

## **INTAKE SHOULD BE YOUR PRIMARY MARKETING STRATEGY**

**BY**

**Forrest (Woody) Mosten**

Ten marketing experts may have eleven opinions as to the best marketing and advertising options. Yellow pages, website, direct mail, one-on-one meetings are all valuable tools, among many. The marketing and advertising options to open up client flow are only limited by your own creativity and budget.

However, your single most effective marketing strategy to build a mediation practice is to provide quality service to your existing clients. Satisfied clients refer others. Ranked a close second is for you to convert telephone calls from potential clients into paying cases.

In marketing parlance, the caller is your highest targeted prospect. Whether it is your past quality service to others, brilliant advertising, or a crisis, telephone callers are aware that they have a current demand for your services and have made a tentative decision to select you as the service brand of choice (at least for the duration of the phone call!). Your best marketing strategy is to be prepared before the phone rings, to have planned your intake model to maximize your conversion rate of phone calls to clients.

Four general mediation telephone intake models are described below. Review them to either identify the workable model that you now have in place or to develop your own new personal intake model.

**1. SHORT INTAKE – MEDIATOR TALKS DIRECTLY WITH POTENTIAL CLIENTS**

Short means 1-10 minutes. Maximum. The purpose of the call is to personally answer basic questions the caller has with the goal of following up with a mediation marketing packet or referring the caller to your website. Your challenge will be to stay on the process of mediation rather than delve into the facts or personal concerns of the caller (this takes practice). You can provide information about your qualifications, your style, your fees, and your availability. You must balance keeping it short, staying neutral and still establishing rapport – a tough challenge!

**2. SHORT INTAKE – MEDIATION ASSISTANT TALKS DIRECTLY WITH POTENTIAL CLIENT**

Everything about this model is the same as the prior intake model except that another staff member takes the call. Most callers will be willing to speak with your assistant since that is the procedure you have set up, just like we accept the nurse who takes our blood pressure or temperature at a doctor's office. If the caller insists on speaking with you or another mediator, you need to have an established office policy about whether you will get on the phone or have your assistant explain that, in order to preserve your neutrality, you do not talk to either party until both parties come to your office for the free orientation session.

**3. LONG INTAKE – MEDIATOR TALKS DIRECTLY WITH POTENTIAL CLIENT**

Under this model, you would speak separately with each party for 15 minutes to an hour without charge. The next stage would be a working session with both parties “on the clock.” This approach gives you the opportunity to both showcase your craft as well as to bond with each party on the telephone. By taking a factual history and learning more about the conflict, you can also prepare for the joint working session and give parties information and guidance.

The major downside to this model is that after spending up to 2 hours on the telephone, the parties may never come in.

#### **4. LONG INTAKE – CONDUCTED BY MEDIATION ASSISTANT OR CASE MANAGER**

This model works best where the dispute resolution assistant or case manager is trained and/ or highly experienced in convening techniques. The telephone calls must be followed by a detailed memorandum from the intake professional so that the mediator can be fully briefed before the first working session.

#### **INTAKE WITH COUNSEL**

Whether long or short, handled by you or your assistant, designing intake when lawyers are involved requires special preparation. Since lawyers are becoming more sophisticated consumers of mediation services, they often do not require an extensive orientation about the process of mediation in general. Rather, you need to educate lawyers about particular aspects of your process that may include the use of private sessions and or conference calls prior to the date of mediation, the role of the lawyers in

sessions, and all the details of the mediation process through to the preparation of a Settlement Agreement.

## CONCLUSION

Starting next week, try taking two small steps. First, think about your intake process, see if it fits one of the models listed above, and make some decisions about implementation. Second, track your calls and converted cases for at least six months. Hopefully, these steps will pay off in more satisfied parties and increased revenue for your practice.

\*\*\*\*\*

Forrest (Woody) Mosten has been a mediator in private practice in Los Angeles since 1979 and trains mediators worldwide. He is Co-Chair of the ABA Dispute Resolution Section's Practice Development Committee and is the author of the best-selling book, Mediation Career Guide (Jossey-Bass, 2001). Mr. Mosten can be reached at [www.MostenMediation.com](http://www.MostenMediation.com).