

In the Rush to Inform, Don't Forget to Differentiate

By [Steven M. Bell](#) on May 5, 2020

TV advertisers have been rushing to convey “we’re all in this together” COVID-19 messages. The sentiment surely is intended to soothe a rattled populace, and perhaps it is doing so. But because all advertisers seem to be conveying the same warm-and-fuzzy thoughts at the same time, it is difficult to recall any one of the advertisers by name. At the risk of sounding callous, even in difficult times, shouldn’t advertising investment aim for differentiation?

The same goes for law firm thought-leadership content. Private practice lawyers everywhere are creating and distributing unprecedented amounts of client alerts related to COVID-19. The quality of most of this content is very high, and many law firms have done magnificent jobs of organizing the material on micro-sites. Still, to intended recipients, all of this must be coming across as info overload, repetitive and, well, undifferentiated.

A few thoughts about how you can use COVID-19 content to differentiate:

- Don’t expect that mass mailings have much impact. In-house counsel receive and don’t open scores of client alerts from dozens of firms every day. They are, however, very likely to open content that is sent with a customized subject line and from a known individual at a law firm.
- Don’t wait for clients and prospective clients to seek out your content. If they are searching for information on a topic, they almost certainly are not searching on your web site specifically; rather, they are searching the topic via Google. The antidote to this challenge is for law firm lawyers and staff to identify the most important clients and prospects, make an effort to think through the nature of each one’s business and industry, and provide one or more client alerts that are specifically relevant to their needs and challenges.
- Identify topics that are not yet receiving widespread coverage. We know from legal industry research that buyers of legal services are – in these early days of COVID-19 – most concerned with the immediate issues of supply chain, contracts, and employment. We also know that law firms have created countless client alerts on these three topics. Perhaps there is opportunity to deliver a differentiated message by thinking a little outside the box and a little further down the road. For instance, what will the federal government’s expenditure of trillions of dollars mean for capital markets (not to mention taxation) in 2021 and beyond? What are the ramifications for business of the pressure on established constitutional limitations? How will the re-emergence of borders, particularly in Europe but even to some extent among US states, affect trade and commerce in the decade ahead? Your lawyers are smart; see if they can think more broadly than they may be at the moment.

COVID-19 emerged as something of a surprise to much of the world and certainly with a speed and magnitude that shocked us all. But the first few breathless weeks are behind us. Perhaps there is an opportunity now to pause for a moment of reflection, take stock of COVID-19 content creation so far, and think about how future content efforts can not only inform, but also differentiate.