



Insurance Defense Marketing E-Book

How to Get on Insurance Panels and Become Panel Counsel:
A Guide for Insurance Defense Law Firms

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Introduction

Do you ask yourself,

How can I get on more insurance panels?

Being named as panel counsel is not easy. We've helped more than 220 insurance defense law firms in 40 states with business development campaigns and know from experience that the panel counsel selection process can be very difficult to navigate. Many clients come to us after they have tried to get on an insurance panel on their own and realize how time consuming it can be.

This e-book is newly revised as of January 2022 to reflect the great upheaval that is taking place in the insurance industry specifically and the business world generally. Five new factors that law firm managing partners need to address include the following:

1. Digital marketing is the “new normal” as in-person meetings decline.
2. Diversity is now a competitive element in the law firm selection process.
3. Performance metrics are gaining importance in law firm evaluations.
4. Consolidations in both insurance companies and law firms affect panel openings.
5. Technology and cybersecurity are driving changes in all aspects of carrier operations.

Insurance defense law firms traditionally build client relationships through personal connections. This rainmaking approach is increasingly being replaced with a more formalized application process. COVID has accelerated these trends, and successful law firms will adjust quickly.

#1 Business Development Mistake

Many insurance defense law firms never needed a structured marketing program ... until now. Business development is a numbers game. The biggest mistake we see law firms make is that they stop selling too soon. Failing to pursue a potential client beyond the initial introduction is like leaving money on the table.

If the attorneys at your firm are not focused on building new accounts, your law firm can suffer eroding revenues and profitability through normal attrition. While you are busy meeting the demands of current clients, you are not spending enough time developing new relationships.

This e-book offers invaluable insights into the panel application process. Our goal is to help you plan and implement a business development campaign that works productively for your firm.



Contact Margaret Grisdela for a free marketing consultation.

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How to Become Panel Counsel For an Insurance Company

Many law firms want to get named as AIG panel counsel. Or perhaps you prefer the Chubb panel counsel program, or the Liberty Mutual panel counsel list. Where do you start?

At one level, every insurance company panel is different. Listed below are the most common organizational variations that are used within insurance companies:

- National overseers may review all panel counsel applications
- Regional managers may have responsibility for multiple states
- State level coordinators may be the point of entry
- Panels for multi-subsidary insurance companies may be consolidated in one division
- Purchasing departments increasingly are screening interested vendors
- Online applications are also becoming popular

In some insurance companies, there may be multiple points of entry that could be used to gain consideration for a panel. Examples might include a separate employment practices liability (EPLI) panel or a construction defects panel.

There are also many similarities in the panel application process:

- Personal referrals are the best way to gain panel consideration
- Periodic annual panel reviews (every 1-2 years) may be used
- Even if you get on a panel, it may take time to establish a consistent stream of new cases

Finding the Panel Manager

There are several ways to identify the best point of contact within an insurance company, including:

- Ask around within your network
- Attend industry conferences
- Conduct Internet research
- Review insurance company websites*
- Make telephone calls to the company
- Research profiles on LinkedIn for potential contacts

**Insurance company websites typically do not specifically identify an individual as the actual panel manager, but they might point you in the right direction.*

Adjusters used to play a key role in panel counsel selection, but that is not the case now. It may be worth exploring the network of adjusters in your area, however, particularly if there is an active claims association. A recommendation from your local adjuster can help to reinforce your application process.

Chances are you have tried the above techniques. Many of our law firm clients reach out to us after they have attempted to do this research in-house and realize how time consuming and frustrating it can be. Trying to balance this effort with the demands of a very busy law practice is challenging.

Business Development is a Numbers Game

An ideal way to make contact with a panel manager is through an introduction from a respected, mutual acquaintance. In today's world of carrier consolidation and litigation centralization, however, it can be difficult to stay abreast of panel managers.

It is unreasonable to expect that you can get on one or two panels by simply reaching out to five panel managers. If that does happen, consider yourself to be very lucky!

Here are some of the responses you are likely to get from panel managers:

- Our panel is full, but we will keep your information and contact you if there is a need
- Silence (meaning no response)
- Request for more information about your rates and services
- Agreement to set up a telephone interview after initial pre-qualification questions
- Notification of any panel review cycle, with a promise to notify you of the next cycle

In reality, you are best served by constantly screening dozens of insurance carriers, self-insureds, and other prospective clients for business development opportunities. Look for firms that are expanding geographically or into new product lines. Try to avoid firms that are consolidating due to mergers, the growth of in-house counsel, or other factors.

Never Stop Marketing

Start looking for new clients before you need the business. The worst time to look for new business is when you are desperate.

Business development is a numbers game. It takes more time than you might expect, and you will need to reach out to more prospects than you initially anticipated.



