



Attorney Websites for Solos and Small Firms

By John R. McCarron, Jr.

It's a decade into the 21st century. As an attorney, if you don't have a website, you need to get one (and soon). Websites are the 21st century calling card. Whether simple or complex, every attorney needs some sort of Web presence. Clients WILL look you up on the Internet. Even if your business is almost completely referral based, clients will look you up. If you don't have a Web presence, they will at best wonder why and, at worst, move on to another referral. Just like you wouldn't dare walk the streets without a business card in your pocket, you should not have a presence on the Internet without a website detailing you and your practice.

Small firms and solo practitioners are not immune from the trend for law firms to establish a Web presence. In fact, a good argument can be made that smaller practices need websites even more than larger ones. Although this article should be relevant to all lawyers, it is intended to speak especially to practitioners who will not have the benefit of an in-house IT department to create and manage a website.

The Good News (and the Bad News) About Websites

The good news is that putting up a website is easy, even for those who do not consider themselves technologically savvy. There is a plethora of services available on the Internet that will create a basic website for you, utilizing existing templates and designs, for as little as \$5/month. Services such as these provide you with a basic website, allowing you to publish your law firm's information, pages about the attorneys at your firm, firm contact information, basic information on your practice areas and so on. Many of these services will even purchase your domain name for you, handling all of the back end routing of IP (Internet protocol) addresses, DNS (domain

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name system) and other technical areas that most attorneys will not want even to think about. Further, most of these services will give you access to an email address with your domain name, so you can stop using that @aol.com email address you got in 1998.

Much debate and some mysticism surround the ultimate selection of a domain name. Should you select a keyword-rich domain name such as new-york-dwi-lawyer.com or a name more readily identifiable with your firm, such as smith-smith-smith-llp.com? At conflict are Rule 7.5(e)(1)–(4) of the New York Rules of Professional Conduct, which attempts to place a strict bridle on the use of domain names that don't include the attorney and/or firm's name and the use of such keyword-rich domain names which may tempt and ultimately tame the Google search algorithm. It should be noted that in *Alexander v. Cahill*,¹ the U.S. Court of Appeals for the Second Circuit upheld the constitutionality of the content-based restrictions of 22 N.Y.C.R.R. § 1200.50(c)(7), that is, utilizing a nickname, moniker, motto or trade name that implies an ability to obtain results in a matter. This may ultimately apply to domain name usage, so one should exercise caution as to the choice of the motto-type domain, so that it does NOT "imply an ability to retain a result in the matter."² On the non-legal end of the spectrum, Google seems to have made this topic somewhat moot by significantly reducing algorithmic weight of keyword-centric domain names in its formula and resultant output. Google likes longevity more than anything else when it comes to domain names. The longer a domain name has been registered and tied to a website with meaningful content, the more weight that name carries. John-Smith-Esq.com and a 10-year online track record will far outweigh a newcomer with best-dwi-lawyer-in-new-york.com.

The bad news is that just having a website will not translate into a windfall of new clients ringing your phone off the hook (although this *can* happen on occasion); that takes a lot of work (and sometimes, a lot of money). Having your website optimized to be found in Web searches (Google, Yahoo, AOL, . . .), often referred to as SEO (search engine optimization), can be an exhausting task, one best left to the experts. We'll explore this later in the article.

Websites come in all different shapes and sizes and have commensurate costs. To make an overly simplified analogy to automobiles, they can range from a Ford Focus (not to knock Ford . . . they make a great product) to a Mercedes S-Class (or even a Ferrari). A Ford Focus does its job and does it well. It gets you from point A to B, is good on fuel consumption, and has a low total cost of ownership. But let's face facts: it doesn't get a lot of attention or turn many heads. On the other hand, a Ferrari still gets you from A to B, with much more speed and infinitely more head turning, but with a price tag that most people cannot justify. The point is: if you need a car, you

will find one somewhere along the vast array of available automobiles. The same thing goes for attorney websites. Just as we all need transportation, we all need (yes *need*, not should have) a website. Where you fall within the continuum of websites is a decision based upon what you want it to provide for your practice.

