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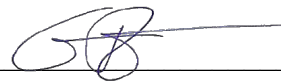
Lawyers That (Say They) Listen:
An Exploratory Study into Law Firms with Listening Specific Branding

By Kacey Mae Henriques

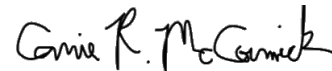
A thesis submitted to the faculty of The University of Mississippi in partial fulfillment of
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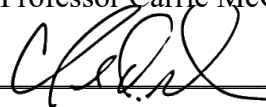
Approved by



Advisor: Dr. Graham D. Bodie



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Reader: Professor Charles Mitchell

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ACKNOWLEDGEMENTS

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ABSTRACT
KACEY MAE HENRIQUES:
Lawyers That (Say They) Listen:
An Exploratory Study into Law Firms with Listening Specific Branding
(Under the direction of Dr. Graham Bodie)

The following investigation attempts to explore the communication dynamics between law firms and their clients. As shown in this research, clients tend to make note of poor communication skills, specifically listening skills, when they interact with attorneys. In an attempt to appeal to clients who have had negative interactions in respect to listening, several law firms across the country are utilizing branding that stresses their strengths in listening (what I term listening specific branding). In the investigation to come, three law firms are analyzed that utilize this type of branding. Additionally, three law firms that specialize in similar areas of the law in the same city were found and analyzed as comparisons to those using listening specific branding. Client testimonials posted to the respective firm's websites, as well as unfiltered reviews from Google Reviews, were used to investigate the effectiveness of the branding in influencing clients perceptions of their experience in relation to communication/ listening. Although I am unable to make causal claims from these data, the research does highlight communication problems with attorneys and the potential advantage branding could serve to improve upon this problem.

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Chapter 1: Introduction

My entire life, my family has commented, “Kacey, you should be a lawyer. You’d make a great lawyer!” My mom has told me this since I was 3. She says I have been arguing since I first started talking. Who knows, maybe my first words were, “Prove it!” When I asked my mom in September 2021 (as I wrote the first draft of this chapter) why she thought I would be a good lawyer, she answered:

All throughout her life, she always put up a fight about what she believed was her truth. She never told people that they were wrong but argued her point to be right, and that’s how she won an argument. She is very honest and tells it like it is. She is smart, a methodical thinker, and extremely tenacious. She argues a point like no one else can, always in an educated manner and spitting facts. For these reasons, I’ve always thought that Kacey would make a great lawyer, since she still employs these characteristics 17 years later.

Despite hearing my parents’ words, I suppose I didn’t fully grasp the possibility of becoming a lawyer, at least not immediately upon considering college. As I started to think about life post-high school, I had no idea what I wanted to do; I just knew that I wanted to go to school far away from home and experience a new culture and sense of independence. This led my dad and me on a journey south to look at schools. When touring the University of Mississippi, I fell in love instantly. Oxford and the University of Mississippi felt like a little community, like an oasis in the middle of a desert. My initial

love for the University and overall interest grew immensely when I learned about Integrated Marketing Communications (IMC). This major was only found at a handful of schools around the country and incorporated marketing, media, public relations, communications, and influencing consumer perceptions and behavior. After that tour, I knew two things: First, I knew I wanted to go to the University of Mississippi. Second, I knew I wanted to major in IMC. Although I knew I had a passion for this type of material, it wasn't until the beginning of my sophomore year that I discovered what I wanted to do with this degree. My good friend Julia, a fellow IMC major, was studying for her LSAT and introduced me to the possibility of going to law school after graduating with an IMC degree. Attorneys utilize many of the skills we learn as IMC majors, including influencing behaviors and communicating to groups of people. Although one entails mass media and the other judges and juries, they both employ some of the same basic principles. Likewise, I came to learn that there is also one thing that tends to take the back burner in both law and IMC: listening. Although we learn how to effectively communicate with our audience, we don't learn how to effectively listen to them. There is no explicit coursework on listening. Our classes don't really cover it much at all. Add to that, we live in a speak-first culture. We are trained to influence people by crafting quality influential messages, but how are we to listen first to those we want to influence in order to ensure our messages resonate?

When considering topics for my senior honors thesis, I thought about this aspect of listening and how it isn't necessarily "taught" in the IMC curriculum. My research into poor listening and communication landed me in a field that I wanted to pursue. I stumbled upon multiple reports about poor attorney communication skills (see Chapter 2

for a summary of some of that research). Most of the complaints I read about poor communication skills of lawyers were related to their poor listening, such that the client didn't feel heard. Apparently, this is a common experience more generally (Pasupathi, 2015). While poor attorney communication is certainly a worthwhile investigation, there is already much research on the subject as well as several viable solutions (e.g., better coursework and focus in undergraduate and graduate education; see Brooks, 2020). As I continued to investigate, I also discovered a few law firms who are standing out in a way that is directly related to my training in IMC. Specifically, several law firms across the country brand themselves as "lawyers that listen" (or a similar slogan). In doing so, these firms are attempting to capitalize on their skilled listening in order to stand out among the competition, to show that they realize the problems with "most lawyers" (i.e., their poor listening skills). Regarding these firms and their branding, I began to ask myself if this branding was effective at improving attorney-client relationships and attracting clients as well. I also began to question why these firms began branding themselves this way in the first place.

As a result, I decided that "the listening lawyer" would be the focus of my thesis. Thus, what follows this chapter is an investigation into listening-branded law firms. This research is relevant not only to attorneys facing communication problems, but also clients in search of a lawyer; and is also relevant to ordinary citizens. Attorneys will be able to learn from the techniques employed by listening-branded law firms and to improve their own communication with clients. Potential clients will learn what to look for in an attorney and how to properly assess that person's communication skills. This research applies to daily life through addressing commonly faced communication problems, as

they relate to professional relationships; however, many of the issues addressed also apply to everyday communication and the people to whom we should be listening.

Throughout the rest of the investigation, each chapter will focus on a different aspect of my research. Chapter Two defines the different types of listening before homing in on a specific listening typology and the specific types of listening most relevant to being a lawyer that listens. The chapter then goes on to investigate problems facing attorneys and attorney-client relationships and the current state of listening in law school education. Chapter Three defines the methods used to compile the information found in the fourth chapter. In particular, Chapter Three details the processes and procedures used to find the sources as well as the thematic analysis criteria I used to compile my results. Chapter Four presents those results, seeking to describe the patterns and information obtained through analyzing specific law firms that utilize listening-specific branding against similar firms that do not. Chapter Five provides an interpretation of the results of this research and relevance to future studies.

