should already exist in the firm's practice management system, but the right comparisons need to be made. Monthly metrics like revenue billed, revenue collected, number of new clients and expenses – especially advertising expenses – should be analyzed in an integrated way to arrive at a broad view of the firm's return on its investment in marketing activities.

Most firms already pay close attention to these numbers, since bringing clients in is critical. What is often neglected is at the other end of the client journey: client loyalty. If your firm does not consistently survey clients



to gauge their satisfaction, a key metric is being overlooked. Happy clients spread the word about their experience, and unhappy clients do too. Your firm needs to know how these clients feel about having worked with your firm.

When it comes to online marketing, the information is out there, but your firm's marketing team needs to know how to access and interpret it. The firm's website administration dashboard provides the basic numbers on traffic to the site and where it comes from.

Tools like Google Analytics and Google Search Console provide a wealth of detailed data, including links to your site, search queries that bring in traffic, clicks, impressions, click-through rate and bounce rate. If your firm runs ads through Google AdWords, even more metrics pour in, including average cost-per-click, position on page and conversion rate. The flood of data can be overwhelming, and that is why your firm must focus on key indicators.

#### **Which indicators matter most for your firm?**

Too much data can be a problem if you are watching the wrong numbers, so one of the first steps in identifying KPIs may be filtering out vanity

metrics and distraction data. It may be fun to watch the number of your firm's Facebook or Twitter followers grow, but if those platforms are not where your clients are coming from, those metrics should not be where you focus your attention.

Likewise, website visitors and ringing telephones are good things, but the more important questions are whether website visitors are becoming clients and whether the leads you are generating are profitable. The process of identifying key performance indicators involves separating the appearance of positive activity from the measurement of the information your firm actually needs to focus on.

What is key to each law firm's success depends on the firm's unique goals, so there is no boilerplate checklist. Developing your firm's KPIs requires time and effort, combining careful analysis of the data with big-picture thinking about the firm's growth.

In the broadest sense, developing KPIs involves an analysis of costs and benefits. Every firm needs to understand the value of its clients and the cost of bringing them in. But a true measure of this return on investment requires an integrated analysis of multiple data sources.

## **ALWAYS REMEMBER CLIENT LOYALTY**

The average net revenue per client can be compared to the average marketing expenditure per conversion to determine a return on investment. But a client's value does not end with a closed case, because satisfied clients bring in more business through word of mouth. Therefore rates of client satisfaction need to be incorporated into your calculations as well.

Happy clients spread the word about their experience, and unhappy clients do too. Your firm needs to know how these clients feel about having worked with your firm.

A metric such as the marketing expenditure per conversion of a paying client is likely to be crucial for any firm, but such a measurement involves several different data points. You might begin by comparing the amount spent on direct advertising and other marketing activities through a particular channel to the value of the leads generated. Of course, the value of the leads is its own metric which can be determined by measuring the staff time required to process them and convert them to paying clients.

Determining the value of a paying client depends in part on the types of cases the firm accepts and how predictable the fees are. This in itself requires its own detailed, firm-specific analysis, which may go far beyond just measuring billable hours.

Broadly speaking, the average net revenue per client can be compared to the average marketing expenditure per conversion to determine a return on investment. But a client's value does not end with a closed case, because satisfied clients bring in more business through word of mouth. Therefore rates of client satisfaction need to be incorporated as well.

Every metric can be analyzed in more detail, and this process is often valuable. To take one example, the value of leads generated depends on staff time to process them, but this cost may not be fixed. High staff turnover may be more costly than making changes that would reduce turnover, and measuring the satisfaction of staff members is another metric that can help the firm identify what those changes might be.

If the firm's attorneys themselves spend their time on free initial consultations, the value of that time processing leads and converting



Determining the value of a client depends in part on the types of cases you accept and how predictable the fees are. This in itself requires its own detailed, firm-specific analysis, which may go far beyond just measuring billable hours.

paying clients' needs to be compared to the value of attorney time spent working cases and generating revenue.

A firm's online marketing metrics are especially well-suited for detailed analysis. For instance, if your firm is engaging in a pay-per-click campaign through Google AdWords or another service, fine-tuning the details is imperative to success.

The wealth of data available means that every aspect of any campaign can be carefully calibrated, by generating alternatives and engaging in simple testing to determine what is most effective. That goes for the specific wording used in ads, as well as the design of the targeted landing page. Each campaign should have its own landing page, a specific page on the firm's website, so that conversions from that page, and therefore from that advertising campaign, can be measured independently.

Of course, paid advertising should not be the firm's only, or even primary, form of online marketing. To maximize cost-effectiveness, the goal should be for most traffic to the firm's website to come from organic

search. That goal can only be reached by moving to the top of search engine results pages, which requires an investment in search engine optimization (SEO). The return on this investment can be measured effectively with clear goals and a smart SEO strategy.

Likewise, a targeted social media strategy can be a powerful tool for the firm's marketing resources, but to measure its effectiveness, the firm needs to look beyond vanity metrics to the hard data on the cost of each social media campaign and the number of client conversions it generates. With an increasing amount of online traffic coming from mobile devices, firms also need to ensure that their website is mobile-friendly and examine the numbers on lead conversions and bounce rates from mobile devices.

With online marketing for law firms, as with every aspect of the business of law, information is plentiful, but committing the time and effort to sort through the numbers and arrive at your firm's key performance indicators is the only way to take full advantage of the data.