The Quick and Easy (Do It Yourself, or Have Your Computer Geek Nephew Do It)

If you don't have a website – get one. As previously stated, there are many services that will provide you with a very inexpensive, generic website, for little more than the cost of a cup of gourmet coffee. A few examples are Intuit Small Business (www.intuit.com), GoDaddy (www.godaddy.com), 1&1 (www.1and1.com/hosting), Yahoo Small Business Web Hosting (smallbusiness.yahoo.com/webhosting). All these services charge a small monthly fee and provide a website, domain registration and basic email service with your personalized domain.

Most of the services in this range offer tools to create basic web pages, edit text, add and edit photographs and even include basic "get yourself started with SEO" modules. Using the editing function of these web packages is usually no more difficult than creating a Word document. The interface shares many of the basic text editing features you are likely used to, including text font selection, size, bold/italics, centering and so on. Also provided are selections of templates geared to many types of businesses. Several of these would be more than fitting for an attorney's first foray into a Web presence. Some offer basic SEO strategies such as the placement of keywords, back-end coding of keywords, and even a free starter package with Google Ad-Words.

The next best option to do-it-yourself could be described as have someone do it for you. If all you are looking for is a basic website, a family member or friend who knows even a little about HTML (the basic markup language that Web pages are written in) can devise you a website and have it hosted for a few dollars a month. In this scenario, you would procure a domain name from one of the major domain registry services such as Network Solutions (www.netsol.com), GoDaddy (www.godaddy.com), Register.com (www.register.com). After procuring the domain name, the website would be written, loaded onto a Web hosting company's server, and the domain name servers (DNS) at the registrar would be pointed to your Web hosting server.

If computing is totally foreign to you, but you have someone, even an assistant, who has basic computer skills, he or she could utilize one of the services mentioned previously. Even the most neophyte computer user can usually construct an acceptable website in an afternoon or two using the tools mentioned thus far. Put on a pot of coffee, lock your office door and turn off your phone. It's not as hard as you think.

These approaches fall under the “Ford Focus” approach to a website. It’s quick, easy and simple, can be accomplished in a few short hours, and will give you a basic presence on the Web.

Custom Website Development

The next step up in website solutions, say the mid-range car . . . maybe a Honda Accord, is custom development of a website. Hiring someone who specializes in website construction and development will incur a somewhat significant upfront cost, ranging from \$500 to \$15,000, and even more, depending on how intricate you wish the site to be. Custom development will give you the ability, however, to really customize the fit and finish of the website . . . its optical appeal, how pages flow from one to the

it could be hosted on your own PC, it is more often the case that websites are housed on servers in data centers where they enjoy, among other things, redundancy, guaranteed uptime, and a staff of experts to keep the data center running well. In addition, there may be service contracts available to keep the developer on retainer to make changes to the website or at least make periodic changes to the site’s content. A word of advice: nothing is more boring than a website that doesn’t make some changes to its content on a regular basis. Simply adding pictures, changing the focus of your home page text or adding snippets about recent accomplishments or cases in the news will liven things up.

While we are on the topic of changing the text over time, you will need to consider Google and SEO. Google

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other, customized menus and forms and even allow you to start integrating Web tools such as blogs, RSS feeds, custom forms, and so on. RSS (really simple syndication) is an often overlooked but somewhat powerful tool. RSS feeds allow search engines, news aggregators and Internet users in general to follow frequently updated works. If you plan on making textual changes/additions to your site often (which is a good thing), RSS is a great way to get the changes in front of a reader’s eyes, without him or her having to visit your site to see the change. RSS can be loosely analogized as the social media methodology of distributing Web-based informational updates.

Web developers are everywhere, with abilities ranging from basic to comprehensive, and price tags to match. It is often best to work with a developer that has done work on attorney websites in the past, so that your developer has a general understanding of what you are looking for in a Web presence. Believe it or not, a fantastic resource for this type of work is your local law school student population. Many aspiring lawyers in law school today are coming off of another career. As one of those law students with a heavy tech background, I found that after a year or two in school, I was poised to integrate my budding legal knowledge with my technology skills. I was NOT alone. Several of my classmates had similar backgrounds. It is worth a call to your local law school’s career development office.