Chapter 2: Lawyers Don't Listen (But Neither Do People)

“As a lawyer, I win arguments for a living but something has changed within me. I want to be Jesus. I’ve concluded I can be correct and not right. Know what I mean? I do this most often when I have the correct words and the wrong heart. Sadly whenever I make my opinions more important than the difficult people God made, I turn wine back into water. I’m trying to resist the bait that darkness offers me everyday to trade kindness for rightness. These are not mutually exclusive ideas, of course, but there’s a big difference between being kind and being right. Pick the most controversial social issue of the day and you’ll find passionate voices on both sides. The sad fact is that many of us have lost our way trying to help people find theirs. Arguments won’t change people. Simply giving away kindness won’t either. Only Jesus has the power to change people and it will be harder for them to see Jesus if their view of Him is blocked by our big opinions.” – Bob Goff, Everybody, Always, p. 7

Bob Goff acknowledges the paradox facing his field, and the above quote summarizes a general sentiment likely shared among many when it comes to the attributes of your “typical lawyer.” Indeed, attorneys are one of the least trusted professions, just ahead of car salespeople and journalists in one study (Mike, 2019) and on par with state office holders and advertising practitioners in another (Brennan, 2017). As Goff put it, lawyers think themselves more important than other people and would rather be right than

kind. It appears, then, that lawyers have a branding problem: Whereas most people who pursue a career in law have a passion for justice and equity as well as a mindset to help others, as soon as they obtain their credentials they are in an uphill battle against negative stereotypes (Dowd, 2020). Among the myriad tools law firms have at their disposal to set the record straight are concepts and practices found in Integrated Marketing Communication (IMC).

This thesis attempts to investigate the relationship between attorneys and clients, specifically how communication shapes those relationships. The investigation is limited to attorneys and firms which are client facing, and exclude firms that specialize in areas such as tax and contract law where the attorney-client relationship is second to the logistics of the work being done. The research focuses on areas of law in which emotions are higher, such as personal injury law, criminal defense etc. and where communication within the relationship is more important.

Problems facing attorney-client relationships are discussed later in relation to law firm branding to address communication issues. In this chapter, I discuss the different types of listening as they relate to lawyers before applying those categories to current issues facing attorney-client communication. Before I lay out the case for my specific study (the methods, results, and conclusions found in chapters 3-5), I first define my key term, listening, and then investigate the current problems with lawyer-client relationships; then, I apply key listening concepts to begin fixing these problems. Furthermore, I will begin investigating different types of law firm branding, including listening-specific branding to provide an answer to this question:

What role does listening play for law firms and lawyers that emphasize listening in their branding?

What is Listening?

Listening is often thought of as a passive process, more akin to the simple physiological process of hearing what others have to say than a distinct set of complex capacities. The ability to hear is described as “a reactive and passive process, operating as a mechanical or automatic outcome of the operation of the auditory anatomical structure” (Bodie & Wolvin, 2020, p. 3). But listening is more than hearing. Listening is a complex set of processes including, but not limited to, receiving, attending to, perceiving, interpreting, and responding to aural information (Wolvin & Coakley, 1996). Once a sound wave hits an ear drum, its journey through the cochlea and into the central cortex is only part of how listening is a complex process. For instance, we don’t just pay attention to sounds while listening, but rather listening also incorporates “brain activity through cognitive functions of attention, comprehension, inference making, and memory” (Bodie, & Wolvin, 2020, p. 1). The cognitive functions of attention include visual and nonverbal cues to signal attention to the speaker. In addition, sound waves don’t imprint themselves fully or objectively to our memory stores, allowing us to all hear, interpret, and evaluate the same thing; rather, all listening is subjective, driven by a host of filters and biases that make miscommunication more common than not (Bodie, Winter, Dupuis, & Tompkis, 2019; Edwards, Bybee, & Frost, 2017).

Moreover, listening plays an extremely important role in our personal and professional relationships (Bodie, 2012, 2019). The two primary goals of listening in this respect are “to accurately understand the meaning of the speaker and to enhance the

relationship between speaker and listener” (Gustafson, et al., 2021, p. 16). Although several models of listening exist, one of the more popular defines listening across five basic goals commonly accomplished when attending to aural information: comprehensive, discriminative, appreciative, therapeutic, and critical listening (Wolvin & Coakley, 1996). The primary concern of comprehensive listening is to actively retain and understand the information in the message. This type of listening is what we are most familiar with in the traditional classroom setting, with attempts to improve student listening often focused on mere comprehension (see Worthington, 2018). Discriminative listening includes isolating and analyzing specific elements of speech to determine differences in meaning or feeling (Kline, 1996). With this type of listening, the speaker must differentiate between the information as accurately as possible.

Although lawyers, like any individual attempting to comprehend and understand another, must engage in discriminative and comprehensive listening, they are likely to be labeled primarily as critical listeners. This seems true even if, as several have argued, the type of listening most important for their work is therapeutic listening (Cornett & Merritt, 2020). Below, I briefly explain these types of listening and explore how critical and therapeutic listening are relevant to the law profession.¹

Critical Listening

Critical listening involves judging and forming opinions about what is being said (Coaxley & Wolvin, 1996). Given the public perception (i.e., stereotype) of lawyers as argumentative, it seems reasonable to brand lawyers as primarily critical listeners,

¹ The careful reader will notice that appreciative listening remains undefined in this thesis. Appreciative listening is listening for enjoyment, for instance to music or nature. Because lawyers are people, they will benefit in engaging in high quality appreciative listening. In their professional role, however this type of listening seems less relevant than those noted above.

listening to and for inconsistencies in the speech of others. Clearly, this skill is important when lawyers are seeking truth and building an argument on behalf of their client; however, problems arise when lawyers engage in critical listening too early (e.g., while forming hasty generalizations without fully understanding the speaker and their message). For instance, when they are arguing a case in court, lawyers should point out any inconsistencies in the testimony of witnesses called by the opposing counsel, or of the opposing counsel themselves. This being said, when speaking with clients, attorneys may find their relationships are healthier if they push pause on critical listening until they have fully listened to the client's story.

Gustafson, Short, and Hamilton (2021, p. 8) argued that lawyers play roles as leaders, advocates, negotiators, and counselors. In relation to listening, these authors assert:

As a leader, a lawyer attempts to influence a group of individuals to achieve common goals... As a negotiator, a lawyer influences others to obtain results advantageous to the client but consistent with the requirements of honest dealings with others. As an advocate, a lawyer influences others to benefit the client's position under the rules of the adversary system.

With regard to critical listening, Gustafson et al. asserted that lawyers should refrain from advising and responding until they understand the needs of the client and the client feels understood. Persuading and advocating on behalf of a client indeed takes skills related to critical listening, but perhaps more important to the everyday roles that lawyers play is therapeutic listening.