Business Development Post-COVID

How to get on an insurance panel is changing and panel law firms need to either maintain a proactive marketing effort or risk falling behind competitors. Listed below are three key factors that managing partners at defense law firms need to master to attract new insurance clients.

#1. Digital Marketing is the “New Normal”

“The global crisis pushed digital marketing forward anywhere from five to 10 years ... throwing the industry into warp speed—and it’s unlikely to slow down.” – AdWeek Magazine

The law firm’s website remains the foundation for all business development activity but is now supplemented with an array of digital communications like client newsletters, social media, and blog posts. Keep your insurance defense firm visible with fresh content that reinforces your strength as a panel counsel candidate. Litigation managers like to hire leaders.

#2. Insurance Company Mergers = Panel Counsel Consolidation

As insurance companies merge, so does the panel counsel program. The “synergies” that prompt large carriers to join forces ultimately favor combining overlapping rosters of insurance defense law firms. Below are a few recent examples of insurance company acquisitions.

- [Liberty Mutual buys State Auto](#)
- [Allstate buys National General](#), Safe Auto
- [Farmers buys MetLife Auto & Home Business](#)

Proactive panel counsel law firms are smart to always maintain an operational business development initiative, often in the form of a formalized marketing committee.

#3. Challenges of the Remote Work Environment

Where is your client working? COVID drastically changed the work model from offices to remote work. The challenge here is that you often don’t know where your client is physically located. Some insurance companies, like Allstate, have decided to permanently cut back on their office facilities.

Complicating the work environment is that it is hard to get people to answer the phone these days. Voice mail is the bane of rainmakers seeking to either build new relationships or reinforce connections with long term clients. Insurance defense lawyers pursuing new business then must decide if they will leave a voice mail and hope for the best in terms of a response call, or not leave a voice mail and just try again.

Read more on these three factors online, in our expanded article:

[Panel Counsel Business Development Insights](#)

Diversity, Equity & Inclusion

Attorney diversity within a law firm is increasingly important to litigation panel managers at leading P&C insurance companies. When panel counsel managers seek outside counsel for the defense of litigation matters—whether employment practices disputes, premises liability claims, or auto accidents—the insurance defense law firm needs to explain how they will contribute to overall panel diversity.

Panel counsel managers wear two hats—that of a business executive and that of the panel manager. Their concerns extend beyond case strategy to also achieving the corporation’s budgetary and staffing priorities. In many cases, they are now being measured on meeting goals that include diversity.

With corporate diversity imperatives on the rise, it is essential that managing partners at insurance defense law firms align their hiring practices with the goals of their clients.

[The Mansfield Rule](#), one resource that provides diversity hiring guidelines, originated from a 2016 women’s initiative led by The Diversity Lab. The following year 50 law firms enrolled in a pilot program, and today many leading law firms are Mansfield Certified. Participating law firms maintain hiring goals to grow the racial and ethnic diversity across all levels of attorneys and law firm leadership roles.

Law firm diversity can contribute to the following:

- Case strategy formulation
- Innovation and creativity
- Stronger business relationships
- Cultural understanding and sensitivity



Acknowledging the value of inclusiveness is one way that law firms can set themselves apart from others in a competitive market.

[Panel Counsel Diversity, Equity & Inclusion](#) (DE&I)

Click on the link to read our [full article](#) on the importance of law firm diversity. The article addresses the importance of panel counsel diversity from three perspectives, as listed below.

Part A: Insurance Company Diversity Goals

Part B: Legal Associations Representing Diverse Communities

Part C: Diversity Hiring Practices for Law Firms

The U.S. The Office of Federal Contract Compliance Programs (OFCCP) offers a helpful page titled “Best Practices for Fostering Diversity and Inclusion.”

The American Bar Association (ABA) also maintains an online Inclusion and Diversity Center that offers resources to law firms seeking to achieve greater diversity in their workforce and operations.

Claims & Litigation Metrics

Insurance carriers approach claims like a business, while their law firm service providers focus on the practice of law as a profession. While this is normal and not necessarily bad or unexpected, it can generate a mismatch in the client-provider equation.

Surprisingly, this author's experience is that most insurance defense law firms do not prioritize or track performance metrics. The irony is that the insurance companies, which excel at the application of data analytics using "big data," tend to know the metrics for any given law firm on their panel counsel program as well as all the metrics for competing firms on the panel.

In other words, a law firm that does not know its own metrics is faced with an insurance carrier client that not only knows the metrics for the individual law firm but can also benchmark a law firm's metrics against competing law firms. Ignorance is not bliss.

Start with Two Basic Litigation Metrics

Whether you have some level of metrics or are just starting to track performance, there are two simple measures that can make a big difference.