- Brendan Conley



**BIGGER**LAW FIRM

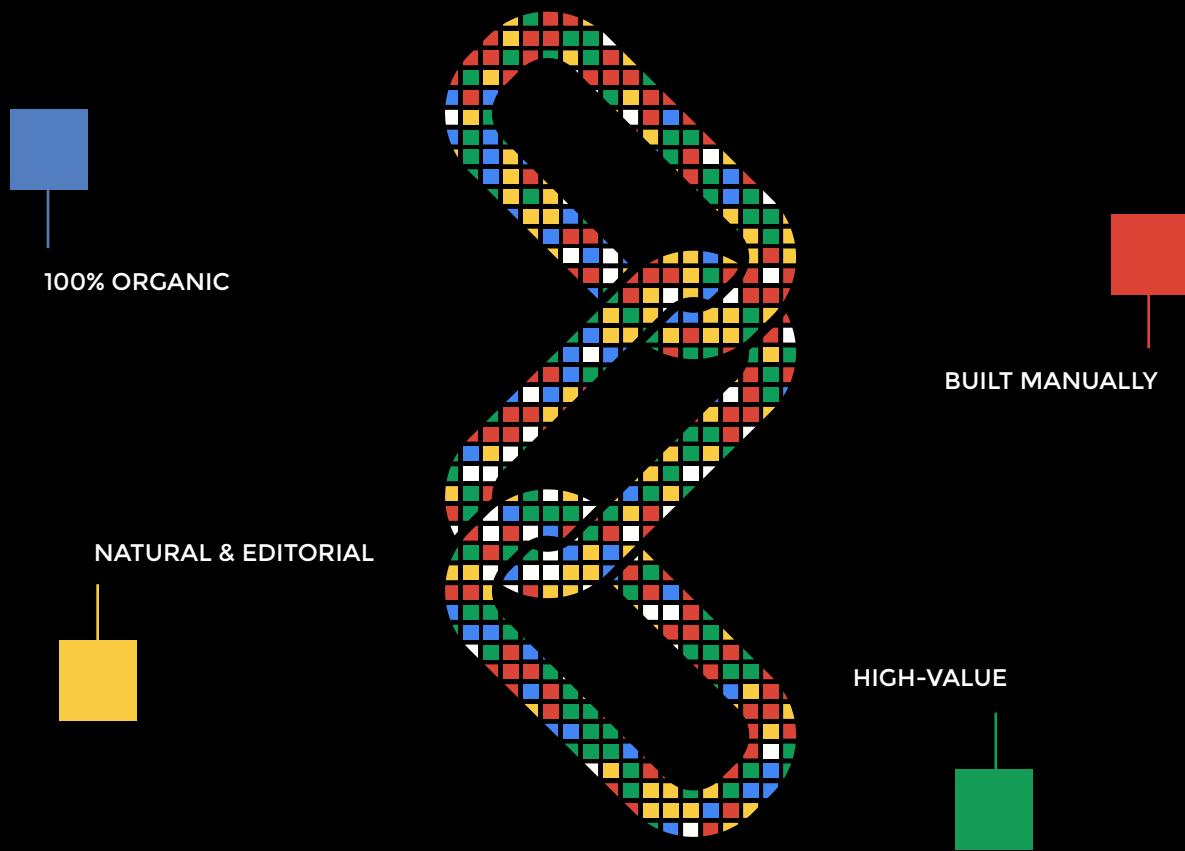
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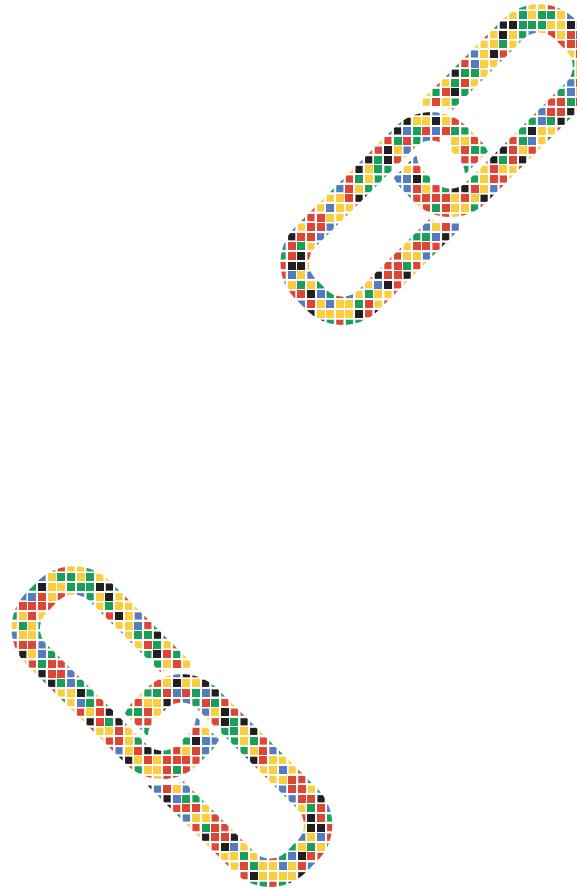
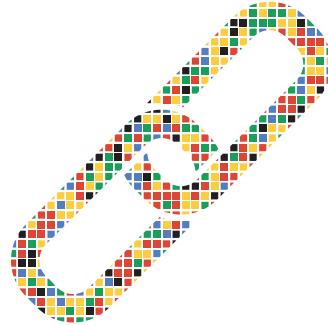
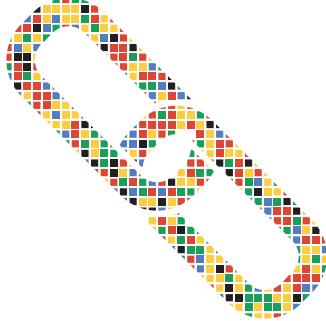


# STRATEGIES AND IDEAS FOR



# LINK BUILDING

It is difficult for your law firm to stand out on its own. Law firms typically do not have the luxury of brand power afforded to members of other industries. With the exception of high-profile cases or word-of-mouth, prospective clients do not usually remember a specific law firm, nor can they point to one immediately when they are going through legal troubles.