Therapeutic (Relational) Listening

It goes by many names: relational listening (Keaton et al., 2015), therapeutic listening (Watanuki, Tracy, & Lindquist, 2006), and empathetic (or empathic, or active-empathic) listening (Bodie, 2011). Regardless of the specific label, the focus of this style of listening is perhaps the most important for attorneys to consider (see Brooks, 2020). Relational listening is focused on tuning one's listening attention to connection and concern for others' thoughts, perspectives, feelings, and emotions. It involves attempting to consider the situation from someone else's perspective or at least listening to and for how information impacts others (Bodie et al., 2019). One of the most important things to consider regarding relational listening is that the speaker is the focus of solving the problem. The job of the listener, in this circumstance, is to provide support and enable the speaker to talk through their own problem and encourage them to find their own solutions (Jones, 2011; Wolvin & Coaxley, 1996)

To effectively engage relational listening, there are three main considerations: attending, supporting, and empathizing. Attending refers to the use of nonverbal cues, showing the other person that you're present in the conversation and paying attention to what they're saying. Supporting the other person means not interrupting when they're speaking or giving unwarranted suggestions. The aspect of supporting as related to relational listening brings in the importance of supportive listening in general. Similar to the role of a relational listener, the role of a supportive listener "is to help a stressed other disclose in ways that generate new methods of thinking and feelings about a problem" (Keaton, et al., 2015, p. 481). Listeners who are seen as more supportive are also viewed as more likeable, as they are non-judgmentally focused on others' problems (Keaton, et

al., 2015). Finally, the concept of empathizing refers to an earlier point made about viewing the situation from someone else's perspective (Kline, 1996).

In many ways, the issues people express about attorneys, both in general and in satisfaction surveys about specific interactions with specific lawyers, are concerns about listening. As Brooks (2020) put it, clients of large law firms overwhelmingly report they “were upset with lawyers’ poor communication skills, particularly their poor listening skills” (p. 361). The next section seeks to explore many current problems facing attorneys, as noted through studies with both clients and employers.

Dissatisfaction With Attorneys

“Arrogant,” “Rude,” and “Smug” are all words used to describe attorneys and their communication skills (Cornett, 2019). A 2006 ABA Journal eReport indicated that 70% of large law firm clients were dissatisfied with their lawyers. To be specific, these clients were upset with the poor communication and listening skills of their attorneys (Brooks, 2020). The ABA study also revealed that being treated with dignity and respect are both attributes of good attorney listening. Furthermore, this research suggests that individuals influenced by the legal system are more willing to accept their outcomes if they experience the process as fair. This interpretation of the process as “fair” is a direct result of their experience with the legal system and the respect they feel they were given, or not, during that process. In other words, lawyers who engage in high quality communication with their clients, keeping them informed about their legal process, are more likely to have successful relationships with their clients regardless of the legal outcome.

BTI Consulting Group conducted a study similar to the ABA Journal study. In the BTI study, clients frequently mentioned “failure to listen, non- responsiveness, and arrogance” when referring to their legal representation (Brooks, 2020, p. 363). This study also revealed that “effective communication, including attentive and patient listening and clear explanations, is valued by clients because it improves the exchange of information and also because it is essential to the development of rapport, trust and mutual respect” (Brooks, 2020, p. 363). Based on the results of this study, clients are quite attuned to the listening abilities of their attorneys.

Trust

Trust is perhaps one of the most important factors of the attorney-client relationship. The Boccaccini 2004 Congruent Model of Trust Development noted that “the level of client trust depends on both the clients willingness to participate and the attorney’s allowance of participation” (Campbell, 2015, p. 755). A 1986 Flemming interview with defense attorneys identified “that attorneys recognized their client’s willingness to trust and cooperate as important factors in their relationship” (Campbell, 2015, p. 754). This study also revealed the emphasis on trust and confidence within the attorney-client relationship. When clients view their public defenders in this way, and recognize that they themselves have a voice, they are more willing to cooperate and be satisfied with that representation (Campbell, 2015).

An attorney involved in the 2015 Lexis Nexis Bellwether Report noted, “A client has a relationship with us. They put their trust in us and we build a rapport with them” (Whittle, 2015, p. 13). Although many attorneys acknowledge the importance of trust in their client relationships, one attorney recognized that “Clients don’t expect a high degree

of rapport when they enter into the relationship” (Whittle, 2015, p. 16). I will explore these perception of lawyers as related to the negative stereotypes surrounding the profession. Later in chapter, the demeanor of lawyers will be explored as well as how communication is taught, or isn’t, in legal education.

Lawyer Demeanor

In 2019, the Institute for the Advancement of the American Legal System (IAALS) published a report that analyzed over 2,000 client reviews to “paint a picture of what clients value in their lawyers” (Montague, 2019, p. 1). One of the most frequent attributes clients associated with being an effective attorney was their demeanor, with clients mentioning integrity and trustworthiness as some of the most important criteria for their attorneys to be successful. The study revealed that clients were looking for an attorney who spoke to them on a “human level” and viewed them as a person instead of simply a client (Cornett, 2019). Thus, quality lawyering is more than having legal knowledge. A 2015 Lexis Nexis Bellwether Report conducted interviews with 118 independent lawyers and over 500 private clients to investigate the perspectives of both attorneys and clients regarding their relationships and the changing demands of clients. One individual in the study indicated that, “Lawyers are not people” while another cited “They talk more than they listen, which is a big turn-off. I judge them based on the questions they ask” (Whittle, 2015, p. 16). Based on the two above mentioned studies, the demeanor of lawyers seems to be a major concern of the client. This importance is enhanced by the aforementioned negative perception of lawyers and the stereotypes surrounding the profession. A client involved in the Lexis Nexis study noted, “To be a lawyer you need to have a big ego. That is my perception as a client. They feel the

service they are providing is above average. I wouldn't say so - I think they're pretty average" (Whittle, 2015, p. 17). The observation that this individual made regarding lawyers and their ego is not surprising, as lawyers are not often taught how to take the feelings and emotions of their clients into consideration. Their training can often program them to pay little attention to clients' feelings because they can often be messy and time consuming, based on the typical challenges that clients bring to their lawyers (Gustafson et al., 2021).

Some attorneys themselves recognize this need to balance putting things in terms the client will understand and not insulting them by being arrogant (Cornett, 2020). One attorney interviewed for Lexis Nexis's Bellwether Report said, "Understanding what a client really wants at every step of their journey is critical to delivering great service" (Whittle, 2015, p. 13). Several of the attorneys holding this view noted specific competency points that new attorneys should bring to the field. Among those identified were the ability to interact effectively with clients, as well as the ability to communicate well. One of the attorneys interviewed noted that, "Clients are not looking for us to tell them what they cannot do. They're looking for us to help them understand how to accomplish their business objectives" (Cornett, 2020, p. 42). Another professional interviewed stated that,

The number one complaint from clients of lawyers is lack of communication, or poor communication, and not being told what the hell is going on in their case. Especially in the discovery phase, clients don't understand the demand placed on them or the slow progress of the case.

Taking time to “touch base” and offer a “lot of handholding” was essential for building relationships (Cornett, 2020, p. 43).

These lawyers understand the importance of working with the client throughout all aspects of the legal process, and that many other individuals in the profession fail to do so effectively.