- **Average Time to Close a Case.** Ask your IT person to set up a program that measures the elapsed time between the start date of a new case and the closing date. This can be done at the firm level as well as the lead attorney level.
- **Average Cost of a Case.** This metric is closely related to cycle time, since it is often said that the sooner a file can be closed the lower the cost. One aspect of cost could be the staffing ratio, which considers billable hours by attorneys (partner versus associate) and paralegals. Case costs can also be analyzed by litigation stage, such as discovery or deposition.

The above measures are best suited to like kinds of cases. Basic types of motor vehicle accidents, workers' compensation claims, and typical premises liability matters lend themselves well to this type of analysis.

Metrics don't need to be posted to your website, although a few law firms do so. Most often it is suitable to share metrics on a case-by-case basis in the context of new business development.

If you don't currently collect litigation case metrics, **START NOW!**

Property and casualty insurers are becoming very sophisticated in the use of "big data," from automated claims processing to the increased use of driver telematics. Law firms that can demonstrate an advanced use of technology in managing files may gain an advantage in terms of pricing and bargaining power.

At a minimum, managing partners should be alert to these performance management trends. The first step in formulating a strategic response is to understand the need for change.

The Imperative of Client Diversification

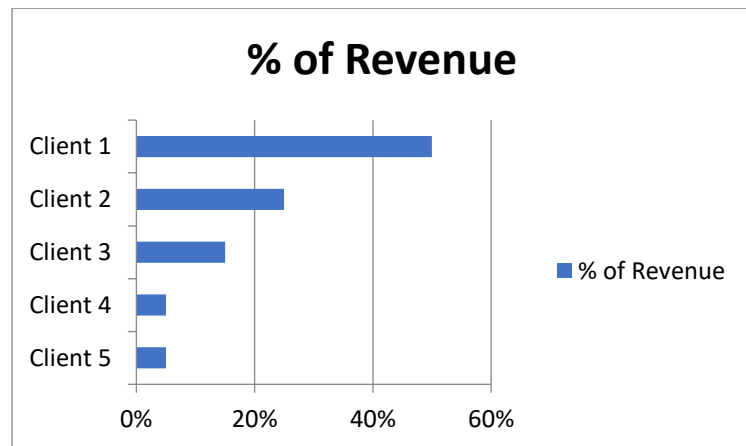
Insurance defense law firms that have been approved as panel counsel for multiple insurance companies can inadvertently find that their revenue base is increasingly dependent on a shrinking number of insurance companies over time. This article addresses why this happens, and what can be done to protect the revenue stream.

Risk #1: Revenue Risk in the Insurance Defense Law Firm

Insurance is about risk management, specifically the process of identifying, assessing, and quantifying risk. Attorneys practicing in the area of insurance defense may find it beneficial to apply some risk assessment principles to the business development efforts within their own law firm.

A leading risk facing insurance defense law firms is that a small number of clients may represent a large portion of the firm's revenue base.

In the adjacent chart, Client 1 represents 50% of revenue while Client 2 brings in 25% of revenue. Loss of either Client 1 or Client 2 would put the firm's continuation in danger.



Reliance on a handful of clients is a common situation early in any law firm's lifecycle. The same can be true later in the lifecycle, as natural attrition chips away at a previously robust client base.

Risk #2: Changing Dynamics within Insurance Panels

The times they are a-changin, as Bob Dylan warned in his well-known ballad. Here are several actual experiences where insurance defense managing partners either lost or risked losing a major insurance account.

The Industry Consolidation Scenario

"We were the lead insurance defense law firm in our state for a respected insurance company," recalls a managing partner for a California law firm. "Suddenly, without any advance notice, our insurance client was acquired by a larger insurance company. Not only did we lose the work, but many of the claims managers at our insurance client lost their jobs in the post-merger consolidation."

The “Out for Bid” Scenario

“Our law firm grew extremely rapidly after its founding in response to the needs of our primary client,” reports a founding member of a Northeastern law firm. “We opened new offices and added attorneys simply to keep up with the client’s case load. The quality and pricing for our legal services was widely acclaimed, but a new Vice President of Claims brought in after a reorganization decided that he wanted to put our work out for bid. We eventually retained our work, fortunately, but it was a hard-fought RFP process.”

The Attrition Scenario

“Our insurance defense practice has a twenty-year history of success,” explains the managing partner of a six-attorney firm who spends his work day as one of the lead litigators. “Over the years, however, I did not have the time to develop new business while also serving the needs of current clients. We found ourselves overly reliant on one client, and without the benefit of an established business development process.”

