

# Internet Marketing Strategies for Lawyers in Malaysia: Read it, and Do it to Skyrocket Your Business

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*In today's dynamic and competitive business, lawyers are hard to market themselves to the public. Using the traditional marketing such as banner, flyers, newspaper advertisement and yellow pages are not effective and increase return of investment (ROI) anymore. These types of marketing are already saturated at the market. Lawyers must find new and effective methods to sustain their business in the future. One of the marketing strategies that they can implement is by using Internet. Marketing using the internet are more effective and less expensive rather than traditional marketing. This new revolutionary marketing is still new to Malaysian lawyers and it will give a new dimension and skyrocket their business if they implement. This article uses data from previous literatures and search engine as the primary sources. The findings from this article show that internet marketing must be used by Malaysian lawyers because it will help their business sustain and can compete efficiently in the future. Some possible future research highlighted in this article.*

Field of Research: Internet, Legal marketing & Lawyers

## 1. Introduction

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Today, marketing for professional services like lawyers become more difficult. Every year more than 1000 students from law schools graduate in Malaysia. Previous research mentioned about laws and regulations that give obstacles for lawyers to market their services. This has been supported by Apnizan (2008) that mentioned about rules in Malaysia that prevent lawyer to market their services efficiently. Then Wan Hussain et al (2009) further elaborated about marketing online for lawyer and find that lawyers in Malaysia are left behind in marketing their services online to the society. He suggests that the legislator should review and revise the present laws of legal service marketing to accommodate the current needs and demands of the public as well as practitioners. Marketing are the most important tools that will determine the survival of the law firms. As been mentioned by Winroth (2000) legal market needs lawyers to adequate themselves with the knowledge in marketing rather than knowledge in law only. This also have been supported by Christopher (2004) that advertisement are crucial elements for the continued of the legal profession. Darden et. al (1981) suggest that using legal column are one of the ways to marketing legal services.

However, it is unfortunate that for Malaysian lawyers, debates on marketing and promoting their services online for client are still at infancy level. We argue that the seemingly less stringent literature been done about the marketing for lawyers in Malaysia especially using the internet. Since previous research do not cover what types of the marketing can be used by lawyers when marketing their services especially using the internet as the main platform for marketing, this article discusses types of internet marketing strategies that can be used by Malaysia lawyers. This article only focuses the demography and geography location of Malaysian lawyers with the view that fruitful discussions will be appreciated by other lawyers in other countries. Moreover, this article helps lawyers to know about the internet marketing strategies and use it to expand their business to the new level. It further elaborates the previous literatures and highlights some English cases and applies data from the internet using the search engine Google.com as examples. Google.com has been chosen because it is the best and popular search engine nowadays. Overall this study contributes to the existing

literatures by examining in a more comprehensive way about the online marketing for lawyers.

## **2. Legal Marketing and Internet**

One of the most important capabilities of the Internet relate to previous mass communication technologies is its bi-directionality (Dellarocas 2003). With the growth of the Internet, electronic peer-to-peer communication has become an important phenomenon (De Bruyn and Lilien 2004); e-communication enables people to share information and opinions with other people (Hennig-Thurau et al. 2004) more easily than ever before. The marketing potential using the Internet has been aware by big organisations and it become popular as a medium of powerful marketing to target customer efficiently (Hamill, 1997: Mack, 2000,; Hoffman et al, 2000). Strauss and Frost (1999) mentioned that the characteristic of Internet will improve and replace traditional marketing.

Lawyer advertising was first introduced after the Supreme Court's 1997 decision in *Bates V. State Bar of Arizona* that provides a regulatory framework for policing that against advertisement that are most offensive and dangerous to the consumer-those that are false or misleading. Barbara (1977) conduct research and found that it become difficult for the public especially middle and lower classes, to gain access to lawyers and legal services and this study also recommend that lawyer should advertise their services. Although, American Bar Association (1995) in their report said that many leaders found advertising inappropriate and will effect the integrity of the legal profession but it must be done to help the client that have low and moderate incomes. Echoing the Supreme Court in *Bates*, "the postulated connection between advertising and the erosion of true professionalism [is] severely strained."<sup>2</sup>

It should also be borne in mind that lawyers must also comply themselves with the rules and regulations for them such as in Malaysia the *Legal Profession Act 1976*, *Legal Professional (Practice and Etiquette) Rules 1978*, *Legal Profession (Publicity Rules 2001)*. These laws and regulations stipulate

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<sup>2</sup> *Bates*, 433 U.S. at 368

the conduct and manners of the legal practice including the rules limiting certain marketing activities as stressed by Wan Hussain (2009). Lidsky and Peterson (2007) recommended the abolishment of the law restricting the advertising activities via radio and television as well as the Internet. Hashim (1981) further stressed that the existing rules are generally good but they need amplification to improve its enforcement.