Most people will do their due diligence and research before deciding which law firm to hire, so law firms turn to marketing, specifically search engine marketing to increase brand and consumer awareness. Google is the foremost leader in search engine traffic, and the bulk of your leads will likely come from potential clients researching your firm on Google. Thus, doing well on Google's search engine results page (SERP) is paramount to your firm's success.

To make this possible, SEO, or search engine optimization needs to occur on your firm's website to help show Google's search algorithm that your site is beneficial for people searching for legal help. Content in a vacuum, without promotion and links, is not enough.

Google has confirmed that its three most important ranking factors are RankBrain, content and links. Google has not clarified order of importance between content and links, but it has stated that RankBrain is the third most important ranking factor.

RankBrain is a machine learning, artificial intelligence program that helps process and deduce search queries. RankBrain is given historical search data, and subsequently teaches itself to better help consumers find what they may be searching for. RankBrain comes into play most notably when someone makes a previously unrecorded query; RankBrain uses machine learning to parse the meaning of the unknown term or phrase.

Content is simply the copy on your website. Content can also include podcasts and videos, but Google can only understand what is contained in media files if they are properly described with text and code. Google has stated that user experience is one of the most important values it holds, and Google links the presence of unique, informative content that attracts users to positive user experience.

Links, specifically inbound links or backlinks, are when a particular page on your website gets hyperlinked to by another website.

**Acquiring links, or link-building, is an SEO technique that requires assertive, focused effort in research, planning, outreach and promotion.**

## LINK-BUILDING BASICS

### Why does it matter who links to you?

Link-building is important because it shows search engines that your website and its content can be used as a reference. One of the original Google breakthroughs in search was its ability to use not only words and strings to evaluate content, but also to use the implied endorsement of third parties, in the form of links. Links to your content show Google that your website may help consumers find the answers to their queries.

Authoritative domains and leaders of their respective industries linking to your website will pass on more authority (or domain authority) than random, low-value sites.

### Why are some links more valuable and harder to get than others?

Not all links are equal. If you are the leading authority in your industry, it is safe to assume your website is valued highly. This is because Google trusts your site to be informative and helpful for users searching within that industry.

**Since the release of Penguin, a Google algorithm that penalizes black-hat link building techniques, amassing a large volume of links will not benefit you nearly as much as having quality links to your website.**

For many years, you were able to clearly see how Google valued your website. PageRank was the original algorithm used by Google to evaluate a website's ranking. It was scored on a scale of 0-10, with 10 being the best. Being able to see the ranking allowed black-hat marketers to take advantage of the scores, offering to sell you links from websites with high PageRank scores, or build links with only high PageRank scores, regardless of

relevance to your respective industry. When Google found out about this, it immediately removed PageRank from public view.

However, PageRank, or some version of it, is still a metric Google uses internally. And there are other ways to see your website ranks. The most popular is Moz's Domain Authority (DA) rank. It is scored from 0-100 and is what many marketers use as a substitute for not being able to see PageRank. Domain Authority can be equated to PageRank in blocks of 10; for example a DA of 1-10 would equal a PageRank 1, 11-20 PageRank 2, and so on. This is not exact but a good estimate to understand how Google is valuing your site.

### What makes a good link?

Natural, editorial links are the most beneficial links for your site. These are links that are acquired organically, when someone links to your web page voluntarily because your content stands out as unique, informative and helpful. Natural, organic links are very difficult to obtain.

One challenge to building high-valued links is the "nofollow tag." A nofollow tag tells search engines that although they see an embedded link, these links should not receive the referring website's endorsement. In other words, the website is saying that while this link might be helpful to its users it does not want search engines to see that link as a recommendation for the overall value of the third-party page or website.

There are a variety of reasons a site would use a nofollow tag for some of its links, the most common being self-preservation. If a high-quality website did not use nofollow tags, spammers would plug their links anywhere possible, such as in guest posts or the comments section, and reap the benefits of the site. Google may see this and devalue that website, thus causing that website to fall down in ranking through no fault of its own.

## LINK-BUILDING TACTICS

Most link-building campaigns will begin with an effort to find the pages within your website that you feel other websites would benefit the most from linking to, as well as those pages that contain the keywords it is your goal to rank well for. This could be the homepage, a page with unique content or even an infographic. Next, identify what your target audience will be. Then, based on what you are most comfortable with, form your plan and execute.

There are many strategies you can take when building a link-building campaign. It is prudent to tailor your campaign around your own strengths. Below are just a few tactics that you can try.

### Search modifiers

Search modifiers should be at the top of your toolkit. Search modifiers are an advanced way to research queries on

The most common way to link-build is through manual outreach. You should construct your link-building campaigns around links received through manual outreach. The most straightforward method of manual outreach is emailing websites you think could benefit from linking to your content. You can also seek broken links — links to sites or pages that no longer exist — and then offer your site's content an alternative source to repair the link.

Google. Using modifiers, you may find linking opportunities that are readily available. An example of a modifier is:

#### **“Firm Name” -site:Your Firm URL**

This modifier for *BLF*'s own website would look like this:

#### **Bigger Law Firm -site:**

**www.biggerlawfirm.com**

*No space between the colon and the www.*

This will tell Google to search specifically for mentions of your firm name while also omitting your own website from contention.

*See list at the top right of this page for examples of additional search modifiers.*

#### **Email outreach**

Email outreach is the most basic tactic you can use for manual link building and also the most time-consuming. You will first need to create a list of authoritative sites within your industry. When you have collected a good number of sites, you will need to create an email template with room for personalization. A template that cannot be tailored to the site it is targeting will not look appealing to the webmaster. The template should include:

##### **1. The reason for your email**

*Compliment the webmaster on the website's reach or accomplishments.*

##### **2. The anchor (link) text on the external website and the url to which it should link**

*This can be any page you think would benefit users and the person from whom you are soliciting the link.*

##### **3. The reason the external site should link to your site**

*Your link needs to have value to the other site, and this is where you can let the webmaster know why it would be useful to link back to you.*

## **ADDITIONAL SEARCH MODIFIERS**

#### **“Quoted” “Firm Name” -site: Your Firm URL**

This will search for mentions of your firm name and include any use of the word “quoted.” You can replace “quoted” with any word you may think will produce link-building opportunities, and search for mentions of your firm name combined with that word.

