The lowdown on lawyer referral services

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Bringing clients to the door is vital for all lawyers, whether one is a sole practitioner or a part of a large national firm. Marketing efforts to attract such new potential clients also run the gamut, and lawyer referral services are one form of marketing that continues to be used extensively. These services are offered by both private companies as well as law societies, and range from simple consumer referral services to larger operations with a worldwide reach.

Boasting that it has been matching lawyers with potential clients since 1970, the Lawyer Referral Service run by The Law Society of Upper Canada is one such provider and assisted almost 50,000 callers last year, according to Susan Tonkin, communications advisor for the law society. For $250 per year, participating Ontario lawyers can be in the pool of lawyers whose names are provided to those thousands of callers who are looking for a lawyer.

"Referrals are made on a rotational basis, based on geographic location and area of law, as well as any other specifics" such as French language services or wheelchair access, according to Tonkin.

Participating lawyers agree to provide an initial free consultation of up to half an hour in order to determine if there is a legal issue requiring a lawyer. The parties can then decide if the lawyer will be retained to deal with the situation. Participating lawyers are required to report back to the LRS after the initial contact.

The service appeals to smaller practices and Tonkin noted that 89 percent of LRS members are in firms of one to five lawyers. Between 1,400 to 1,600 lawyers per year subscribe to the service which covers a wide range of practice areas, although the most popular types of referrals are for family law and civil litigation, followed by labour and employment law, according to Tonkin.

Toronto lawyer Peter Salah found the Lawyers Referral Service helpful, particularly at the beginning of his career. "It was quite fruitful as a general practitioner and I was getting a fair bit of actual work from it," said Salah, of Hills Salah LLP, who added that he felt good that he was also "giving back to those that can't afford legal advice." Pointing to the "phenomenon" of unrepresented litigants in the family law area, Salah said that a large number of the calls he took were in that area.

However, offering a free initial consultation also comes with its drawbacks, according to Salah. "There were times where a lot of calls were just a nuisance," he said, noting that many involved grievances that were not actionable. "I felt like it was a bit of a waste of time," he added, observing that it sometimes seemed like he was more a counsellor to the caller than a lawyer.

After approximately six years using the LRS, Salah himself is no longer a participating lawyer, but not because of any dissatisfaction with it. According to Salah, his own practice has become so busy that his time is spent trying to service his existing

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clients and other referrals, such that it is difficult to take on "walk off the street clients." However, he added that his partner still generates work from the Lawyer Referral Service.

Dissatisfaction with what she considered a negative experience with the Lawyer Referral Service as a client led Natalie Waddell to launch www.lawyerlocate.ca, an on-line Canadian referral service. According to Waddell, the lawyer she was referred to appeared to be trying to make money by encouraging litigation for her matter at a time when this was not a direction she wanted to go. Launched in 2002, her service has made over 50,000 referrals from around the world, according to Waddell. Participating lawyers pay $750 per year and are listed on the website, which breaks down the lawyers into eight main categories and 180 subcategories of law. Participating lawyers are not required to report back to Waddell's service, nor are they obligated to provide a free consultation.

Waddell said that all participating lawyers are treated equally on the site and it operates by a randomized order each time the web page loads. "If they don't have a website, it's a great way to test out the market," said Waddell of participating lawyers.

St. John's sole practitioner Bob Buckingham has used Waddell's service for several years and said he finds it very useful for his general practice. "It has certainly paid for itself every year and more so," said Buckingham, who in addition to fielding many calls from people in Newfoundland, also gets inquiries from across Canada as well as from around the world. It has resulted in work ranging from collections for European clients to criminal and family law matters closer to home, according to Buckingham, who credited www.lawyerlocate.ca for contributing to the almost 1,000 hits his firm website received last year.

Other major players in the area include legal publisher LexisNexis Canada Inc. which publishes *The Lawyers Weekly*. It runs Lawyers.com, which is geared to consumers, and Martindale.com, which is targeted more towards in-house counsel. Describing them as more "self-serve" than referral services, product manager Jacqui Hurd said that they provide sufficient information to allow a potential client to get an idea of what the participating law firm is about.

Prospective clients can search by such categories as practice area, firm, lawyer, and language spoken. According to Hurd, Lawyers.com sees inquiries for a wide range of practice areas, including family law, real estate, criminal, personal injury, and wills and estates, while Martindale.com will tend to receive inquiries for such things as intellectual property law and corporate law. Hurd noted that the two sites, which use the same database, receive over 1,500 searches a day for Canadian lawyers. The cost to be listed varies depending on geography and number of lawyers, according to Hurd. For example, a firm in a small market may pay $60 per month, while large firms may pay thousands of dollars a year, depending on what additional services they order, such as banner advertisements and sponsored results.

While providing a helpful resource, Hurd pointed out that a referral service is only part of the equation and alone does not build a strong relationship. "Referrals and all of these things are great but they still have to make that personal connection with the lawyer," she noted. ■