

Be strategic for the best results

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This is a highly competitive marketplace and one in which Governments, state and federal, seem hell-bent on reducing access to the common law. And as lawyers are being churned out of law schools throughout Australia at an alarming rate, there are an increasing number of professionals to handle a declining number of actions. Despite, or perhaps because of, this, some firms have had remarkable success at finding and promoting new causes of action and bringing class actions to the forefront of the plaintiff lawyer's practice.

Many lawyers have a lot to thank America and the mass media - Australians are increasingly aware of the sort of actions being run in America and of the quantum of damages being awarded. This, of course, is a double-edged sword for the plaintiffs' lawyer who is nowadays likely to find him or herself facing a client who cannot understand why they are not going to get mega punitive damages and many millions of dollars for nervous shock.

But despite the high profile actions we read about regularly in the papers, there are still many plaintiff's lawyers whose

practices are declining and who are struggling to make their services relevant in this rapidly changing marketplace.

In these circumstances it is important to be strategic about marketing. It is too easy to waste precious time and dollars on marketing programs that are not going to attract the right clients.

I suggest that if you are contemplating new ways to market your practice you ask yourself three very simple questions.

Who is your target audience? What is the message you want to get to that audience? How are you going to get that message across?

Who is your target audience?

It can be a waste of a limited budget to market to the whole world when your clients or customers will come from one or two small, specific groups. By identifying those target groups and narrowing your marketing efforts to them, you can create a more effective marketing program.

What is the message you want to get to that audience?

You need to define what it is about your service that is going to appeal to

your particular target markets. Then, instead of looking at the features of your service, you can start to clarify what benefits it will bring the target audience. It is these benefits that form the key elements of your marketing message.

How are you going to get that message across?

The key to good marketing is to understand your target audience. Having identified who they are and what you want to say to them, you now have to ask: What do these people read? Where do they get their information from? Where do they meet? How can I make sure information on my service is available in those places?

By asking these three simple questions you can be more confident that you are getting the best value from your marketing and promotional budget. ■

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Weekly Workers Compensation: DSS assessment of payments under Section

Compensation payments of Weekly Workers Compensation (WWC) are in some instances being paid in advance and in one instalment by the application of Section 84 of the NSW Workers Compensation Act 1987. This provision states that the "times for payment for Weekly Compensation" can under subsection 84(1)(c) be "at such ... intervals as are agreed on between the employer and the worker."

Payments under this provision are

usually combined with the lump sum payment of an Age Commutation under Section 51(1)(a) of the '87 Act.

DSS will continue to treat Age Commutations as lump sums and calculate preclusion periods accordingly. However payments of WWC made by application of Section 84 are not lump sums. Payments of WWC made under Section 84 will be assessed as dollar for dollar direct deduction from a person's entitlement to DSS payments for the

duration of the term that the WWC has been advanced.

In the interests of their clients, practitioners should contact DSS Compensation Management Sections to ascertain how Section 84 payments will be assessed before they are included in a compensation award. ■

Gary Kane, Compensation Liaison Officer for the Department of Social Security can be contacted on **phone** (049) 21 7 740.