The Perspectives of Employers and Schools

The communication issues facing legal professionals are not only acknowledged by lawyers and their clients but also by legal institutions and employers. A 2020 study conducted by the Institute for the Advancement of the American Legal System (IAALS) noted that 90 percent of the hiring partners interviewed wanted new lawyers to bring oral and written communication skills into the workplace. The organizations that participated in this study identified 20 areas that they deemed most important including integrity/honesty, oral comprehension, and oral expression. This being said, the third most important foundation identified by 91.5% of respondents was to “listen attentively and respectfully” (Cornett, 2020). Several people that participated in this research noted communication issues in their direct observations about the professions and what clients are looking for in their attorneys. Many of the focus group participants faulted new lawyers for “failing to attend carefully to messages from others” and commonly referred to this as a “failure to listen” (Cornett, 2020, p. 53). One of these individuals specifically stated, “I think listening is huge, one of the biggest skills as an attorney that we have and need” (Cornett, 2020, p. 53).

A number of legal groups who recognize these communication-based problems are beginning to set initiatives to focus on a broader set of values within their

organizations, including “empathy, compassion, mutual connection, cultural awareness and humility, and social justice” (Brooks, 2018, p. 416). The ultimate goal of setting these initiatives is to help foster professional identity after the classroom setting. One of the individuals from a firm introducing these initiatives recognized that, “Preparing for a successful legal career requires both a high level of knowledge and skill in legal analysis and the ability to sustain a relationship with colleagues, and especially, to develop fiduciary relationships, centered on understanding and serving the needs of clients” (Brooks, 2018, p. 418).

If communication skills, and specifically listening, are so important to attorney-client success, then why isn't there further emphasis on this concept in legal education? Currently, only 23 U.S. law schools (out of 237 total; 9.7%) include listening in the learning objectives for their J.D. programs (Gustafson et al., 2021, p. 3). Hiring partners recognize that new attorneys “rarely relied upon legal rules they had memorized from law school or for the bar exam. Instead, these new lawyers drew upon more basic concepts and research skills to identify specific rules needed to represent clients effectively” (Cornett, 2020, p. 30). These employers noted that “they scrambled to acquire skills - such as interviewing, fact gathering, counseling, and negotiating - that are essential to competent practice” (Cornett, 2020, p. 30). Along with these technical skills, “lawyers are traditionally trained in cold, hard legal analysis to ‘think like a lawyer’ not ‘feel like a lawyer’” (Gustafson et al., 2021, p. 19).

Organizations hiring new lawyers are aware of the limitations of traditional legal education; however, there is a continued lack of emphasis on communication during legal education despite these limitations. A recently graduated attorney mentioned that “they

[law schools] didn't teach us how to talk to clients, how to get someone who's charged with some heinous event to trust you well enough to tell you what's been happening" (Cornett, 2020, p. 52).

New lawyers, as well as seasoned professionals, recognize the downfalls of not including a more focused approach to communication within legal education. As Brooks (2020) put it, "Students are often given very little theory or context and are instructed to simply practice active or reflective listening by repeating back to the client what has been said using the clients' words" (p. 362). The major problem with this concept of repeating back to the client what they have just said (i.e., parroting) is that the attorney isn't truly processing what their client is expressing to them. Indeed, research exploring different strategies for paraphrasing shows that merely repeating the event (i.e., parroting what the person just said) is much less effective than summarizing the important parts of what was said, including relevant affective states (Bodie, Cannava, & Vickery, 2016). What the literature on paraphrasing suggests is that people tell stories for a reason, and if that reason is left out of the paraphrase it is much less meaningful. This type of "listening" helps grow the stereotype of arrogant lawyers, because it makes it obvious that the attorney isn't truly understanding what the client is expressing.

A new approach to legal education aimed at addressing some of the aforementioned concerns is labeled competency-based education, defined as "an approach to preparing lawyers for practice that is fundamentally organized around competencies derived from an analysis of client and societal needs" (Gustafson, et al., 2021, p. 5). The benefits of this type of learning include fully understanding the client's message and their feelings regarding the case to form better relationships and provide

higher quality services. In other words, it involves a heavy dose of instruction and practice in relational listening, allowing lawyers to build trust and create lasting relationships with clients.

Lawyers that Listen

Given the literature reviewed so far, I feel justified in making the following broad claim: Lawyers who listen effectively to their clients will be more successful than lawyers who fail to listen effectively to their clients. Now that the world has stopped shaking from this profound proclamation, here is another: Law firms might benefit from including language that indicates a relational approach to lawyering, including (and perhaps explicitly) the importance of listening to clients in their branding, advertising, and marketing efforts. In the following sections, I will investigate how law firms currently brand themselves with added attention to law firms that focus on listening specifically in their branding.

The Branding of Law Firms

Law firm branding is a niche portion of marketing which has only gained relevancy in recent decades. Indeed, it was only in 1990 when the US-based Law Society relaxed their policies and allowed law firms to brand themselves and utilize logos. This being said, law firms are still not allowed to advertise in Italy or Spain, “and across Europe, law firms cannot market directly to people or companies that are not their clients” (Branding the Law, 2004, p. 14). Because law firm branding is a somewhat new concept, the branding of many firms is underwhelming and poorly established. According to a 2010 Of Counsel study, many attorneys *say* that they know their firm’s branding and *say* that their clients do too, yet none were able to explicitly state their branding (Pol,

2010). In fact, the only difference that big firms were able to identify had to do with color differences between logos. As for clients, “a staggeringly low 17 percent...see much difference between firms” (Pol, 2010, p. 23). These numbers coincide with PR Newswire (2020) statistics about digital content, showing that “97% of law firms don't have any form of personalized content on their digital platforms, despite the fact that 87% of consumers say personally relevant branded content positively influences how they feel about a brand” (p. 1). As technology progresses and the internet and social media play increasingly larger roles in our lives, digital branding continues to increase in importance for not only law firms but everyone. Given that law firms currently lack effective branding, what measures can be taken to make a firm stand out amongst its competition?

As the market moves towards consolidation, only those firms with a clear-cut brand profile will survive. Hence, so far, professional services have branded themselves purely on their technical abilities. They have been in denial of broader, emotional aspects inherent to client choices” (Branding the law, 2004, p. 14)

The above quote summarizes nicely the aspects that will become essential to client choices, beginning with emotional appeals.

As previously discussed, many clients have issues with attorney communication, particularly with the failure of many attorneys to take into consideration the needs and perspectives of their clients. This brings us to one very important sector of law firm branding: firms that brand themselves with specific listening objectives in mind.

The Current Study

Thus far, we have explored the different types of listening and the current problems facing attorney-client relations. Recently, I have begun investigating the current frame of branding for law firms. Moving forward, I will investigate the effectiveness of branding law firms as organizations that listen and are thus concerned about improving attorney-client relations. The next chapter will seek to outline methods used in conducting this research.

Chapter 3: Methods

Part of the inspiration for this research project came from a billboard on the side of the road that provided me with my first source. Chatham Gilder Howell Pittman (CGHP) law firm in Southaven, Mississippi, has several billboards on I-55 North that read “The Lawyers that Listen.” Thousands of cars drive by these billboards every day and are exposed to the branding of this Southaven law firm. Their explicit reference to listening inspired me to look into other law firms with similar, listening specific branding. An initial Google search using the phrase “listening law firms” mostly provided magazine articles about how lawyers fail to listen and how to be a more effective communicator in the profession. An additional Google search using the phrase “law firms with listening specific branding” gave me another resource in Mississippi. Roberson Law Firm in Starkville labels itself “Attorneys that listen.” The final source the search revealed is Hastings Law and Counsel in Chapel Hill, North Carolina, which uses the slogan, “We listen first.”