At this point it is interesting to look at one local statement made by one of the prominent lawyers in Malaysia, “With the hope of helping young lawyers implement some effective marketing strategies in their daily lives (an area that is not taught in law school), my recent book entitled Marketing for Young Lawyers will introduce them to various ways of reaching out to new clients and serving the further needs of the old ones” Lee (2006). However, such a statement only, with due respect on one hand, refers to a general creative method of marketing for law firms without having specifically mentioning the online marketing. On the other hand, it might also be construed to denote the meaning that effective marketing strategies as the writer was stressing on could cover the internet as one of the effective tools for legal marketing. It is thus far from clear to what extent online legal marketing is allowed in Malaysia and how is the best practice of online marketing currently embraced by law firms remains unanswered. This article fills the research gaps that exist in online marketing for lawyers in Malaysia by providing some fundamentals knowledge of the internet marketing and flexible internet strategies to skyrocket the legal business.

### **3. Importance of Internet Marketing**

Samiee (1998) argues that the internet can be used for marketing in four ways: communication and advertising, direct sales of existing products, sales of internet-based products, and online distribution of digital information or data. Kalakota and Whinston (1997) mentioned that internet marketing can improve quality and reducing the speed of service. Bloch et al (1996) agree and support that internet marketing bring benefits such as

- Directly connecting buyers and sellers.

- Supporting fully digital information exchange between them.
- Suppressing limitations of time and place.
- Supporting interactivity and therefore able to dynamically adapt customer behaviour.
- The site can be updated in real time providing an always up-to date service.

For the legal services, it helps the clients to seek legal advice without having to meet the lawyer Wall (1998). Richard Susskind (1998) viewed that the legal market landscape when using internet as the marketing tools and this will expose lawyers to new technology and also new forms of delivering information Blasdale (1998). Previous research shows that small law firms also take advantage of the Internet (Lymer and Johnson, 1997; Poon and Swatman, 1997; Schubert and Seiz, 1997; Timmers, 1998) show that they mainly use the Internet to communication via email. Poon and Swatman (1997) added that in order for the law firm to get benefit and make full use of this new technology small firms “need to be prepared for the electronic commerce (e-commerce) era which will secure their future competitiveness”. Other benefit from the Internet marketing is it provides small sized companies and large companies with the same “weapons” to compete and fight in the new virtual world Gascoyne and Ozcubukcu (1997).

#### **4. Types of Internet Marketing**

Forrester Research estimates that by 2010, online sales will reach \$331 billion. With over 1 billion users in 2006 spending an estimated \$102.1 billion in online sales, it can hardly be ignored (Burns, 2007). There are many types of internet marketing that can be implemented by Malaysian lawyers. Here are the lists of the internet marketing strategy that can be implemented by them.

#### **5. Paid Per Click (PPC)**

One of the methods that Malaysia lawyers can use is paid to click. This method starts popular when Company Google introduced their program Google AdSense and Google Adwords program. Using PPC help the lawyers bid to the keywords and attracts traffic to their sites. This is the most effective techniques that always been used by the advertiser when marketing their services or product online. Using this method the advertiser will bid for the keywords and if they win, their site will list at the search engine Google.com. The examples of it are shown at Figure 1.

