

Business Law Firms Invade the Blogosphere

By Natalie Posgate
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March 26, 2013 – When Rich Phillips started an appellate blog with a fellow Thompson & Knight partner more than a year ago, some direct benefits surfaced. He became better versed in error preservation at trial – now a recurring topic on the blog, “Texas Appellate Watch.”



Rich Phillips

His writing skills also improved, both for his readers and for briefs.

And the blog sparked a bonus: business development.

Along with Thompson & Knight, larger Texas firms increasingly are launching blogs as a business development tool. And while this trend is spreading, social media consultants and veteran legal bloggers advise against jumping into it blindly; the undertaking must become a long-term commitment in overall business development strategy.

At least three firms have launched new blogs this year. “T&K Tax Knowledge” – the firm’s eighth blog – launched in January as a revamped version of the previous tax blog, “Tax Disputes.” Godwin Lewis’ very first blog, “Texas Family Matters,” also went live in January. And Winstead has launched two new blogs over the past few weeks: “The People Business Blog” and “The Nonsubscriber Defender.”

Also establishing blogs over the past few years are law firms such as Haynes and Boone, Lynn Tillotson Pinker & Cox, Gardere Wynne Sewell and Andrews Kurth.

Some attorneys who blog say that while it’s difficult to measure the direct impact of

blogs for attracting new clients, publication definitely substantiates a lawyer’s expertise with current clients.

For example, an out-of-state client who already had hired Phillips to work on a jury charge encountered a few of Phillips’ blog posts about jury charges when researching on Google.

“It validated a client that was already coming,” said Phillips, who practices various appellate matters and has an expertise in jury charges. “He wasn’t looking for me, but it gave him some comfort with the case. Blogging helps put your name in a place where people find it if they’re looking for whatever you’re blogging about.”

David Coale of Lynn Tillotson says his commercial litigation blog, “600 Camp,” is a part of a bigger picture for his business development strategy.



David Coale

“Nobody has called and said, ‘God I love your blog,’ but it’s a positive part of a lot of business development I do,” he said. “It’s a way to show that I know what I’m talking about when I say I’m an attorney who is familiar with federal law in this state on this topic.”

Other firms have used their blogs not only to attract clients but also talent. Haynes and Boone’s social media blog, “Social Media Law Brief” (SoMe) is an example of a successful recruiting tactic.

“An off-label benefit of our blog is that it has helped to draw the attention of many law students interviewing with our firm,” said Dallas partner David Bell, who chairs the firm’s social media practice group and oversees the blog. “Attracting strong talent is always important, >

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so reaching out to law students and differentiating ourselves from our peer firms is productive.”

Trek Doyle and Karl Seelbach, the lead bloggers for Winstead’s fledgling “Nonsubscriber Defender,” quickly heard positive feedback from readers – one who is a potential new client.



Trek Doyle

Doyle said he received a call from an attorney in Winstead’s Houston office who had a client interested in becoming a nonsubscriber after finding the blog online – barely a day after the blog’s launch.

“He got hooked up with our blog within 24 hours... that’s not a bad result,” said Doyle, a shareholder in the firm’s Austin office.

Last year, Doyle and Seelbach decided to start the blog when they were working together on an article. After exploring Google results, they concluded that nobody was covering non-subscription issues in Texas via blogging.

“There’s a fair number of Texas nonsubscribers and we do a lot of writing here [anyway], so it was something we could put a public face on and supply for the benefit of the nonsubscriber,” said Seelbach, an associate who also is based in Austin.



Karl Seelbach

And while the Doyle-Seelbach blog might as well be the poster child for generating immediate readership, legal marketing experts advise against expectations of instant results.

“Anybody who really starts a blog should know that it’s a long process. You can’t just do it twice a month,” said Robert Tharp, a blogger and legal

media consultant at Androvett Legal Marketing. “You’ve got to do it for the long term.

“You can’t just start blogging thinking, ‘I’m going to blog for six months and get new business.’ It’s not that simple,” he added.

In December 2007, Austin civil appellate lawyer Don Cruse embraced the long-term outlook with his now successful blog, “Supreme Court of Texas Blog.”

Cruse, a former assistant solicitor general for the Texas Office of the Attorney General and litigator at Wachtell, Lipton, Rosen & Katz in New York, started the blog after leaving the AG’s Office and opening his own practice.