As a comparison, I wanted to find law firms geographically close to each of the “listening firms” that also specialized in similar areas of law, but did not use listening specific branding. Another Google search of law firms in the areas of Southaven, Starkville, and Chapel Hill allowed me to find similar firms in each area. Stroud Law Firm in Southaven focuses on personal injury law, as does CGHP. Vollor Law Firm as well as Roberson Law Firm are both in Starkville and each work in several areas including criminal defense and personal injury. Lastly, Maitland and English Law

Firm in Chapel Hill and Hastings Law and Counsel each work in family law, and criminal defense among others. Table 3.1 shows each firm that was investigated including pertinent information about the firms as well as why the comparison firms were chosen.

I used several different sources to compile information about each law firm I was researching and searched through those sources using thematic analysis to find common themes about the way clients were describing their interactions. Themes presented themselves based on the three criteria expressed by Owens (1984): (1) recurrence, (2) repetition, and (3) forcefulness. The first criteria, recurrence, was found when client reports had the same meaning although different words were used. This relates to the second criteria, which is simply the repetition of the same words. When it comes to printed language, the third criteria, forcefulness, is found with bolded and italicized words as well as punctuation.

To begin, I visited each website to find the slogans as well as any statements including mission and vision about what the firms strive to do for clients. Many of the websites also offered client testimonials, which I analyzed using the above-mentioned process and criteria. Following the published client testimonials on the website, I wanted less filtered reviews so I went to the Google Reviews page for each of the firms. I repeated the same process of searching through the reviews using thematic analysis to find additional patterns in the words and phrases clients were using to describe their experiences.

Table 3.1: Law Firms Investigated

Name of Law Firm	Location of Firm	Type of Law Practiced	Main Branding Slogan	Why the Firm was Chosen
<i>Chathan Gilder Howell Pittman</i>	Southaven, MS	Personal injury law	“The lawyers that listen”	Listening specific branding
<i>Stroud Law Firm</i>	Southaven, MS	Personal injury law	“Large firm results, Small firm dedication”	Firm was in the same town, and focuses on the same type of law
<i>Roberson Law Firm</i>	Starkville, MS	Criminal defense, Family law, Personal injury, Expungements, Driving under the influence, and Social security disability	“Attorneys that listen”	Listening specific branding
<i>Vollor Law Firm</i>	Starkville, MS	Personal injury, Criminal defense, and Product liability	“Serious work, outstanding results”	Firm specializes in multiple areas of law that are the same as the “listening firm” it is being compared to
<i>Hastings Law and Counsel</i>	Chapel Hill, NC	Personal injury, Consumer protection, Criminal defense, Family disputes, Transactions and agreements, and Identity and property harms	“We listen first”	Listening specific branding
<i>Maitland and English Law Firm</i>	Chapel Hill, NC	Business law and formation, Criminal defense, Civil litigation, Divorce and family law, Elder law, Estate law, Immigration law, and Real estate law	“Your hometown firm for personal legal service”	Firm specializes in numerous areas of the law that are the same as the firm it is being compared to

In the following chapter, I present my analysis using the information obtained from each website including client testimonials as well as Google Reviews. While many

of my results are narrative (qualitative) in nature, I reference quantitative metrics when applicable.

Chapter 4: Results

The purpose of this chapter is to explore a sample of law firms with listening specific branding and compare those firms to others in their respective cities. Within each geographic location to be mentioned, a firm with listening specific branding is compared to a firm specializing in similar areas of the law, but with a different branding position. I analyzed the websites of each firm, including posted client testimonials, to review the way each firm positions itself. Following this analysis, I investigated the unfiltered Google reviews for each firm. I share information from these reviews using both quantitative and qualitative data compiled.

Southaven, Mississippi

Southaven is a city in northern Mississippi and is considered a suburb of Memphis, Tennessee. The most recent population data shows Southaven with a population of approximately 58,000 the majority (65.92%) of whom self-report their race as white. The median income for a family of four is approximately \$74,000 (see Table 4.1 for additional demographic information for Southaven, MS).

Table 4.1: Southaven, MS Demographic Information

Category	Percentage of total population
<i>Total population</i>	58, 138
<i>Biological sex</i>	
Male	46.75%
Female	52.25%
<i>Age</i>	
Under 18	26.6%
65 and over	13.6%
<i>Race</i>	
White	65.92%
Black or African American	27.95%
Two or more races	2.35%
Asian	1.99%
Some other race	1.66%
American Indian or Alaska native	.12%
Native Hawaiian or Other Pacific Islander	.02%
<i>Average Income</i>	
Households	\$74,129
Families	\$82,770
Married families	\$97,275
Non families	\$47,642
<i>Education</i>	
Less than 9 th grade	3.19%
9 th to 12 th grade	6.13%
High school graduate	29.13%
Some college	25.71%
Associates degree	10.69%
Bachelors degree	17.07%
Graduate degree	8.08%

Chatham Gilder Howell Pittman (CGHP). The CGHP law firm specializes in personal injury law. It brands itself as “Lawyers that listen” and capitalize on that slogan by putting it on billboards along highways and major roads in and around Southaven (e.g., I-55 between Batesville and Memphis). Their website URL is “thelawyersthatlisten.com,” and immediately upon accessing that site you read, “CGHP is not your typical fast-talking law firm. We’ll take the time to hear your story and we’ll

work hard to make things right for you.” On the top of their Contact page, “We’re ready to listen” precedes their phone number and map/directions, and under “What it’s like to work with lawyers that listen” the following text appears: “At Chatham Gilder Howell Pittman, you can rest assured knowing that you are being taken care of at every step of the process. You will always work directly with an experienced attorney from our firm – not a paralegal. And your questions will be answered promptly.”

Although the website for CGHP does not feature any client testimonials, there are many positive Google reviews. Of the twenty-four Google reviews, twenty three (95.8%) are five stars with one remaining one star review. Among the most common adjectives used to describe the firm are “professional” (appearing 10 times) and “honest” (appearing 3 times), and many of the reviews also note the firm’s excellent communication.

Take, for example, these three quotes that illustrate the kinds of positive comments clients have written about CGHP:

“His assistant Ms. T was very sweet and helpful and communicates wells. No attitudes, no back and forwards, no run around or miscommunication.”

“He is very professional, takes time to listen to his clients and is very thorough in everything he does.”

“They are honest. J is a man of integrity and honesty. They listen and they care”

The first quote specifically mentions the strong communication skills that the firm operates under, with the latter two explicitly noting the ability of the firm to listen. Given that listening is what they focus their efforts on most (branding and client relationship wise), clients seem to relate the concept of strong listening with the firm.