The “No One Told Me” Scenario

“I suddenly noticed that we were not receiving the same level of incoming cases,” reports a practice group chair with a long history of providing specialized legal services to one of the country’s leading banks. “In researching the problem, not even our internal contacts could tell us who was now responsible for panel appointment decisions. It took many days to identify the bank’s panel manager and realize that they had decided to favor regional law firms over single-location firms like ours. We ultimately got back on the panel, but it was a very nerve-wracking process.”

Insurance defense law firms also face more routine risks, including:

- Retirement of a founding member who served as primary rainmaker
- Departure of a key rainmaker who leaves with their book of business
- Insurance clients that decide to hire more in-house attorneys
- Centralization of the insurer’s litigation management team

The best defense is a good offense. Paying close attention to existing clients, while maintaining an active business development process, is an effective way to minimize revenue risk.

Risk #3: Lack of Time to Expand Your Insurance Defense Base

Once approved as outside panel counsel, law firms frequently enjoy a steady stream of cases that arrive at their doorstep with little additional business development effort.

Of course, panel members must perform satisfactorily, maintain good relations, be available around-the-clock for the (hopefully) infrequent emergency, and offer billing rates that are attractive to the insurance company.

The challenge is that existing clients, particularly large accounts, can easily consume all available capacity within a law firm, leaving little time for courting new clients.



It is indeed a juggling act to manage the day-to-day requirements of meeting court deadlines and responding to client requests, while also trying to devote time to business development.

Considering the risk of revenue loss, however, it may be easier to make time for marketing after considering what would happen if you lost one of your largest clients. The loss of a major account could result in lay-offs, as well as possible difficulty making lease and other overhead payments. In an extreme case, a law firm may need to quickly affiliate with another firm, thereby losing its independent status.

Risk Avoidance with a Law Firm Marketing Committee

Insurance defense law firms or practice groups that plan for long-term success may find it essential to create a Marketing Committee tasked with responsibility for establishing panel counsel relationships among a broader range of insurance companies and other entities.

Marketing Committee members can address issues like the following:

- **Development of new insurance defense skill sets.** A firm that handles motor vehicle accidents may want to expand into related forms of transportation, like commercial auto.
- **Exploration of new market segments.** Insurance lines with rapid growth curves include employment practices liability (EPLI) and cybersecurity.
- **Where to expand geographically.** This can be a difficult question, since it may involve an acquisition and/or opening a new office.
- **Growth in the self-insured market.** Many large retail, municipal, or corporate accounts self-insure up to a certain level.

The time to start looking for more clients is before you are desperate for new business. Attracting a new account takes time, so it is advisable to work on business expansion while you have a satisfactory level of business already in place.

In Summary

Start early. Marketing for insurance defense success is a long-term process that benefits from a continuous focus on business development campaigns.



Set Your Firm Apart

The more successfully you can differentiate your law firm in the crowded insurance defense field, the stronger your ability to attract and retain clients. “Big firm experience at small firm prices” is popular, but not uniquely distinctive. Consider some of the ideas below.

How to Stand Apart in Objectively Verifiable Ways

There are many ways that a law firm can distinguish themselves in the market. Here are a few representative claims that can meet the need for “objectively verifiable” attorney advertising.

- ABC Law Firm has handled cases in every one of the (##) counties in the state of (State).
- All ABC Law Firm partners are AV Preeminent® Peer Review Rated by Martindale-Hubbell.
- Our lawyers tried (##) cases and won (##) in 20xx.
- (##) of our (##) partners are Board Certified by (certification entity) in (practice area).
- (##) of our attorneys are licensed mediators, reflecting our commitment to alternative dispute resolution techniques.

More Distinguishing Characteristics

Law firms have many opportunities to differentiate their culture and values. A few are listed below.

- **Diversity.** In recent years insurance carriers and corporate law offices have made strong commitments to diversity programs reflecting gender, nationality, and other measures.
- **Minority Owned Firms.** Some insurance carriers may have goals for MBE or WBE (Minority Business Enterprise/Women’s Business Enterprise) firms. If your firm qualifies, it may be well worth your while to become certified. Consider also NAMWOLF membership.
- **Veterans.** Service to our country earns a deep respect from many hiring entities. Military service is a sign of integrity, discipline, and commitment. Promote your attorneys with military background.
- **Languages.** Insurance carriers who represent a diverse clientele in large metropolitan areas will appreciate your firm’s ability to communicate with insureds in multiple languages.

Case Management Statistics

Promote investments your firm has made in its case management expertise.

- Technology infrastructure
- Reporting capabilities
- Electronic billing practices
- Specialized teams (cyber, EPLI, etc.)



Read the next page for ideas on attorney credentials and professional association involvement.