As mentioned, for a custom-developed website the development cost is usually paid up front; then there will be a nominal hosting fee (or you can host it yourself). A word about hosting: Web hosting refers to “where” in cyberspace your actual website resides. While in theory

absolutely loves websites that change on a regular basis. The more often you make substantial yet applicable textual changes, the more often Google will come back and index your site. So occasional updates serve two constituent bases at once: keeping human readers interested and keeping the Google spiders looking at you.

A custom developer should be able to set up the website so that it’s search engine friendly, employing basic SEO techniques so that search engines will start to index the site and report it in searches not only for you or your firm’s name, but for the areas of practice in which you specialize, the geographical area you serve and other identifiers. While SEO is a very complex subject, there are simple rules of the road in SEO that you should understand and follow – things such as placing proper keywords in proper headings, proper page titles, proper usage of meta-tags and so on. Another often overlooked practice is that of tagging the photos on your website properly. The hope is that when someone searches your name and hits the images tab on Google, *your* photo from *your* website shows up. If your name is at least somewhat unique, you should have a lot of luck with this. If your name is John Smith, Esq., it is going to be a little more challenging.

Custom Development and Ongoing Web Optimization

As the Internet has progressed, so has the fury to have the “best” website – one that is not only optically appealing but is interactive and well-placed in a Google search. There is a LOT of work that goes into constructing a website that is search engine friendly. In addition to that up-front work, a website needs constant monitoring, updating and

oversight to keep it relevant to the ever-changing rules and desires that Google (and other search engines . . . but we'll keep with Google as it controls 70% or more of the search market) promulgates in its search engine criterion. If you want your website to come up near the top of the searches, you have left the realm of a website as a calling card and entered the realm of a website as an active advertising tool. For this, you'll need either to quit practicing law and dedicate yourself to your website or hire a service to manage this for you.

There are many services that will construct your website and actively manage it to keep it within the ever-changing temperatures of the search engines. These companies are part website construction engineers and part SEO managers. Two of the players in this field (not surprisingly) are LexisNexis (www.lexisnexis.com/legal-marketing) and FindLaw by Thomson Reuters (www.lawyermarketing.com). Both offer website construction and optimization products on a contractual-term basis. The fee can range from a few hundred dollars per month to several thousand dollars per month. These companies offer *a la carte* and fully customizable solutions and build the cost of development into the monthly service bill. You basically wind up financing the cost of the website over the term of the contract. As you get into the higher end of these services (and going back to the car analogy . . . we have reached the Mercedes and Ferrari), they will provide constant updates to workings of your website to ensure the highest compatibility with SEO standards. This is not just an information website. It is a website with specific information, which is geared not only for potential clients to read but for the search engines to read and send you potential clients. All of this is tracked in very granular detail, and the services provide comprehensive reports to show you the clients that they steer your way.

Lexis and FindLaw gear their services directly to attorneys. Another company in this market space is Justia.com (www.justia.com). All three unashamedly profess to be legal marketing firms for attorneys and not just website developers. Justia is considered a second-tier provider in this market, but the company is quite strong in some geographical locations, often outpacing Lexis and FindLaw. While many services provide this hybrid Web development and full-throttle SEO, companies that focus on legal marketing generally have a better overall success rate than generic SEO providers. All three providers mentioned here employ attorneys, developers and marketers whose sole area of concentration is the legal website marketplace. This is a quickly developing area of legal marketing, and these three are very competitive.

SEO – Search Engine Optimization

Search engine optimization is the practice of optimizing a website so it can obtain the highest rankings in an organic

search.³ It is a highly technical practice that evolves on a daily basis. Search engine optimizers, such as the services mentioned previously, continuously mine Web data, update data, and analyze web traffic and search results to find what one might call the “secret formula” for getting to the top of a Google search (again, focusing on Google, as it is the overwhelmingly dominant player in the search engine field, but the same applies to Yahoo, AOL, or Bing searches).