Stroud Law Firm (SLF). Also specializing in personal injury law in is the Stroud Law Firm (SLF). This firm was chosen as a comparison because CGHP and SLF both work on personal injury cases. SLF does not include listening in its branding, and instead opt for the slogan, “Large firm results, Small firm dedication.” This slogan, though not explicitly mentioning listening or communication, does suggest SLF will “pay attention” or otherwise “treat you like a person” and thus is similar in many ways to a “lawyer that listens.” Indeed, although listening isn’t explicitly mentioned in any statements from the firm, there are statements on its website that allude to communication and trust as a top priority for them. For example, take this quote:

“Trust is something that should be earned through action. Through the years, we have earned our clients’ trust, fighting for justice and client well-being from start to finish. We build lasting relationships with our clients, and we are proud to say that a majority of our new client business is through referrals from former clients. Compassion for our clients does not end with the conclusion of your case; you will always have a friend to call upon with our team our attorneys and support staff.”

Trust was identified in Chapter Three as an essential aspect of attorney-client relationships; therefore, although the previous quote doesn’t mention listening explicitly, it touches on aspects important to building strong relationships.

There are five client testimonials that SLF has shared on its website. One of them is a testimonial from a former client who wrote, “They made us feel very... I mean, they are very warm law firm, and they get to the point, and they make you feel that they are, you know, that they’re going to take care of you.” This review makes sure to note the

“friendly” and “welcoming” manner that the firm has in their relationships with their clients.

As for the Google reviews, there are one hundred and seven giving the firm an overall rating of 4.8/5.0 stars. The most used word to describe the firm is “professional” (appearing 42 times); over half of the reviews mentioned something about that concept (see Table 4.2 for example quotes).

Table 4.2: Stroud Law Firm Google Reviews

Quote	Star Rating
<i>“He was very professional, good quality. And he was completely honest with me from beginning to end.”</i>	5
<i>“Out of the four other attorneys, M was the only one who showed extreme compassion, and patience”</i>	5
<i>“Mr. D was always so kind, reassuring, and responsive which eased my fears about my litigation process.”</i>	5
<i>“I appreciated his upbeat spirit and professionalism”</i>	5
<i>“I could not have been more pleased with the professional and caring manner in which Mr. S and Ms. R handled our vehicle accident claim.”</i>	5
<i>“We can’t tell you how professional, hardworking this firm was.”</i>	5

More recently than the aforementioned plethora of positive reviews is a recent negative review which brings up questions of the firm’s communication skills. A disgruntled client wrote, “...after making three attempts to speak with a member of the

Stroud team and being told that a member of the team would contact me after each attempt I made, I have yet to get a response from anyone.” Timeliness of responses and availability to communicate are two aspects mentioned in Chapter Three that are important to building client relationships and building a mutual trust/respect for one another.

Starkville, Mississippi

Located in central Mississippi, Starkville is home to Mississippi State University. The most recent data show Starkville with an estimated population of approximately 26,000, the majority of whom (58.01%) are white. The median income for this city, for a family of four, is \$35,048 which is significantly lower than that of Southhaven as previously discussed (see Table 4.3 for additional demographic information for Starkville).

Roberson Law Firm. The Roberson Law Firm (RLF) works in several different areas of the law including criminal defense, family law, personal injury, expungements, driving under the influence, and Social Security disability. The firm brands itself as “Attorneys That Listen,” which is prominent at the top of its website, <https://robersonattorney.com>. Under that heading reads the following message from the firm, “Dealing with a legal issue can be a frustrating and overwhelming time in a person’s life. At our firm, we strive to take the burden off of you and make the process as quick and stress-free as possible. At Roberson Law Firm, we’re passionate about treating every client as an individual.” The level of empathy being expressed by the firm is precisely the opposite of what many individuals have identified as problematic with previous attorney interactions, as discussed earlier in Chapter Two.

Table 4.3: Starkville, MS Demographic Information

Category	Percentage of total population
<i>Total population</i>	26,169
<i>Biological sex</i>	
Male	49.39%
Female	50.61%
<i>Age</i>	
Under 18	19.1%
65 and over	10.7%
<i>Race</i>	
White	50.01%
Black or African American	34.97%
Asian	4.23%
Two or more races	2.02%
Some other race	.61%
Native Hawaiian or Other Pacific Islander	.11%
Native American	.04%
<i>Average Income</i>	
Households	\$55,514
Families	\$78,054
Non families	\$33,835
<i>Education</i>	
Less than 9 th grade	2.89%
9 th to 12 th grade	6.60%
High school graduate	19.32%
Some college	17.63%
Associates degree	6.29%
Bachelors degree	22.23%
Graduate degree	25.03%

The limited number of client testimonials previewed on the firm’s website praise interactions between clients and attorneys at RLF. The most relevant client testimonial reads, “I would like to express how professional and supportive Attorney R was during the time of my divorce. Personally, it was a very difficult and emotional time of my life, and he and his staff was always available to answer any questions or concerns.” RLF thus

seems able to live up to its claims of empathy, at least according to this individual, and be available for clients during difficult life events.

In addition to the few client testimonials displayed on the website, there are ten Google reviews that give RLF an overall rating of 4.6/5.0 stars. Out of these reviews, four are five stars, and one is a one star review. The most commonly used word to describe the firm was “professional,” with three reviews (30%) mentioning the concept. A satisfied client wrote the following five star review, “Immediately I felt in good hands! The whole staff are super friendly and professional and I don't know what I'd have done without them!” Although these reviews don't explicitly mention listening, being described as “friendly” implies that the communication between attorneys and clients reflects a positive environment with respect to lawyer demeanor. Indeed, “friendly” is a primary attribute of what people consider part of being a “good” listener (Bodie, et al., 2012)

Vollor Law Firm. Also found in Starkville is the Vollor Law Firm (VLF), which specializes in multiple areas of law including personal injury, criminal defense, and product liability. These areas of law overlap with the several practice areas of RLF, and is why I chose this firm as a comparison. VLF operates under the slogan “Serious Work. Outstanding Results.” The focus of the firm appears to be professional, intense work with an emphasis on getting the most money for their clients. This idea is reinforced with an explanation of the goals of the firm found on its website homepage, <https://www.vollorlawfirm.com/>, which reads, “We are ready to serve as your *fierce* advocate and put our experience to work for you. Our team *does not back down from a challenge* and will *do what it takes* to make sure that your story is told and your needs are

met.” An important part of this quote is the end, which reinforces the idea that the *client* is at the heart of the concerns of this firm. In other words, their strength seems to lie in advocacy for clients. In addition to this message from the firm, the website showcases nine client testimonials of positive experiences with the firm, including the following two quotes:

“V and his staff listened to me thoroughly and did what they said they would. They represented me professionally and went above and beyond to execute the plan.”

“Not only do they provide great legal services, they are passionate and honest.”

Although VLF does not explicitly mention listening in its branding, the client testimonials give an insight into how important the factors associated with listening are to clients. This idea is reinforced through the firm’s interactions with clients, despite the fact that they lack any mention of listening.