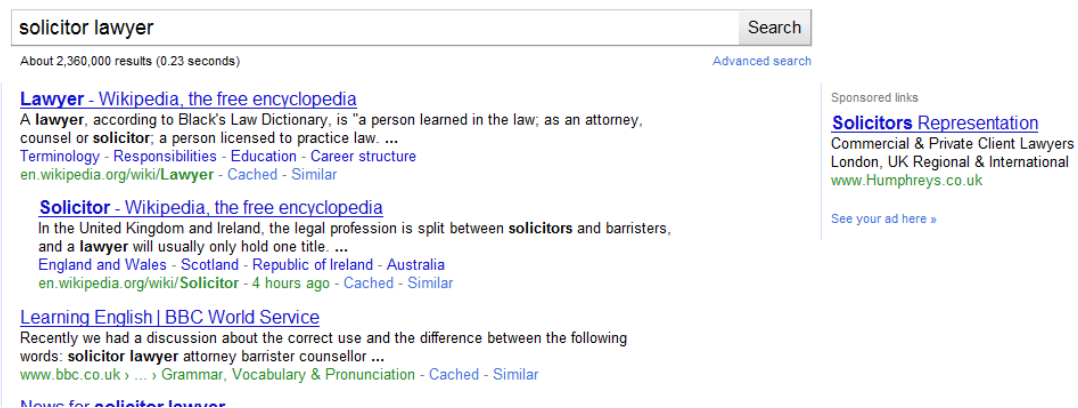


Figure 1

Figure 1 shows about the result for the keywords “solicitor lawyer”. As you can see at the right of the results there is one result that is being shown. People that search for these keywords will also look at that website because that website appears at the search engine.

## 6. Video Marketing

According to Gnoffo (2005), by the end of 2004, Forrester Research estimated there were TiVos and other DVRs in 6.5 million US households, up from 1.9 million in 2002. That number, the firm claims, will climb to almost 50 million by 2009, representing 41% of all US households. Video marketing will be the most important marketing in the future and Malaysian lawyers should aware of this new trend. Google.com recognized this new marketing and buy

website Youtube.com in 2006 for \$1.65 billion<sup>3</sup>, and become one of the biggest deal in the history. From the result that show at website Youtube.com keyword “legal service marketing’ (without quotes) bring result 1,650 and for the keyword “legal marketing” (without quotes) bring more than 5,800 result. This result shows about the law firm that using video as the marketing techniques to promote their services. However, from the result, there is only a few about law firms in Malaysia. Based on our search for the keyword “law firm malaysia” (without quotes) there are only 15 result appear and most of them related to the website Elawyer (<http://www.elawyer.com.my>). There is still plenty of opportunity for the Malaysian lawyers to use this technique to market their services to the public. Other that websites Youtube as the video sharing site there are other websites that can use by Malaysian lawyer such as Metacafe ([www.metacafe.com/](http://www.metacafe.com/)), GoogleVideo (<http://video.google.com/>), PhotoBucket (<http://photobucket.com/>), DailyMotion (<http://www.dailymotion.com/en>) and many more. From the research that been done at Google.com for the keywords “list of video sharing sites” there are more than 300,000 result shown for the video sharing sites. Malaysian lawyers can make video about their law firm and promote it using this site to get exposure for their services.

## **7. Viral Marketing**

Viral Marketing is one of the marketing techniques that created by the company to promote products or services. Phelps et al. (2004) have defined viral marketing as "the process of encouraging honest communication among consumer networks" (p. 334). According to Montgomery (2001) viral marketing is "a type of marketing that infects its customers with an advertising message, which passes from one customer to the next like a rampant flu virus" (p. 93).

The most important result using this marketing is to create word-of-mouth (WOM) marketing. Dell Company also uses this technique by launching their site DellideasStorm.com that allows customer to give suggestion and also

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<sup>3</sup> <http://www.msnbc.msn.com/id/15196982/>

improvements for their products. As a result they received more than 200,000,000 posts in 90 days. This shows that powerful of the viral marketing techniques if it be done carefully. Dell Company gets free marketing and new ideas to improve their product development in the future. Malcolm Gladwell (2002), author of the national bestseller *The Tipping Point*, says WOM is so powerful because ideas, behaviours, messages, and products sometimes behave just like outbreaks of infectious disease. Similar to how an ill person can start a flu epidemic, so too can a small but precisely targeted push cause a fashion trend or the popularity of a new product. A recent survey of marketers, which asked what type of digital media they were either using or were planning to use, found that exactly two-thirds cited WOM (Ramsey, 2005). Also known as buzz marketing, these tactics create the potential for exponential growth in the message's exposure and influence (Wilson, 2000). The key characteristic of this influence is that it is interpersonal and informal and takes place between two or more people, none of whom represent a commercial selling source that would gain financially from the exchange of information (Schiffman & Kanuk, 2007).