#### **Site:edu “Firm Name”**

Search Google for mentions of your firm name on a site with a .edu domain.

#### **Site:gov “Firm Name”**

Search Google for mentions of your firm name on a site with a .gov domain.

#### **Site:org “Firm Name”**

Search Google for mentions of your firm name on a site with a .org domain.

OptimizeSmart has compiled a list of additional search queries you can use when doing a link-building campaign, which you can see here:

<http://blfmag.com/search-modifiers>

#### **Local directories**

Being in the local map on Google's SERP is important because of the visibility achieved by being at the top of the page. One way to help get on the map is to be in local directories.

Sign up for as many local directories as you can find, and make sure your citations are an exact match to your Google My Business profile information. Focus on quality – if a directory promotes themselves as a local directory but has a low domain authority, getting listed will not offer any benefits to your site.

#### **Link-building is both difficult and time-consuming**

Generally, you would hope your inbound links come organically, based on the merit of your content. However, hoping your content will be linked to is not a strategy you want to employ. Your competitors may be working on an aggressive strategy to

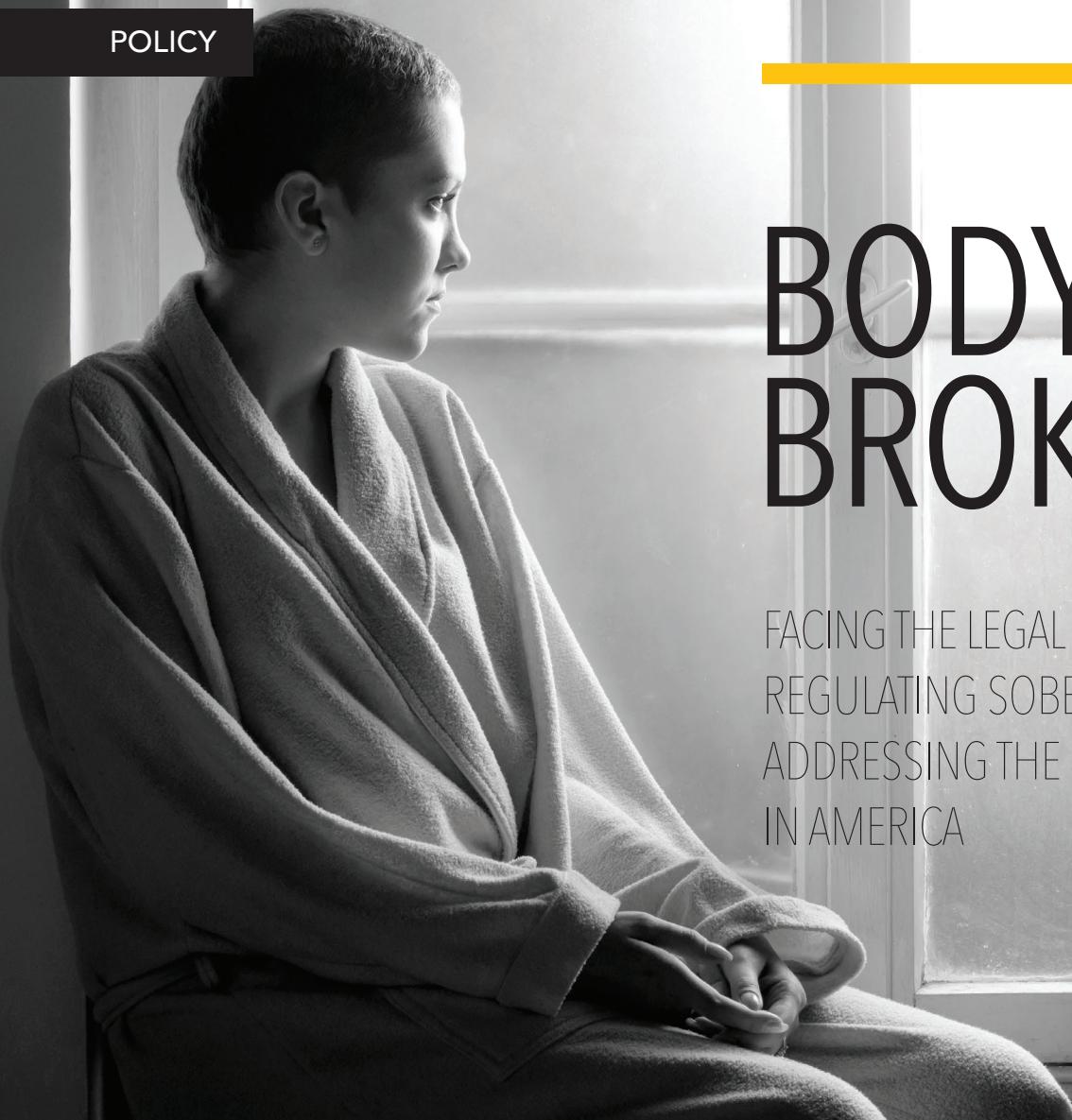
acquire links, thus placing higher in search rankings while you wait.

By being proactive, you can increase your chances of accumulating valuable links. However, this by no means is an easy task. It is a process with many steps and requires both persistence and patience.

It may seem daunting to undertake a link-building campaign. It takes time for the results of your link-building to come to fruition. A successful campaign may not have immediate, obvious positive effects for your website. You will have to check Google Analytics to see if your campaign has made a difference in your traffic.