Along with the posted client testimonials are 30 independently posted Google reviews. Every single review is five stars, giving this law firm an excellent rating. The most commonly used adjective to describe the firm based on these reviews was “professional” which appears twenty times (66.7%). Several of the reviews also mentioned something about the communication strengths of the firm. Found below are a select few of the most impactful and relevant reviews posted to Google reviews.

“Very communicative, thorough, and professional. V runs a tight ship, and works extraordinarily hard. He’s also a very congenial, affable person, who can

communicate to anyone he intricacies of his cases and how he always puts his client's interests above all else."

"The paralegal provided excellent and prompt communication throughout my entire experience. The attorney was also very professional, communicative and helpful"

"Goes the EXTRA mile and more to make sure clients are well represented."

Similar to the client testimonials posted on the website, the above reviews praise the ability of the firm to actively engage with its clients and emphasizes the strong communication skills that they identify as an important part of their interaction with the firm and the firm's members.

Chapel Hill, North Carolina

Found outside Raleigh, NC, is the town of Chapel Hill, which is home to the University of North Carolina. Similarly to the demographic information for Starkville, the presence of the University influences the demographic profile of Chapel Hill. The current approximate population of Chapel Hill is 66,000 people, with the vast majority of those individuals being white (71.74%). The median household income for a family of four in this town is \$73,614 (see Table 4.4 for additional demographic information on Chapel Hill).

Table 4.4: Chapel Hill, NC Demographic Information

Category	Percentage of total population
<i>Total population</i>	66,103
<i>Biological sex</i>	
Male	46.98%
Female	53.02%
<i>Age</i>	
Under 18	16.1%
65 and over	11.2%
<i>Race</i>	
White	71.74%
Asian	13.03%
Black or African American	10.89%
Two or more races	2.87%
Some other race	1.21%
American Indian	.25%
Native Hawaiian or Other Pacific Islander	.01%
<i>Average Income</i>	
Households	\$123,112
Families	\$177,914
Non families	\$63,375
<i>Education</i>	
Less than 9 th grade	1.83%
9 th to 12 th grade	2.18%
High school graduate	7.23%
Some college	8.56%
Associates degree	3.19%
Bachelors degree	28.75%
Graduate degree	48.18%

Hastings Law and Counsel. Located in Chapel Hill, NC is Hastings Law and Counsel (Hastings) which practices several areas of law including personal injury, consumer protection, criminal defense, family disputes, transactions and agreements, and identity and property harms. Hastings is included in the law firms which emphasize listening in its branding; they operate under the slogan “We listen first,” with the phrase prominently displayed at the top of its website homepage, <https://hastingsnclaw.com>.

Following this main heading is an additional heading that reads, “Clients choose a law firm that listens first,” reinforcing their emphasis on the importance of good communication and listening skills to their work. It is also worth noting that Hastings has been the recipient of consecutive client choice awards from 2015-2020.

The website features an entire page dedicated to posting client testimonials about positive interactions with the firm. Table 4.5 provides a sample of several of the most relevant client reviews posted on the website. Each review praises the communication skills of the law firm, with two (40%) explicitly mentioning strong listening skills. There is also the importance of the trust these clients have in the firm, which is an essential aspect of a positive attorney-client relationship. In addition to the posted client testimonials on the website are fourteen Google reviews, all of which are five stars. Out of those reviews, “professional” was the most commonly used adjective to describe the firm, appearing in eight reviews (57.1%). Nearly every review also mentioned the impressive communication skills of the firm, with three reviews (21.4%) explicitly noting the fact that they listen to you. Table 4.6 gives a sample of some of the most relevant Google reviews posted by satisfied clients.

Table 4.5: Hastings Law and Counsel Client Testimonials

Quote	Star Rating
<p><i>“He made me feel validated in my concerns, and provided a top-notch service for a fair price. The whole process was very transparent and professional, with an emphasis placed on clear communication. His dedication to doing what is right speaks volume about his character. Would strongly recommend it to a friend.”</i></p>	5
<p><i>“He was knowledgeable and was willing to both spend time understanding my case, investigating the facts of the case and the relevant law, and was able to help with resolving my case. All throughout he was very easy to work with, was willing to listen to my needs and was also able to expertly advise me on my options.”</i></p>	5
<p><i>“I reached out to 20 different potential firms to represent me and only 6 actually give me the time of day. Out of these 6 only one actually understood what I was trying to fight for. That was T. He listens and was not intimidated by who I was going after. He actually came up with a great strategy of how to get there. I am extremely happy with his representation and I strongly recommend him. I trust him...”</i></p>	5
<p><i>“Of the lawyers I considered, he offered the best price, was the easiest to communicate with, clearly explained the process and timeline, and got the job done on schedule with no complications or surprises.”</i></p>	5
<p><i>“His high level of communication and explanation of the process was extremely supportive and motivating.”</i></p>	5

Table 4.6: Hastings Law and Counsel Google Reviews

	Quote Star Rating
<i>“His professionalism and communication were exceptional”</i>	5
<i>“He made me feel validated in my concerns, and provided a top-notch service for a fair price. The whole process was very transparent and professional, with an emphasis placed on clear communication. “</i>	5
<i>“He was knowledgeable and was willing to both spend time understanding my case, investigating the facts of the case and the relevant law, and was able to help with resolving my case. All throughout he was very easy to work with, was willing to listen to my needs and was also able to expertly advise me on my options”</i>	5
<i>“A class act lawyer. Very good and is not driven by profits. Professional, smart, and not hard to get a hold of. “</i>	5
<i>“A truly honest lawyer that will listen to you and get you what you deserve”</i>	5

A common theme found in both the client testimonials posted on the website and the independently posted reviews on Google is an emphasis on the strong communication skills of the firm and an explicit reference to listening skills. Quotes from the Google reviews also replicate a theme found in the posted client testimonials of trusting the firm, which as mentioned previously is an essential part of the relationship between client and attorney.

Maitland and English Law Firm. Also located in Chapel Hill is Maitland and English Law Firm (MELF), which specializes in several areas of law that overlap with those practiced by Hastings including business law and formation, criminal defense, civil litigation, divorce and family law, elder law, estate law, immigration law, and real estate

law. MELF operates under the slogan, “Your Hometown Firm for Personal Legal Service,” which is found at the top of its website, <https://www.maitlandlaw.com>. This message is followed shortly by the phrase, “Your Journey For A Trusted, Local Law Firm Ends Here,” which although does not mention listening or communication does mention trust.

As with several of the other law firms mentioned preciously, Maitland displays several client testimonials on its website. Although there is only a limited selection of reviews, the following quotes preview some of the most relevant reviews in respect to client interactions with the firm.

“They not only were very responsive throughout the process but also very professional.”

“R, thank you especially for the empathy and care you gave to our overall well-being and the longer-term considerations attendant on this decision”

“Mr. M and his staff were professional, understanding, and made the process easy for my entire family”

Most of the above reviews mention the thoughtfulness, responsiveness, and trustworthiness of the firm.