## **8) Advantages of Viral Marketing**

### **a) Reduce Cost**

This marketing will help to reduce cost. As n mentioned by Galloway (2006) in the *Hollywood Reporter* , NielsenMonitor-Plus estimated that:

“the major studios spent nearly \$3.5 billion –\$3490.5 million, to be exact – on media buys in 2005, compared with \$3324 million the previous year....The average cost of marketing a studio picture rose to \$36.2 million in 2005, compared with \$34.4 million the year before – even as per picture negative costs dropped from \$62.4 million in 2004 to \$60 million last year.”



## **b) Risk Management**

One of the problems that have been faced by the marketer is the risk that involved in it. Big risk gives a big impact to the survival of the business in the future. However using viral marketing help to manage risk and reduce risk to minimum level. This has been mentioned by Emanuel Rosen (2002), author of The Anatomy of Buzz, stimulating talk is very successful for some companies. One of the best things about word-of-mouth campaigns, he adds, is that they typically involve low levels of financial risk.

## **9) Email Marketing.**

Electronic-marketing (e-marketing) refers to “the achievement of marketing objectives through the use of electronic communications technology” (Chaffey, 2003, p. 318). E-marketing is often used as a tool of direct marketing, i.e. “Marketing through advertising media that interact directly with consumers, generally calling for the consumer to make a direct response” (Kotler et al., 2002, p. 784).

In April 1993, the Law firm Canter and Siegel have email thousands of newsgroups putting their immigration services to gain new clients. As a result, most of the clients that have account with this law firm have cancelled their subscription but the statement made by this law firm said that they are gaining new customers by using this methods. This is one of the internet marketing strategies that can be implemented by Malaysian lawyers. Using this marketing do not need a lot of money and can be done freely using the Internet. If this technique was used carelessly it will be called as “spamming”. The rules and regulations in Malaysia about spamming are still unclear and remain unanswered. There are not many cases related to spamming offence happened in Malaysian. The Technology in Malaysia is still lacking and need further development in order to keep track about spamming.

## **10) Forum Marketing**

These types of strategies are also effective for the lawyer to use in marketing their services online. When online commerce increasing, people will always concern about getting the best quality and services before purchasing anything. One of the best ways is through online forum that available on the Internet. People will come to this online forum and ask or share information that they are looking for. This online forum also can help to create relationship and getting new customer. Malaysian lawyers must take this online forum as the source of networking and finding new prospect for their business. Lawyers only have to choose the appropriate and suitable forum for them to market their services. This can be done by using website bigboard (<http://www.big-boards.com>). This website gives the information about the entire forum that available online and lawyers can register that forum and began promoting their services. Forum community have been defined as the C-to-C (customer to customer) network (Pitta and Fowler 2005).

Wind (1976) noted that C-to-C relationship is most powerful techniques because consumers have been shown to influence brand choice and services. This have been supported by Pitta and Fowler (2005) who mentioned that forum is the formal mechanism the community uses to exchange information and by exchange information also help to market the product or services. They also added that generally posted messages are organized into “threads”, which are subject headers for a discussion.

## **11) Social Networking**

Social Networking sites such as Facebook, LinkedIn, Myspace, Friendster also can be used as the marketing platform for Malaysian lawyers to market their services online. People like to talk about their involvement with products and services for a variety of reasons. These include the prestige and status that may arise through ownership on a need to share their purchase experiences in order to help others. These conversations are then passed to family, friends and other people in social networks (Allsop et al.2007). Research by Pruden and Vavra (2004) indicates that above-the-line media

are the most effective way of creating awareness in many markets. Malaysian lawyers can use the network that available online to expose and publicize more professionally to the future customers. Using these techniques, they can make a lot of friends and can also give free advice in from their customers.

## **12) Article Marketing**

Malaysian Lawyers can also use article marketing as a method to promote their services on the Internet. This type of marketing requires Malaysian lawyers to write an article or a report and publish it online. This will increase the exposures of their website because the search engine will always hit their websites. Furthermore, by using this marketing step, lawyers can show their expertise and credibility to the future and prospect clients. The customer will know about the expertise of the lawyers and feel more confidence when they hire them. In Malaysia, only a few websites using this technique such as the law firm Skrine (<http://www.skrine.com/>), the law firm Lee Hishamuddin Allen & Gledhil (<http://www.lh-ag.com/>) and the law firm Zaid Ibrahim (<http://www.zaidibrahim.com/>). This law firms always keep on updating their websites and give information about the current issue that happen in Malaysia. When future customers browse on their websites they will get information and at the same will increase their confidence to hire them as the representative.