Despite these difficulties, link-building is a worthwhile use of time and resources. Acquiring links is still key to ranking well in Google's search results.

- Dexter Tam



# BODY BROKERS

FACING THE LEGAL CHALLENGE OF  
REGULATING SOBER HOMES AND  
ADDRESSING THE OPIOID CRISIS  
IN AMERICA

Overdose is the leading cause of accidental death in the United States. Drug overdoses now kill more Americans per year than either car accidents or guns.

**A**n estimated 91 Americans die every day from an opioid overdose. There is no easy cure for addiction, but the road to recovery does exist, provided an individual is lucky enough to find the right kind of care.

Overdoses are now the leading cause of accidental deaths in the United States. Unfortunately, people who need help are not always able to get appropriate treatment, thanks to scams trending across America: fraudulent sober homes, particularly in the state of Florida.

In addition to the economic costs of treatment, Americans spend more than \$100 billion annually to obtain opioids. And those who are addicted are often unable to work. The Centers for Disease Control and Prevention (CDC) estimates that the total economic burden of the prescription drug opioid epidemic is \$78.5 billion per year.

Opioids are typically safe if taken for short periods of time and according to a doctor's orders, to provide relief from severe pain. They produce a sense of euphoria along with the pain relief, a fact that makes their use particularly risky.

However, opioids can be abused if they are taken without a prescription, taken in larger quantities than prescribed or taken in a way not intended by the physician, such as snorting, crushing or injecting.

Occasional users who think they have control over the habit often find themselves so entrenched in the addiction cycle that it overtakes their whole life, sometimes resulting in

**Sober living houses act as halfway houses intended to help individuals integrate back into the community and stay the course on the path of recovery. However, in between the sober homes with good intentions that have eventual recovery as the goal are those whose main goal is to use vulnerable patients as jackpot payoffs.**

In 2015 nearly 52,500 Americans died as a result of overdose, up nearly 40 percent from 2010. Roughly 33,000 of those deaths were credited to opioids, more than any year on record. In fact, overdoses now kill more people than car crashes or guns.

#### **Opioids: the big killers**

Opioids are best known by their common names, like: oxycodone, hydrocodone, morphine, codeine, heroin, fentanyl (a synthetic opioid). Opioids interact with the opioid receptors found on nerve cells and inside the brain, which is what makes them so dangerous.

overdose and death. Seeking help to break that cycle is their only hope.

#### **Sober homes are supposed to be safe havens**

Sober homes, usually located in quiet residential areas to assist in recovery, are group homes for people addicted to a substance. Many are privately owned, but there are instances where group homes are held by businesses or charity organizations. Typically sober homes require residents to submit to random drug testing to prove they are adhering to the rules and are sober. Residents must also (in most cases) buy their own food, pay their own rent

and behave as they would if they were living on their own in a regular home. Sober homes should not be confused with rehabilitation centers that offer a living arrangement with less individual freedom and a highly focussed recovery program.

#### **The evolution of body brokers and partnership with sober homes**

Sober living houses, or sober homes, act as halfway houses intended to help individuals integrate back into the community and stay the course on the path of recovery. However, in between the sober homes with good intentions that have eventual recovery as the goal, are those whose main goal is to use vulnerable patients as jackpot payoffs.

Recently, South Florida has become a central hub for drug treatment centers. Hundreds of people from across the nation head there hoping for redemption and recovery. Instead they may become victims of insurance fraud. Millions of dollars can be made billing patients for tests they do not need and treatment they may or may not receive.

Shockingly, some drug treatment centers encourage drug use because a relapsed patient means more profit. Palm Beach County State Attorney Dave Aronberg says the entire industry has been "... corrupted by easy money. Unscrupulous actors have taken advantage of a well intended federal law, and lack of any good law at the state level, to profit off people at the lowest stages of their lives."

#### **How do patients end up in unscrupulous sober homes?**

Homes are aided by recruiters who pray on vulnerable individuals. Recruiters act as scouts, seeking potential clients with good health insurance to scam. The recruiters are referred to as body brokers, and are participating in body or patient brokering.

## REGULATING THE RECOVERY INDUSTRY

The Florida Patient Brokering Act prohibits homes from paying to receive recovery patients. Enforcement is lacking, but authorities are beginning to receive pushback.

### CRACKING DOWN ON FAKE BILLING

Eric Snyder, who billed insurance company for over \$58 million in fake tests, was arrested in July.

### SENTENCING FOR HEALTHCARE FRAUD

Kenneth Chatman pled guilty to fraud, money laundering and human trafficking in May after making millions running safe homes. Chatman was sentenced to 27.5 years in prison.

### PROTECTIONS FOR A PROTECTED CLASS

Federal laws designed to protect recovery patients, who are classified as individuals with disabilities, can work to protect the sober homes that are taking advantage of them.

The Fair Housing Act and the Americans with Disabilities Act prevent local governments from prohibiting or limiting sober homes in some areas. In Florida, state laws also exempt homes from zoning laws. Municipalities are working to create laws that regulate sober homes and comply with state and federal laws.

**Here is how it works:** A drug treatment center owner may offer \$600 a week (or more) in kickbacks to a sober home owner/operator for sending it good clients with health insurance. Then, body brokers work with worried families searching for help for their children. The family insurance is checked, and if it looks good, the broker may buy a plane ticket for the potential patient.

The parents are told insurance will cover everything. Once that client is admitted to a sober home, the fraudulent billing begins.

Consider the story of a 25-year-old male resident of Boynton Beach, Florida, who over the course of five years, had over \$600,000 billed to his parents' health insurance. The charges included acupuncture, nutrition counseling, chiropractic care and urine testing. Urine testing is expected for drug-related treatment, but the five urinalysis tests cost \$9,500 or \$1,900 per evaluation.