Along with the posted client reviews are eight Google reviews. All of these reviews are five stars, despite two rather negative comments about interactions with the firm. Out of these reviews, there were no commonly used adjectives that stood out above the other reviews. Found below are a selection relevant positive and negative reviews about the firm.

“He was prompt in his response, educated me on the process, spoke to me in terms that I could understand, and solved my issue efficiently”

“Rob Maitland overcharged me excessively for last minute changes during a closing that he did not prepare the paperwork on time. He was sarcastic and rude. Avoid like a plague. Take your business elsewhere.”

“There was absolutely no communication. I had to call to find out the status of the case every time.”

The latter two responses specifically note the communication problems found within the firm. These negative responses make one wonder whether further education in listening or even a further emphasis on listening in general would help improve these responses.

Chapter 5: Conclusion

One thing has been made certain thus far: strong listening and communication skills are important to clients and for fostering positive attorney-client relationships. This being said, however, the question remains whether listening specific branding influences client's perceptions about their lawyers and interactions with law firms. Although this question requires greater research and investigation (names experimental research that can actually answer about cause- effect), the results of the law firms investigated throughout Chapter 4 will be discussed below to begin to answer it.

General Summary of Findings

All in all, "professional" and "honest" appeared the most frequently to describe each of the six law firms, both those with listening specific and those without listening specific branding. Additionally, most of the negative reviews found throughout all the firms mentioned poor communication skills on the part of the firm.

Chatham Gilder Howell Pittman in Southaven, also known as "Lawyers that Listen," have a myriad of positive client reviews that note their strong communication skills. Of these reviews, two specifically mention the strong listening skills of the firm. Because listening plays a big part in the branding of this firm, and is prominently featured on their website, clients may be more likely to specifically mention listening when thinking of positive interactions with members of the firm.

The comparison firm, Stroud Law Firm, emphasized the concept of "Large firm results, Small firm dedication." Furthermore, they promote the idea of trust within their

cases, which is another previously discussed important aspect of attorney-client relationships. As for their reviews, many noted the positive and upbeat demeanor of their attorneys, standing out against stereotypes of serious and egotistical attorneys (See quotes in Table 4.2). Despite the positive reviews about attorney demeanor, there is a negative review that notes the failure in communication from the firm. Although this is an outlier among the slew of positive reviews, it is worth mentioning due to the importance of consistent timeliness of responses and availability to communicate.

My takeaway from this analysis is that clients were more likely to note strong communication and listening skills with CGHP, whether or not that is due to their listening specific branding needs more investigating. Additionally, client's noted the positive demeanor of attorneys at Stroud and a possible lack of an emphasis on better communication skills.

Roberson Law Firm (RLF) in Starkville brands itself "Attorneys that Listen" and reviews highlight the demeanor of the firm's attorneys, with surprisingly limited mentions of communication or listening. This being said, however, the statements about "friendly" demeanor suggest positive interactions in relation to communication.

Vollor Law Firm (VLF) chosen as a comparison firm, operates under the slogan "Serious Work. Outstanding Results". Despite this professionally influenced slogan focusing on the work they do, reviews that mention strong listening and communication skills are found in both website client testimonials as well as Google reviews (Quotes from both sources can be found on pages 35-36 of Chapter 4).

This review of the law firms found in Starkville work against any pattern between listening specific branding and strong communication as perceived by the client. This

conclusion is reached due to the fact that VLF reviews specifically noted strong communication and listening skills despite any reference to listening in their branding.

Chapel Hill, North Carolina is home to Hastings Law and Counsel (Hastings) which promotes the concept that “We listen first” to its clients. Although professional was the most commonly used adjective in client reviews, nearly every review also mentioned the outstanding communication skills of the firm including several that explicitly referenced strong listening abilities (A sample of these reviews can be found in Table 4.5 and Table 4.6). The consistency of positive reviews that mention these fundamental aspects of the firm’s branding help support the idea that listening specific branding may influence client’s perceptions about and interactions with their attorneys.

“Your Hometown Firm for Personal Legal Service” also known as Maitland and English Law Firm, have been described by clients as “professional” and “understanding.” This being said, however, there are client reviews that specifically mention the lack of effective communication from the firm (These quotes can be found on page 42 of Chapter 4). The concept of a “hometown firm” leads clients to think of a personal relationship, as shown through the “understanding” nature expressed by some clients. Although this type of branding proves effective for many consumers, communication should not be sacrificed and should be equally expressed as a strength.

What I Learned

Throughout this project there is one thing that has stood out above all else: Many lawyers do not listen, and clients take note. As mentioned in Chapter Two, “failure to listen, non- responsiveness, and arrogance” were the most common adjectives used by clients to describe attorneys. Furthermore, shown throughout the research discussed in

Chapter Two, clients value trust and communication in their attorneys; neither of which they seem to be getting. The aspect of trust within these relationships is only possible with high level communication skills, which helps build the relationship as well as trust within the relationship. Because clients aren't being heard by their representation, they are less likely to trust the attorney with their case. The concept of relational listening, also discussed in Chapter Two, attempts to solve some of these problems by "placing yourself in the other person's shoes" and viewing the case from the client's perspective.

Attempting to understand their point of view helps the client feel heard and understood, and helps the attorney view the case on a more empathetic level.

The sample of law firms with listening specific branding, discussed in Chapter Four, seem to be honing in on this group of dissatisfied clients who have faced communication problems with firms. Although nothing conclusive can be proven based on this sample set, clients do appear more inclined to specifically note experiences based on communication in their interactions with all firms.

Something else important that I learned was the history of law firm branding, or lack thereof, and the newness of the concept in this particular industry. As noted in Chapter Two, law firms were only allowed to specifically brand themselves and use traditionalized marketing tactics in 1990 when regulations against such branding were relaxed. Although many firms now *say* they have a specific brand image, very few are able to explicitly explain the branding of their firm. This is where listening specific branding comes into play. As previously mentioned, many clients are dissatisfied with the communication skills of their attorneys, therefore playing into those insecurities may have the potential for firms to stand out among the competition.

The limitations of this investigation have to do with the small sample size of the firms investigated. There is not an abundance of law firms that use listening specific branding, especially when the results are mostly coming from Google searches. Additionally, there is not much information on law firm branding available, as it is a fairly new concept. A standardized set of the ways law firms brand themselves may be helpful in this discussion, and help expose more listening specific law firms to investigate this matter. Furthermore, there is a limitation in that this research only applies to client facing organizations and excludes areas of the law in which the client relationship is not as important as the work itself (i.e. tax law, contract law, etc.) and where communication plays a less important role than in areas of the law that have higher emotional responses.

The question remains as to whether law firms that use listening specific branding have an advantage over firms that do not. Although this question needs further research and investigation, law firms that utilize branding in general stand out amongst the competition, as with every industry. Clients tend to have major problems with the communication skills of their attorneys, so focusing in on this problem may be advantageous for firms that value communication to stand out for these skills.

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