Like the secret formula for Coca-Cola, the formula for Google is not published. No one knows what it is. Google publishes guidelines to follow, but the framework is at best cursory in nature. Unlike the secret formula for Coca-Cola, the Google formula changes often. How often? It has been surmised that Google has changed the formula over 600 times in the last year alone. With the constant changes that Google makes (without always telling us what they are), the SEO game is one best left to the SEO experts. SEO is expensive, but when properly done can yield great results in additional traffic to your website, which, hopefully, turns into paying clients. When done in a piecemeal fashion, SEO may work for a brief period of time, but will most likely become stale and result in a drop in your search rankings as other more optimized sites pass you by. If your practice has a significant advertising budget, you may want to look at the possibility of

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provisioning some of those funds to SEO. Google is the new Yellow Pages. SEO is the way to get you a full-page ad or even the cover.

The science of SEO is too technical for an article of this nature. Volumes can be written on it, only to have those volumes become obsolete in a relatively short time period. Keywords, meta-tags, <h1> menus, inbound linking are just the beginning. If a full on assault on the Web is what you desire, contracting with a serious SEO firm is

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a very important, and non-delegable, step to take.

SEO can be a very powerful tool for the solo practitioner and the small law firm. The Internet is the great informational equalizer, and SEO is an integral part of that equalization. Even a small amount of properly executed SEO can bring your website to the forefront of search results in the target market and practice area you desire. For example, a solo may be competing with several well-established firms, and the solo is being overlooked only because of a lack of name recognition. SEO can be the key to boosting and/or creating that name recognition. SEO can give solos and small firms with limited resources the ability to get their name out there, as a so-called boost in “Internet credibility” with their search results showing up alongside and even ahead of the bigger firms in their targeted demographic.

The following account is somewhat anecdotal, illustrative in purpose, but a true account of the marvel of SEO. A friend of mine worked for a small three-attorney firm in the suburbs of New York City. The firm had absolutely no Web presence whatsoever. Indeed, upon Google searching the firm to find its phone number, the only results were old and inaccurate. Ultimately I called my friend on his cell phone to ask for the firm’s number. During that call I mentioned that I was unable to find them on the Web, and that they should at least make a Google Local Business Directory Listing (free from Google). He said this was not the first time he heard this complaint and that he would endeavor to make the listing that day. Not 24 hours later, I received a call from my friend thanking me for his new client. When I replied that I had not sent him any clients, his retort was that not two hours after posting his firm’s Google Local Business Listing, the firm received a call from a now new client, who was from out of town, but needed an attorney in that town, and had

found the firm using Google Local. SEO isn’t just the optimizing of your website. It is the optimizing of your entire web presence. This small firm was lucky enough to get off to a very productive start.

Legal Websites and Ethics

Attorney ethics as they relate to websites are a constantly evolving topic throughout the Bar Associations both in New York and nationwide. In New York, Rule 7.1, Advertising, in the New York Rules of Professional Conduct provides initial guidance. Websites, like any other form of advertising, must comply with the Rule 7.1, which prohibits false, deceptive or misleading communications to prospective clients. The fact that lawyer advertising appears online does not exempt it from the restrictions on attorney ads. Specifically, as with a print ad, a website should at a minimum include on the home page a statement designating the site as “Attorney Advertising.” More stringent rules apply when the domain name utilized for the website contains a motto and not the actual name of the firm.⁴

To avoid any issues that may arise where the client arrived at your site on a page other than the home page, the best practice may be to notate each and every page with such a disclaimer. Keep in mind that not only do the visible portions of the website have to comply with Rule 7.1, but also any meta-tags or coding used in the markup language. Because of the intricacies inherent in website coding and construction, it may be best to work with a developer or company familiar not only with such technology, but also with the ethical framework within which attorneys must work within. Ultimately, it is the attorney, and not the developer, who is responsible to the public and the bar for the contents of the website. The Web developer won’t be with you if you should have to appear in front of the grievance committee for a violation stemming from your website!

The Economics of Legal Websites

As mentioned earlier, you can spend very little or a lot on your website. However, you need to keep in mind that the purpose of marketing, regardless of the medium is to bring in new clients who will pay you money to represent them. Your website must generate more revenue than the costs associated with creating and operating it. To assure that this happens, you need to take a few simple steps: Set a budget on money and time. If you have nothing more than a computer, items numbered one through eight on the list below can be accomplished on your own for less than \$500 a year – and that is being very generous. Hosting will cost less than \$100 per year. If you don’t have a camera for photos and video, that will cost at most another \$200. Maybe you want to get creative and have a blog. The rest of the \$500 will go toward domain name registration, upgraded email service, coffee and maybe

a cocktail to celebrate the launch of your site. As far as time, you may need 10 hours of setup and an hour a week to keep things fresh. If you spend an hour a week and the site brings you just one new client a month, are you happy? What if it grows to one client a week? In the end, the investment in your website should pay for itself in new legal work.