In addition, lawyers also can use article directory that available on Internet to submit their articles to get more exposures and build credibility for them. One of the popular article directories is Ezinearticle (<http://ezinearticles.com/>). This article directory collects the articles that have been submitted and will publish them at their website. When those articles are published, those articles will get exposures and authors of the articles will get recognition as an expert of a particular field.

## **13) SMS Marketing**

Global mobile operators are now accelerating technological transition from 2G to 3G, while by June 2004 active users of wireless data applications exceeded

115 million worldwide (Smith, 2004). This figure will reach 1.72 billion by 2007, with aggregate subscriber revenue of \$584 billion (Yankee Group, 2003). According to the GSM Association, cell phone users send more than 10 billion SMS messages each month; making SMS the most popular mobile data service (Dickinger et al., 2004). In particular, mobile e-mail has been considered an effective tool to “enhance brand awareness, build or test customer loyalty, and develop or enhance demographic databases” (Mylonopoulos and Doukidis, 2003). Mobile marketing or wireless marketing is a subset of e-marketing and is defined by Dickinger et al. (2005) as “... using a wireless medium to provide consumers with time-and-location-sensitive, personalized information that promotes goods, services and ideas, thereby benefiting all stakeholders”. An earlier pilot study conducted by Quios found that in mobile advertising the level of recognition was surprisingly high: 79 per cent of participants recalled 60 percent of mobile advertising (Barnes, 2003). In addition, firms using mobile e-mail campaigns can attract consumer attention and produce consumer responses to a much greater degree than other direct marketing channels, because such firms can engage in “one-to-one dialogue” with customers (Kavassalis et al., 2003). An experimental survey by Ericsson indicates that 60 per cent of samples liked receiving mobile advertising (Barnes, 2003). Similarly, a survey using popular brands’ trial mobile advertising found that as many as 84 per cent of 500 young British adults are likely to recommend the service to their friends, while only 7 per cent are likely to abandon the service (Barwise and Strong, 2002). On the other hand, complementing mobile advertising with other channels, such as the internet, television, print media, and personal contact, allows marketers to maximize campaign effectiveness (Kavassalis et al., 2003). This mode of advertising takes advantage of valuable channels of wireless communication to enhance customer relationships, and to carry out direct marketing and promotion activities (Frolick and Chen, 2004). This method of marketing also can act as a trust-building alternative to more effective information control (Milne et al., 1999).

#### **14) Possible Future Research**

Malaysian lawyers should try and adopt themselves with the new knowledge especially using the Internet for marketing. Possible research that can be expanded from this article is by analyzing the performance of this internet marketing strategy that have been laid down here and find what are the most possible internet marketing that can be implemented by Malaysian lawyers in the context of Malaysian scenario. This will give an important impact for Malaysian lawyers and the legal profession. Furthermore, another potential research that can be implemented is by reviewing current provisions in Malaysian legislations whether it is plausible move to protect lawyers marketing their services using the Internet.

## **15) Conclusion**

Lawyer advertising should not be treated by lawyers as the scapegoat for the legal professions (Carl M. Selinger., 1997). Lawyer advertising will provide the public with the useful information and at the same time give significant to the profession image. Internet marketing can help lawyers to know and find client more easily which in turn generates more profits to Malaysian lawyers. They should learn about these new marketing strategies and implement them into their nature of business. Furthermore, law schools in Malaysia should reconstruct their academic programs by embedding the marketing subject as an addition to legal core subjects. This will give an important contribution to their real lives in the future. By incorporating marketing elements as part of legal courses will help the student to assimilate and become independent with the new challenges and new environment in their career. Malaysian Bar Association can also take further steps by implementing marketing program or series of seminars to train lawyers about marketing. Members of the practising bar should now appreciate and alert that in today's complex and competitive world of legal market in Malaysian condition, there is a great demand that lawyers must market their services using the Internet. Moreover, online advertising can also help and give economic benefit to the consumer. This was clearly stressed by the Federal Trade Commission (FTC) in 1984 which conducted a study and found that lawyers advertising help to reduce the price of the legal services for public (William., 1984). This study showed

that when the advertising is restricted the legal fees were higher, and the lawyer who advertised generally charged lower fees.

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