He said his approach for the blog, which focuses on appellate issues and cases in the Supreme Court of Texas, has always been to develop a long-term relationship with his readers.



Don Cruse

“My blog is about having an audience over time,” Cruse said. “My goal isn’t to have a client land on it and call me today; mine is to attract [readers] over a period of months and develop that relationship and then have them call me when they have a question on that matter.”

He had long been interested in blogging, but never had the opportunity with his former employers because he said he had spent seven or eight years in environments where he wasn’t allowed to talk.

Cruse said he feels “liberated” to blog as a solo practitioner but remains careful to keep his ethics in check. He steadfastly avoids writing anything inappropriate about a case. If he is directly working on a case, he discloses that fact and does not break client confidentiality. >

Dallas legal marketing practitioner and former journalist Lisa Coleman has talked to many attorneys who remain hesitant to start blogs because of potential legal ramifications such as a post being considered as official legal advice.

“It’s hard to generalize and say [blogging] is for everyone but you should be publishing,” said Coleman, the CEO and director of communications at CM2 Marketing. “You need to have some kind of social media voice. To have more interaction online, you have to have presence there.”



Lisa Coleman

Dallas appellate and trial boutique Godwin Lewis is a firm that has steered clear of certain social media specifically because of potential legal ramifications. Godwin Lewis director of marketing Ed Sothcott said the firm has not established Twitter or Facebook accounts to situations that could turn into question/answer forums.

However, Sothcott said the wait to start “Texas Family Matters” was not a result of reluctance.

“We’ve been looking at social media probably for the last year or so. What we’ve been waiting for is for one or more of our attorneys to come to us and say, ‘I want to [start a blog],’” he said. “We believe that if we’re going to put something out there under our name it’s something we need to be writing.”

Sothcott said blogging is a good social media solution for Godwin Lewis because he considers it a one-way communication.

“I personally think that where some of the potential problems live is in the dialogue where somebody asks a question and it gets answered,” he said. “Whether you mean to or not, it may appear that you gave legal advice,” he said. >

Advice for Maintaining a Blog



Jonathan Smaby

“I’d suggest that more than one person reads blog entries before posting so there’s at least one other pair of lawyer eyes to make sure that nothing written is inappropriate. Once it’s there, it’s hard to get back.” – **Jonathan Smaby**, executive director of the Texas Center for Legal Ethics

“Lawyers should be aware of the State Bar’s general rules with respect to disclosing confidential client information, but that certainly doesn’t mean that you cannot blog about your daily experiences as a lawyer. For practical reasons, you don’t want to look like you’re always airing out details of your cases – your clients and prospective clients will not view that well. With those considerations in mind, there’s still plenty of opportunities to generate useful and interesting content based on your experiences.” –

Robert Tharp, media consultant at Androvett Legal Media



Robert Tharp

“Try to drop the legalese and write as your favorite columnist or author would write for the reader. If that means buying an AP stylebook or getting someone to provide a candid edit, I would do it.” – **Erin Powers**, principal at Powers MediaWorks

“You can spend a lot of time finding stuff that’s repetitive to write about. I’m not sure that’s a very good value to add. You have to have a distinctive voice. You have to have something unique to offer. Not every publication is useful and not every speech is interesting – just because it’s a blog it does not change that dynamic.” –

David Coale, partner at Lynn Tillotson Pinker & Cox

“I find it inefficient if you don’t periodically ask questions in your blog. If your goal is to establish a dialogue then you need to ask questions.” – **Lisa Coleman**, CEO and director of communications of CM2 Marketing

“If you don’t have a blog, one of your competitors will.” – **Rich Phillips**, partner at Thompson & Knight



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Ethics aside, experts say a firm should not feel compelled to blog if it doesn't fit the culture.

Erin Powers of Powers MediaWorks in Houston said most of the firms that don't blog either don't have enough content from the staff to update frequently or their marketing strengths are through other outlets – like speaking at CLE events, networking at dinners or publishing papers.

“[Blogging] is absolutely not for every firm,” he said. “There is no silver bullet in terms

of a marketing package. The most important thing you can do is maintain the effort once you have a plan.”

CM2's Coleman noted that if blogging is a cultural match for a firm, it's a great way to make lawyers more accessible.

“The best thing about a blog is it can make an attorney approachable because it's about establishing a dialogue with readers,” she said.”

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