Then there was a young woman from Chicago who began abusing prescription pills as a result her boyfriend's suicide, for which she felt responsible. The woman eventually landed in rehab where she was introduced to heroin. Finally, the woman's mother sent her to Florida for help.

Another mother living in Ohio was also desperate to help her daughter kick heroin addiction so she could care for her two young sons. She decided to send her daughter to Florida. Facing a similar family crisis, another mother got a call that her 22-year-old daughter had overdosed on heroin. The young woman had a son and the only solution was to send her to a sober home — in Florida. All of these parents had good intentions, but their trust was broken by unscrupulous homes.

### The crackdown on fraudulent sober treatment centers has begun

The growing concern over the abuse of addicts and their families, is resulting a pushback against the trade in body brokering. Recently 30-year-old Eric Snyder, the owner of a Delray Beach drug rehabilitation center, billed insurance companies for over \$58 million in fake tests and treatments, recruited addicts with drugs, gift cards and visits to strip clubs, was arrested.

Kenneth Chatman is one of South Florida's most notorious sober homeowners. While he was still on federal probation for unrelated crimes, he made millions by renting houses in the local area and partnering with drug treatment centers, offering them kickbacks to send him addicts. Chatman pled guilty in 2017 to a multi-million dollar conspiracy to commit healthcare fraud, and to sex trafficking, for prostituting his female treatment patients.

### Florida cities and counties attempt to enforce regulations on sober homes

The crackdown and effort to clean up a virtually lawless industry has begun in Palm Beach and Delray Beach. The Palm Beach County Sober Home Task Force has arrested and charged over 30 addiction center operators and sober homes with body brokering.

The state of Florida is now asking sober homes to certify, on a voluntary basis, with the Florida Association of Recovery Residences (FARR), which mandates them to meet housing and business standards. Delray Beach, often referred to as the recovery capital of America, is attempting to implement tough regulations to get its crisis under control. The municipality is now requiring recovery homes to prove that they meet local certification standards.

*Continued on page 17*

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The mayor of Delray Beach, Cary Glickstein estimates there are about 700 sober homes providing housing to up to 7,000 individuals in recovery. In West Palm Beach, Lake Worth and Boynton Beach there are hundreds more homes, operating without rules and regulations. These homes are running without oversight as an unintended consequence of federal disability and housing laws that bar municipalities from discriminating against those with physical or mental disabilities, including addiction.

Some cities attempting to limit sober homes have been sued successfully for discrimination. Additionally, because addiction treatment is not technically being provided within the homes, governments cannot regulate them in the same manner as they can drug treatment centers.

However, in an attempt to change the addiction treatment landscape, counties are beginning to try to regulate group homes and reduce recovery home scams by creating standards that protect addicts and their families from being exploited for financial gain.

One hurdle counties face in regulation of sober homes is that recovering addicts are protected under federal disability laws and sober homes are protected by federal housing laws, putting municipalities in a potentially tough position of trying to regulate a protected class. However, according to the sober home legislation expert, Daniel Lauber, "This is nothing new and those regulations have withstood legal challenges."

According to Delray Beach lawyer, Jeffrey Lynne, who represents treatment centers and sober homes and sits on the Sober Home Task



**In this case, certification would or should withstand any judicial scrutiny. There's now sufficient evidence that shows there's actually harm to the disabled class with lack of oversight or regulation.**

Force, certification should be allowed. "In this case, certification would or should withstand any judicial scrutiny," said Lynne. "I think there's now sufficient evidence that shows there's actually harm to the disabled class with lack of oversight or regulation," Lynne added.

The State Attorney for Palm Beach County and a former member of the Florida Senate, Dave Aronberg, who heads up the Sober Homes Task Force points out that "legitimate players, the good guys, are far outweighed by the corrupt. This is not a case where a few bad apples spoil the whole bunch. This is a case where most of the apples are spoiled."

Florida does have a law directly addressing the problem: The Florida Patient Brokering Act. The act states paying a per-head fee for recovery patients, or offering patients any type of financial incentive to pick a specific individual's service is a third-degree felony. However, the law suffers from lack of enforcement. There is scant law enforcement personnel to track marketers, and some prosecutors do not have the motivation to pursue these relatively low-dollar individual crimes.

**The opioid crisis is nation wide**  
Florida is not the only state facing the opioid crisis. Although Florida leads the nation in the use of sober homes, it has similar statistics on drug-related deaths as other states, like Ohio. However, Ohio is considering some different and controversial solutions to address its drug problem.

A Middletown, Ohio council member, Dan Picard, suggested that after three calls from individuals who repeatedly overdose, first responders would no longer be dispatched. Although the council has sympathy for those families who have lost loved ones as a result of a drug overdose, he said that due to the steadily increasing drug overdose calls, the city budget is drying up.

In Middletown, it costs \$1,104 to send paramedics to an overdose scene to administer Naloxone, plus hospital and other expenses. So far in 2017 city paramedics have attended 598 overdose scenes, a 300 percent hike from 2016. In addition, Middleton spends more than \$2 million per year responding to overdoses; a figure that represents approximately 10 percent of what the municipality collects annually in tax revenue.

Councilman Picard has received a lot of blow back for his statements, but says he has no regrets. City Manager Doug Adkins said the council could also decide to privatize EMS services or simply stop supplying EMS services to the city entirely.

Although these suggestions are potentially dangerous solutions to a devastating social problem, the argument over services highlights the reality of towns, cities and states trying to deal with the opioid crisis. Nevertheless, politicians, law enforcement and legal professionals are seeking ways to deal with the issue.

- Kerrie Spencer



# *What happens when* **Google** *knows too much?*

Google is responsible for 3.5 billion searches per day, over a billion active Android devices and an ad network that reaches 90 percent of the users online. If you are a regular user of technology and wanted to quit using Google altogether, you would have a difficult time trying to do so.