Attorney and Firm Credentials

Attorney rating services add credibility to a law firm's claims of quality. Icons available from ratings services provide a visual endorsement of attorney qualifications. Like many aspects of law firm marketing, the competitive value of rating agencies has shifted in recent years. Listed below are several of the leading law firm rating services that are relevant to the insurance defense sector.

U.S. News – Best Lawyers® Best Law Firms

U.S. News & World Report partnered with Best Lawyers in 2009 to publicize a peer reviewed guide to the legal profession by practice area at the state and local level. More than 15,000 law firms are ranked in three tiers within 127 specialties in 188 metropolitan areas. It is now one of the leading ranking services and should be taken seriously. <https://bestlawfirms.usnews.com>

Diversity Ratings

Diversity has become a highly competitive factor in law firm marketing and business development, as discussed in more detail on page 6. Every insurance defense should have a Diversity, Equity & Inclusion (DEI) statement and be prepared to address hiring practices.

Super Lawyers

Super Lawyers, acquired by Thomson Reuters in 2010, publishes annual peer-reviewed ratings for the top 5% of attorneys within a state and across 70 practice areas. It remains a valuable rating, and attorneys can claim their profile for potential benefit. <https://www.superlawyers.com/>

Martindale-Hubbell Peer Review Ratings

In March 2014, Martindale-Hubbell became part of MH Sub I, LLC dba Internet Brands and part of the Martindale-Avvo Legal Marketing Network, comprised of the combination of Martindale-Hubbell, Avvo, Ngage Live Chat, Captorra and Internet Brands' Nolo legal division. It still issues the coveted "AV®" ratings but has lost some of its market dominance over the years.

A.M. Best

Founded in 1899, A.M. Best Company is a credit rating organization that assesses the creditworthiness of and/or reports on over 16,000 insurance companies worldwide. The *Best's Directory of Recommended Insurance Attorneys* is now a digital-only publication, with other marketing opportunities available. Client references are required for initial approval, and accepted law firms receive an attractive "BestMark" icon for display on their website.

Board Certification

Attorneys who can become certified in a practice area can promote their status as an "expert." Several states offer certification programs (including California, Texas and Florida), as well as several private organizations accredited by the American Bar Association.

Other Directories

Other legal directories include Chambers and Partners and the American Board of Trial Advocates (ABOTA). You can determine which directories are best suited to your law firm.

Professional Associations

The Claims and Litigation Management Alliance (CLM)

The CLM, the Claims and Litigation Management Alliance, is one of the largest industry associations with a membership of more than 45,000 professionals. Founded in 2007, it is now affiliated with The Institutes Risk & Insurance Knowledge Group. www.theclm.org.

DRI

DRI, originally known as the Defense Research Institute, is a leading organization of defense attorneys and in-house counsel. It maintains 29 substantive committees whose focus is to develop ongoing and critical dialogue about areas of practice. <https://www.dri.org/>

State Defense Associations

Most states maintain a trade association representing the defense bar. State-level groups provide law firms with an excellent way to gain visibility, build leadership skills, and network with insurance claims professionals. County-level bar associations also give defense lawyers an opportunity to build relationships with members of the judiciary and the plaintiff's bar.

Industry-Specific Associations

Defense law firms that focus on a specialized industry niche can join targeted trade associations that serve the needs of a particular market segment. Examples include but are not limited to:

- National Retail & Restaurant Defense Association (NRRDA)
- Trucking Industry Defense Association (TIDA)
- Academy of Hospitality Industry Attorneys (AHIA)

Federation of Defense and Corporate Counsel

Founded in 1936, FDCC is an international defense organization dedicated to the principles of knowledge, justice, and fellowship. Membership is by nomination only. Members include corporate counsel, insurance claims executives, and insurance defense attorneys. <https://www.thefederation.org/>

International Association of Defense Counsel

The International Association of Defense Counsel (IADC) is a 100-year-old organization comprised of corporate and insurance defense attorneys as well as insurance executives. Its activities benefit the approximately 2,500 invitation-only, peer reviewed members and their clients, as well as the civil justice system and the legal profession. <https://www.iadclaw.org/>

You can determine which trade associations are most productive for your law firm.

Solo / Small Law Firms and Insurance Defense

Many solo practitioners and small law firms find the steady stream of business available from an insurance carrier to be appealing.

Small law firms do, however, face more obstacles in being named as panel counsel to a large insurance company. Carriers may be concerned about the firm's capacity to accommodate a large volume of cases, as well as a perceived limited ability to blend billing rates across a tiered structure of associates and partners.