The Top 10 Things You Need to Do to Move Forward

Here is a simple roadmap to get you on your way to a simple Web presence. Keep these 10 suggestions in mind as you move forward:

1. If you don't have a website, stop and go back to the beginning of this article. Come back here when you do.
2. Keep it original. Nothing is worse than reading text on a website that you know you have read elsewhere. Write your own copy. Put YOUR voice into your copy on the website. Your readers will thank you. Google will reward you.
3. Keep it fresh. People will come back to read if they know you frequently update your site. Google will too.
4. Take advantage of simple SEO principles to leverage your advertising message.
5. Google your name . . . often. It's great when your site comes up on page one of a Google search. It is absolutely TERRIBLE when a grievance matter comes up on page one. Know what information is out there on the Web. One fairly insignificant but aggrieved client can wreak havoc on your good name. Use Google Local Business Listings to get your name on Google quickly!
6. Use pictures on your website, including you and the people in your firm. Stock photography can be boring. Some ethical rules actually prohibit the use of character actor portrayals on attorney media. Even today's simplest cameras take fantastic photographs. Make it interesting: Don't do your headshots in front of your law library stacks! (A picture of you using Westlaw, Lexis or Google may be more appropriate in this day and age.) Make it candid. Get out in the community, take pictures of you there. Nothing makes people more comfortable on a website than seeing the places they are familiar with.
7. Experiment with video. When people ask what search engine is most important, of course the answer is Google. Most people don't realize that 25% of Google's searches emanate from YouTube; Google (quietly) purchased YouTube in October 2006. Since then, video has become more and more relevant in Google's search criteria. Attorneys love to talk, so use the camera built into your laptop (or even your iPhone or other smart-

phone) to record short two- to three-minute videos of yourself speaking about interesting areas of your practice.

8. Even if your practice area isn't flashy, such as criminal defense or even matrimonial law, you can still experiment. Yes, 1031 transfers aren't flash to *most* of us, but if you are the only person with a 1031 transfer video . . . guess who gets all that traffic? Upload them to YouTube and link to them from your website. Don't forget to alert everyone via social media.
9. See what the competition in your area is doing. Are you one of the top practitioners in your geographic and practice area, yet clients seem to be heading to the newbies in town? Check out their Web presence. See what they're doing. More often than not, they're just doing things "right" when it comes to their Web presence and not really spending much money on it.
10. If you're just too busy . . . hire someone to do it for you. It may not be relevant to your practice now, but it will be "someday." Someday may be sooner than you expect.

Conclusion

All of this may seem daunting to the technologically challenged, but it's not as bad as it may seem. The resources you use every day are at your disposal. Local law schools have tech-savvy budding young attorneys who may be more than willing to trade their expertise for yours. Local, county and state bar associations, specifically in the law practice management sections and committees, offer lawyers a wealth of information. These groups are usually filled with techie-type lawyers who have great contacts you can mine. Finally, look at other attorney websites for practitioners in your and surrounding areas. Google search your practice area. Who comes up? Look at the sites that come up and see who developed them. In places like Manhattan, the hyper-competitiveness may be difficult to overcome on a modest budget, but there are numerous untapped markets across the state with little or no attorney Web presence.

It's the start of a new decade in the 21st century, it's time to get started. ■

1. 634 F. Supp. 2d 239 (N.D.N.Y. 2007).

2. See also Kathryn Grant Madigan (Past President of NYSBA), *Striking a Balance on Lawyer Advertising*, July 26, 2007, available at http://nysbar.com/blogs/president/2007/07/striking_a_balance_on_lawyer_a.html.

3. Organic search results are listings on search engine results pages that appear because of their relevance to the search terms, as opposed to their being advertisements.

4. The Commentary to Rule 7.5 of the New York Rules of Professional Conduct provides the framework of a safe harbor to work within.