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## **Alphabet soup**

It is hard to say exactly when Google became a fundamental element of business and daily life. From its humble, garage-based origins, the company has shifted from algorithmic search engine, to technological testbed, to personal data farm.

Whatever venture Google entered, it always seemed to center around dealing in personal information. This was acceptable for the

longest time, as the internet was still a relatively new invention and Google seemed to be a really likeable company.

But that charm only goes so far. Google has received dozens of criticisms and complaints over their practices over the years: tax avoidance, censorship, manipulation of search results, infringing intellectual rights and breaches of privacy.

Resilient to the usual ebb and flow of technology companies, the trader of personal data is sitting on top of a \$650 billion market cap. Very few others could pose a threat to the stake these giants hold, let alone call themselves competitors, except for the government.

**The capital (behind the) hill**  
Silicon Valley knows this and has taken notes from the antitrust issues which were faced by Microsoft. Once completely dominating the operating system and browser landscape, competitors IBM and Sun Microsystems pushed for regulation over Microsoft's anti-competitive practices and prevailed.

Learning from the mistakes of the past, the tech sector has surpassed the finance industry in lobbying spending. Companies like Apple, Facebook, Amazon, Microsoft and Google wield power and influence over millions of individuals and outspend Wall Street 2-to-1.

Some of that money is directed towards think tanks, such as the New America Foundation to which Google has donated over \$21 million since 1999. When a research team for New America praised the European Union's recent decision to impose a \$2.1 billion penalty, Google pulled the report and threatened to cut off all funding.

The group responsible has since split off to continue their work independently as the Citizens Against Monopoly, hoping to fight the wealth consolidation of the tech sector and supporting those who speak out against it.

Since 2012, it has been Google's policy to allow sharing of your personal information between the online services it offers. This move has certainly bolstered their AdWords offering by giving advertisers more control over who sees their ads and how successful their ads are.

Google says it can capture 70 percent of the credit card and debit card transactions in the United States and match the purchases back to customers in the AdWords system, all while anonymizing personal information to protect the individual's privacy.

For example, a hardware store would be able to tell if someone saw their ad and then showed up to one of their locations. Now Google is taking it a step further, connecting transactional data in real time to your purchase back to the ad impression.

Google says it can capture 70 percent of the credit card and debit card transactions in the United States, match the purchases back to customers in the AdWords system, all while anonymizing personal information to protect the individual's privacy.

According to a complaint to the FTC by the Electronic Privacy Information Center (EPIC), Google collecting millions of commerce records from various third-party vendors could potentially be violating of user's privacy. EPIC is asking the Federal Trade Commission to investigate Google's claims. Executives of the advertising giant boast they use "patent-pending



mathematical formulas" to convert names, locations, times and amount spent into anonymous strings of text which is matched with data that Google already has.

No details have been released over who the third-party partners are and how the information is anonymized, which has led to the watchdog group to pursue a government investigation. President of EPIC Marc Rotenberg is skeptical of Google's claims, after a similar case was filed and won against Snapchat over disappearing photos.

#### Digital dislodge

Google does offer tools to opt-out of this type of data collecting, but many users are simply not aware this practice is taking place. Even though Google's newly restructured parent company Alphabet has adopted the less ambiguous motto of "Do the right thing," it can still be an increasingly difficult challenge to secure your online privacy.

Every time you perform a web search, watch a video, see an ad, speak “OK Google” to your phone, crucial metadata is collected about who you are, where you are and what you are interested in. Individuals and businesses who are concerned about their privacy and want to reduce the amount of information stored by Google can take steps to do so.

#### **Back everything up!**

It can be a great feeling, liberating your personal information from the advertising giant that is Google. But first and foremost, it is your data. Before we start deleting massive amounts of data from the cloud, take a minute to explore Google Takeout: <https://takeout.google.com>.

This tool will collect all information across all Google services and create a package, possibly totaling several gigabytes big, to download. By default, everything available is included but you can select what is downloaded. When you generate a takeout request, the process is likely to take a while so you will be emailed when it is complete.

Once you receive the notification to download your backup files, follow the links and download all of the parts containing your data from Google. You can choose to have multiple smaller archives or one large archive.

Of course with every backup you make, it is recommended you check to see if the backup was successful and open the archives using a compression tool like 7zip or Winrar and explore the contents. Once you understand how your information has been backed up, keep these files in a safe place.

#### **Clean up your crumbs**

My Activity (<https://myactivity.google.com>) is the first step in finding out the majority of the information Google has

already collected on you. From here you can see queries you have made (both on Google and from Chrome), videos you have watched, and recordings of your voice searches.

You can delete individual items or use the delete feature to wipe out items by date or product. To prevent this information from being collected, you will need to visit the Activity Controls page: <https://myaccount.google.com/activitycontrols>.

Whether or not Google has this information is entirely up to you or your firm’s policies. If you have multiple accounts, such as separate personal or work emails, it is possible there might be some overlap in data collected. You will need to review

bits of information. A total wipe of all location data is possible by clicking on the gear icon and selecting “Delete all Location History”.

#### **Audit your IT**

The most significant software on any computer is the browser (besides the operating system, which for Chromebooks is just the browser). A compromised browser could easily result in identity theft or a corporate data breach.

Always make sure you are running the latest version of your browser. Most come with auto updating capabilities but will not force an update unless you allow it. Check for any unused or out of date plugins and extensions and remove them.

**Many users are simply not aware of all the data Google is collecting. Even though Google’s newly restructured parent company Alphabet has adopted the less ambiguous motto of “Do the right thing,” it can still be an increasingly difficult challenge to secure your online privacy.**

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each control group for each account to decide if you want Google to continue recording information for that service.