Business Development Ideas for Small Insurance Defense Firms

Small law firms may find it most productive to identify prospective clients using the following marketing techniques:

- Focus on local self-insurers
- Target smaller insurance carriers
- Network actively
- Pick a niche reflecting local needs
- Check out any local claims associations
- Explore the municipal market
- Research the educational sector



Solo practitioners seeking to attract insurance carriers or self-insureds can emphasize the following advantages:

- Direct access to a partner
- Fast response times
- Access to local courts
- Affordable billing rates
- Specialized knowledge of an industry, trial practice, or local market conditions

Captive Law Firms

Some insurance companies (mostly auto insurers) employ a series of “captive” law firms to defend the interests of insureds when a claim or litigation arises. In this case, the lawyer is likely to be an employee of the insurance company yet operating out of his or her own independent law firm.

Solo practitioners who wish to maintain an independent office while also being relieved of business development burdens may find this to be an appealing arrangement.

Check with your State Bar for guidelines in regard to relevant attorney advertising guidelines and ethical considerations.

Working with Self-Insureds

Many corporations, from Fortune 500 companies to mom-and-pop shops, self-insure for certain levels of property, liability, and workers' compensation coverage. This is often in the form of a self-insured retention ("SIR") provision in their insurance policy.

Insurance defense law firms that wish to expand their client roster may benefit by exploring opportunities with corporate clients. Law firm appointments within a corporation may be made by several departments, including the General Counsel's office, risk management or procurement.

Fewer defense law firms take the time to pursue self-insureds, which theoretically creates a less competitive environment. This may be changing, however, as the search for new legal clients intensifies. Corporations are changing also, with many GCs taking a more methodical approach to panel management in terms of issuing RFPs and implementing performance metrics.

There are also disadvantages to working with self-insureds. Some law firms report that the process can be more political, with a greater need for connections. This is particularly true in the municipal market. Depending on the self-insured's size, case volume may be less than a typical insurance client. This could translate into the need for a higher number of small volume clients.

Law firms seeking to break into the self-insured market can start by doing an assessment of prospective clients within their metropolitan area or the state at large. Self-insureds can be targeted in several ways, as outlined below.

By Industry

- Consumer products
- Food safety
- Manufacturing (auto, building products, etc.)
- Retail
- Sports and entertainment

By Practice Area

- Class action defense
- Commercial auto
- Employment practices liability
- Personal injury defense
- Premises liability
- Product liability

By Compliance Requirements

- Construction
- Healthcare
- Restaurants



Once you have a target list of prospects, the next step is to reach out and determine the best way to introduce your firm through networking, a mutual acquaintance, or submission of introductory law firm marketing materials.

Risk Retention Groups

According to the NAIC, risk retention groups (RRGs) are liability insurance companies owned by its members. RRGs allow businesses with similar insurance needs to pool their risks and form an insurance company that they operate under state regulated guidelines.

RRGs are formed using a combination of state and federal laws under the auspices of the Federal Liability Risk Retention Act (LRRRA). All insureds of an RRG must be owners of the RRG, and all owners of the RRG must be insured.

RRGs may be formed under a state's captive or traditional insurance laws. The RRG is domiciled in one state but may do business in any other state by completing a registration process and designating the state's commissioner as agent for service of process.

At the end of 2020, the number of risk operational risk retention groups was 214 and the number of operational purchasing groups was 1,024, according to *Risk Retention Reporter* data.

Some of the larger RRGs, as measured by assets, include:

- Attorneys Liability Assurance Society Inc.
- Housing Authority RRG Inc.
- Ophthalmic Mutual Insurance Co. RRG
- United Educators Insurance RRG Inc.

Professional malpractice insurance is a leading industry sector covered by RRGs, and other specialized industries and/or geographic areas of coverage vary.

The National Risk Retention Association (NRRA) is a nonprofit 501(c)(6) trade association which protects the rights of owner-insureds and represents the risk retention group and purchasing group industry.

Risk Retention Groups and Panel Counsel Programs

RRGs can be difficult to approach in the search for panel counsel appointments. Many do not maintain a website and are managed by third party intermediaries, making information scarce.

It is not unusual for many RRGs to be managed out of the office of one RRG management company. Nevertheless, some do maintain panels and should be considered as part of any business development campaign.

Social Media: Start with LinkedIn

There are many forms of social media marketing, but we will limit our focus to LinkedIn since it is the most widely used network that unites professionals in the legal and insurance industries.