#### **Walkabout wipe out**

Next up is your Maps Timeline: <https://www.google.com/maps/timeline>. By having location services enabled on both Android and iOS devices, Google is able to offer you relevant information based on where you are. Your timeline contains an easy to follow breakdown of everywhere you have been.

The system will attempt to make guesses of where you have been. You are allowed to add anything missed by the tracking software, update incorrect entries or delete specific

Regularly clearing cached data is also a recommended practice.

Some browsers may include some kind of sync of your information as well as collecting and reporting general usage habits and crashes. Navigate to your browser’s settings page to manually control what information is synced, or to disable this feature altogether.

IT decisions should not be made on a whim. Especially if your employees are using their own personal devices to stay productive from inside or outside of the office. Besides protecting your enterprise from nefarious actors, you should also consider what is shared with “good guys.”

- Justin Torres



*Essential tools for crafting consistent content*

# Strategy & Style guides

Content creation is a team effort. Law firms often use the input of multiple attorneys, staff members, marketing companies and writers when producing content. When so many players are involved, it is important to ensure everyone is on the same page with strategy and goals.

**C**onsistency is key when developing content, whether it is the voice, tone or grammar of the writing. Without it, brand messaging can suffer. No matter the size or nature of a law firm, it is its own brand that needs cohesive marketing. A content strategy and style guide is a tool that helps ensure content follows the same set of standardized rules across all of the brand's communications and platforms, from its website to published articles to social media.

A well-rounded guide serves as a practical resource for everyone involved in the content creation process. Not only does it enable the crafting of consistent, quality communications, but it also provides a tangible representation of a law firm's aims, vision, personality and brand values. An effective content strategy and style guide is invaluable, as it ensures:

- Consistency in voice, tone and messaging in order to create high-quality content
- Guidance for the team on how to develop better content for the target audience
- Preservation of a coherent brand identity

## Maintaining consistency

It can be challenging to maintain a consistent voice or tone when multiple people are responsible for content creation. A content strategy and style guide ensures that even though content is being created by a number of writers, it still reflects your law firm's carefully crafted brand voice across all communications. Maintaining a consistent experience for your audience fosters loyalty and trust among potential clients.

## Putting the audience first

Legal marketing content often focuses on attracting prospects by explaining how they can benefit from a service, whether it is estate planning advice or representation in a personal injury case. Content strategy and style guides are about communicating more effectively with these prospects. They serve to shape the language and messaging of every piece of content so that it meets audience needs.

## **Being aware of brand identity**

A firm's full array of content — including websites, press releases, blogs and social media — needs to be effective and consistent in order to build a strong brand identity. Without a content strategy and style guide to ensure quality content, the brand can quickly be undermined. Law firm audiences need to have a clear brand identity with which to connect.

Content strategy and style guides cover a broad range of topics that commonly include grammar, spelling, punctuation, language, formatting, voice and tone. All these components contribute to the quality of a piece of writing. Without a style guide, time is likely to be wasted making edits and repeating the same mistakes.

Style guides can take various forms, such as a word document or an online file. Whatever the format, it should be easily available to the entire content team and anyone communicating on the brand's behalf. Your style guide does not need to feature an encyclopedic amount of detail. Keep it concise and focus on addressing common pitfalls that will help improve the overall quality of your law firm's content.

## **Grammar, spelling and punctuation**

Your law firm's style guide can build on established manuals like the AP Stylebook or the Chicago Manual of Style. They can serve as a solid foundation for grammar, punctuation and style mechanics. Along with including modifications unique to your law firm, address issues such as capitalization, abbreviations, comma use and spelling preferences. For example, your law firm may prefer to use "web site" instead of "website" or "cell phone" instead of "cellphone."

## **Language and terminology**

Legal content tends to have a lot of technical terms. However, writers may need to be reminded to avoid jargon and present complicated information

with simple language that audiences can easily understand. The guide can also clarify how writers should refer to the firm, its partners and practice areas.

## **Voice and tone**

Voice encompasses a brand's personality and point of view. Law firms are likely to have distinct preferences on how informal or formal they would like to come across to their target audiences. The style guide should specify whether content should be written in first person or third person, whether it should use active or passive voice, as well as any clichés that should be avoided.

Tone is specific to content type and may vary from piece to piece. For example, press releases and newsletters may be more formal while blogs and emails may have a more personable tone.

content strategy and style guide can outline the type of content that the firm's marketing efforts should focus on producing, such as press releases, blogs, infographics, ebooks and podcasts. It should also include the above details regarding tone, language and formatting for each piece.

Creating a well-designed content strategy involves researching your target audience. How will your content be available to potential clients at the right time and in the right place? Thinking about what you are promising to your prospects and how that affects them will help create a focused content marketing strategy.

Another crucial part of developing a marketing strategy is assessing your law firm's body of existing content

**It is difficult to craft an effective content marketing strategy without knowing how you would like your brand to grow and what your business objectives are. Every law firm should have a clear idea of its mission and values, as well as the goals it wants its content to successfully achieve.**

## **Formatting best practices**

The formatting section provides guidance for designing your content. Consider what fonts and colors to use to provide your law firm's communications with a professional and consistent look. The guide can delineate differences for headlines versus body copy, as well as what text should be in bold. There are plenty of other considerations, including whether images will have captions and how references should be credited.

## **Types of content**

Content comes in all forms, but not all of them may be suitable for your law firm and its prospective clients. The

and considering what future content should look like. It is also useful to examine the content and websites of competitors in order to gain further insights that may inform your own law firm's marketing strategy.

A good content strategy and style guide is an essential part of any marketing strategy. It is a constant work in progress that evolves through various additions and revisions. By adhering to their guide, law firms can encourage the creation of quality content that ensures their brand has a unified voice, along with messaging that possesses a consistent look and feel.

- Dipal Parmar

# Are you competing against your marketing company?



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