10 Ways to Use LinkedIn

Whether you are a new user or an experienced LinkedIn networker, here are 10 ways you can make LinkedIn work for you:

1. Invite your business acquaintances to connect with you. Make it a goal to grow your firm-wide LinkedIn connections and followers from X to Y within a certain time period.
2. Expand your “company page” description to include all your practice areas.
3. Make sure that your “company page” is linked properly with the employer name listed in the “experience” section for each law firm team member.
4. Post “status updates” that get distributed to all members of your network.
5. Look for prospects and identify any mutual acquaintances who can introduce you.
6. Post presentations, articles, videos, or educational materials to your profile.
7. Follow the major insurance companies in your state. Just find the relevant company page and click on “Follow” to start seeing their news items in your LinkedIn feed.
8. Like and comment on posts made by members of your network.
9. Post news of your firm’s upcoming events and share recent accomplishments.
10. Add social links to your website.

LinkedIn is free! Law firms that don’t maximize their LinkedIn presence commit an unforced error.

Tips and Traps

You can open your personal contact manager (like Microsoft Outlook) to LinkedIn, but it is better to do so one-by-one. Check with your state bar association for their guidance on social media sites.

Let’s Get Linked!

Connect with author Margaret Grisdela on LinkedIn at www.linkedin.com/in/legalexpertconnections



Summary: The Value Equation

Litigation panel managers spend a great deal of time and effort to ensure that the law firms on their approved panel of outside counsel are highly qualified.

Our advice to insurance defense law firms is to focus on what we call the “value equation” as a means to stand apart from the competition:

- 1. Billing rates.** The first question a carrier will ask is about your rates, so be prepared to answer. Competitive billing rates, coupled with advanced electronic billing capabilities, helps to get the attention of panel managers who are judged in part on allocated loss adjustment expenses (ALAE), defense and cost containment (DCC) efforts, and related financial measures. Alternative fee arrangements (AFA) like flat rates get media coverage but are hard to achieve in practice since they tend to favor the carrier.
- 2. Representative cases.** Litigation experience is important, and you will never get into some carriers without it. Maintain a separate list of cases for use in business development pitches. If you do not have a history of trial outcomes, you can also emphasize attorney skills in negotiating settlements, handling depositions, or your firm’s ability to carefully track the progress of each case.
- 3. Credentials.** Attorneys who have made the effort to become board certified or law firms that are recognized by *U.S. News* demonstrate their commitment to quality legal representation. While attorney advertising rules generally prohibit lawyers from making qualitative or comparative statements (i.e., we are the best, or we are the most experienced), attorneys can factually describe any awards, credentials, or special recognition they have received.

Motivated Law Firms Get the Business

The law firms that make a concerted effort to develop and maintain a finely tuned business development process have the best chances of getting new clients. Here are several action items needed for an effective lead generation program:

- Establish a Marketing Committee that meets at least monthly
- Create a “wish list” of firms that you want as clients (by name or characteristic)
- Establish a pipeline report, updated monthly, to monitor new business development
- Designate a lead business development person (consider a non-lawyer)
- Look for outside resources to help with the business development effort

Start Today!

It takes time to get a new client, so the best time to start looking for new accounts is when you are busy, not when you are desperate. Business development is a numbers game; the more prospects you have, the better your chances of opening a new account.

Never stop marketing. Margaret Grisdela is ready to assist with marketing ideas for your law firm.

Five Ways to Engage Legal Expert Connections, Inc.

Launch a Business Development Campaign.

1. We've worked with more than 220 insurance defense law firms in 40 states to create focused business development campaigns. Discover our proven approach that will keep your team engaged and productive.

Outsource Your Marketing Department.

2. Save time and money when we take the lead on your marketing program. You get Chief Marketing Officer-level skills for a fraction of the cost. Our services include lead generation, client newsletters, social media, marketing materials, and more.

Enhance Your Social Media Marketing Presence.

3. LinkedIn is the leading social media platform for insurance defense law firms. We work quickly to maximize attorney and law firm profile pages. We are also experienced with Facebook, Twitter, and YouTube.

Create a Professional Firm Resume.

4. A professional law firm resume is an essential element in business development. We draft and design an attractive firm resume to introduce your firm, attorneys, practice areas to targeted litigation panel managers.

Market to Current Clients.

5. Marketing to current and past clients is critical since they provide 100% of your revenue base. We can help you with a monthly e-newsletter that keeps clients informed of recent case updates, attorney awards, and other firm news.

Legal Expert Connections, Inc. gives you personalized access to a professional marketing team at a fraction of the cost of hiring your own staff. No need to worry about salaries, health insurance, and other benefits that can drive up your overhead costs. You can cancel at any time with a 30-day notice. Satisfaction guaranteed.

About Us

About Legal Expert Connections, Inc.

Legal Expert Connections is a national legal marketing agency, concentrating on business development. We have been helping lawyers and experts grow their practice since 2003.

A small South Florida defense firm tapped us for assistance in 2011, and our focus on the insurance defense market has grown quickly since then. As of late 2021, we have conducted business development campaigns for more than 220 insurance defense law firms in 40 states, many of whom have achieved their goal of gaining additional panel counsel appointments.

We have managed campaigns across all lines of P&C insurance, including:

- Admiralty and maritime
- Auto (personal, commercial, PIP)
- Construction
- Cybersecurity
- Employment practices liability (EPL)
- Homeowners
- Insurance coverage
- Medical malpractice / nursing homes
- Personal injury defense
- Premises liability
- Products liability
- Professional liability
- Trucking / transportation
- Workers' compensation

From an industry perspective, we have a deep understanding of the following market sectors:

- Construction
- Education
- Energy / environmental
- Healthcare and medical
- Hospitality and entertainment
- Intellectual property
- Manufacturing / products liability
- Municipal
- Professional services
- Real estate / property management
- Trucking and transportation
- Retail and restaurants

We maintain a proprietary database of litigation panel managers who are responsible for the hiring of outside counsel, from the largest carriers like AIG, Chubb, and Liberty Mutual to small state-based insurance companies. We understand how these companies hire insurance defense law firms as panel counsel and guide you in this process. Our database includes detailed profiles on more than 3,000 insurance companies and self-insured entities, and is updated on a continuous basis.

Three Reasons to Use Legal Expert Connections, Inc.

1. **We are the leading U.S. legal marketing agency specializing in the insurance defense market.**
2. **You get a structured business development process.** We guide your law firm through a proven three-step campaign that brings discipline, focus, and productivity to your marketing efforts.

- 3. Increase revenue with professional, Bar-compliant legal marketing campaigns.**
We do the research to identify insurance panel managers, so you can focus your time on the business development process.

Visit our websites:

www.InsuranceDefenseMarketing.com

www.LegalExpertConnections.com

What Our Clients Say*

“I remain ever-grateful for the huge impact you had on my career.”

-- October, 2021 from a now-retired client of 15 years.

“So far, we have made it to three panels and we have two others in the works.”

-- November, 2021. The campaign started in April 2021.

“We made it on [state insurance company] panels for first-party and third-party ... Thanks for getting us the info on the RFP.”

-- October, 2021 result. The campaign started in June, so four months to a new client.

“We have some good news; the firm actually obtained a new client from your efforts. We now have [national insurance carrier] as a client and it seems to be going well.”

-- October, 2021

“We are ecstatic! We just got approved for the panel by [Top 10 insurance company] and received our first seven files. We’ve also had good conversations with other prospects.”

-- July, 2021

“I just got my first case from [Top 10 insurance company]. It's a defense of a class action wage and hour complaint. Thanks very much for your help in making this happen.”

-- April, 2021

“It is going to happen Margaret. Thank you. I had an AMAZING conversation. He is getting us on panel.”

-- March, 2021. Northeast law firm gets on EPLI panel for a Top 10 P&C carrier.

“I have been emailing from your prospect list and I am very pleased with our responses back so far.”

-- July, 2020

“In direct response to our proposal, we just got signed up by [ABC] Insurance Group!”

-- January, 2020

One insurance carrier is “adding me to their panel and we’ll get started sometime after the first of the year. Finished the information form for a second carrier and waiting to hear back from them. Thanks very much for your help – I wish I’d come to you a long time ago.”

-- November, 2019

“We have some good responses so far, including a couple of in-person meetings that are in the works.” – September, 2019

“I spent the weekend getting my materials finalized and sent out about 40 emails with our materials on Monday morning. On Monday afternoon one of the carriers responded and wants to talk this Wednesday.” – September, 2019

*“I had a call today from a potential new client in NC. Towards the end of the conversation, he said I must have someone really good doing my SEO because I dominate the [subject area] expert search results. I told him I do - you!”
– Testifying Expert and Attorney, March, 2019*

*“Just writing to share we landed a new client through your contacts. Thank you!”
– November, 2018*

“We have a new client, which I think is down right amazing. In working with other marketing firms, it took months and sometimes years to get a new client. With your help, we did it in less than a month. Wow!!!” – January, 2018

“I thought I’d let you know that we have become panel counsel now for the second insurance company because of you. Thank you again.” – October, 2017

“I wanted to pass along some very good news we received this morning. We just got word that our firm has been added to an EPLI panel! It was a long journey, yet persistence paid off and we were able to develop a strong relationship with the panel manager. We’re thrilled for this opportunity and thankful for all your assistance. We have four other promising leads, and are grateful to see our efforts pay off. We just wanted to pass along this great development and thank you again for all your help along the way.” – October, 2017

Start Now to Get on More Panels!

Disclaimer: We are like a law firm; we can’t guarantee results. The law firm is responsible to make the sale. We work closely with each client to try to maximize your opportunity for a successful campaign.