LEGAL SERVICE MARKETING:
AN EXPLORATORY STUDY OF ATTORNEY ATTITUDES
IN THE STATE OF TEXAS

DISSERTATION

Presented to the Graduate Council of the
North Texas State University in Partial
Fulfillment of the Requirements

For the Degree of

DOCTOR OF PHILOSOPHY

by

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The problem of this investigation was to make an exploratory examination of attorney attitudes concerning legal service marketing. The study was confined to attorneys licensed to practice law in the State of Texas. Items of specific interest were the implicit and explicit marketing management philosophies of attorneys, attitudes toward various promotional and media issues with respect to legal marketing, and attitudes toward serving the interest of various publics in the practice of law.

This study has been designed to specifically achieve seven objectives. First, the study is to determine if practicing law necessarily engages an attorney in marketing. Second, the study is to determine if attorneys can be identified as having a production-, sales-, or consumer-oriented marketing management orientation. Third, the study is to determine a profile of attorneys based upon their marketing management philosophy. Fourth, the study is to determine attorney perceptions concerning the professional appropriateness of various message content for promoting legal services. Fifth, the study is to determine attorney
perceptions concerning the professional appropriateness of specific media in promoting legal services. Sixth, the study is to determine attorney perceptions concerning the relative importance of serving various publics in the practice of law. Seventh, the study was finally to determine the extent to which attorneys utilize written business plans and specific characteristics of those plans.

The methodology in this study used both primary and secondary research. Secondary sources included periodicals and texts from both the legal and marketing areas. The primary research was conducted by means of the mail survey technique. The universe for this study was determined to be members of the State Bar of Texas. A total of 35,772 names were on the State Bar rolls. A systematic random sample of 10 percent of the membership was selected. A representative sample of 1,077 or 30.1 percent of the 3,577 mailed questionnaires were returned and usable. The statistical analysis included frequencies, one-way analysis of variance, cross tabulations, factor analysis, discriminant analysis, and Pearson product moment correlations.

The primary conclusion of this study is the need for a complete analysis of all aspects of the legal environment and its various publics before marketing can adequately assist in marketing legal services. Recommendations are given. The report concluded with suggestions of further research as a result of the conclusions and findings of this study.
ACKNOWLEDGMENTS

It has been my pleasure and good fortune to work with the State Bar of Texas on this study. The insights, time, cooperation, financial support, use of physical facilities, and manpower were essential to the success of this effort. Above all, the patience and consideration of the State Bar and its executive directors with me has been exemplary and appreciated in degree beyond expression. In particular, Mr. Jack Reynolds, Associate Executive Director, provided substantial guidance and reinforcement at critical points in the study. The State Bar also played a substantial role as an intermediary between myself and the Supreme Court of Texas. This study was a success because of the efforts of the State Bar of Texas, its membership, the executive directors, and the Texas Supreme Court.

In sincerity,

Tom L. Ingram
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CHAPTER I

INTRODUCTION

The United States Supreme Court ruling in the 1977 case of Bates vs. the State Bar of Arizona removed the prohibition per se of attorney advertising as previously imposed by state bar associations. The removal of this ban initiated the advertising of various legal services. Further, new methods arose for the delivery of legal services by segments of the legal community.

The Bates Decision provided the catalyst for a renewed confrontation between the forces advocating the use of advertising for promoting legal services and the opposing camp. The group denouncing advertising of legal services viewed the activity as being inconsistent with attorney professionalism (Shimp and Dyer, p. 80). Articles appeared in marketing literature presenting survey information on both attorney and consumer views of the attorney advertising issue (Shimp and Dyer 1978, Smith and Meyer 1980). The legal literature presented entire issues dealing with the overall topic of the delivery of legal services and especially with respect to the attorney advertising issue (Gordon 1978).
Legal professionals and marketing academics became embroiled in heated debate over many complex issues that composed the overall attorney advertising issue. The consumers' perceptions of various issues were appraised by both legal and marketing academia. Surprisingly, little attention was directed toward several central and paramount assumptions underlying the attorney advertising issue. The basic issue not addressed was simply whether or not attorneys practicing law are engaged in marketing. After establishing that marketing activities are pertinent to law practice, attention can be properly directed toward an understanding and identification of the macroenvironments in which attorneys operate. Only after such an investigation can the application of various marketing management concepts be appropriately applied. An example of such an application would be in the marketing area of advertising. In summary, if the legal profession is found to be engaged in marketing, then the basic rudiments of marketing knowledge should be applied to that industry as appropriate.

The literary debate over the attorney issue deals primarily with the application of advertising which is only one component of the promotional mix. In turn, the promotional element is one component of the marketing mix as a whole. The elements of the marketing mix (price, product, place, promotion) are considered to be controllable by the
marketing manager and, therefore, included in development of strategic marketing plans and tactics (McCarthy 1975, p. 35). Hence, decisions over the strategic and tactical use of the advertising component of the promotional mix was being undertaken by the law profession and marketers without what appeared to be a thorough investigation and understanding of the macroenvironment within which attorneys operate.

This study was aimed at uncovering attorney views of the legal environment as it relates to legal service marketing. A study of this nature was essential to formulate the necessary framework needed to prescribe effective marketing strategies and tactics. Attorneys and marketers need a comprehensive scope of the nature of legal service marketing before taking a definitive position regarding the attorney advertising issue.

The categorical definition of legal service marketing utilized in this study is marketing that

deals with all aspects of law practice with respect to the attorney and client relationship from initial awareness and attitude formation through post-purchase evaluation.

This definition seeks to emphasize that marketing relationships may exist between an attorney and client before actual needs are conceived. In other words, a marketing relationship may be established between attorney and client before the entities actually enter a legal
service relationship. Further, the definition connotes the extent of the relationship. The inclusion of the post-purchase evaluation points out that legal service marketing may extend past the last contact between attorney and client in the legal service relationship. Therefore, the marketing relationship of attorney and client may begin well before and extend well after the actual legal service relationship.

Nature of the Problem

The legal service marketing issue was conceived of in a dual perspective. First was the legal environment perspective of attorneys, judges, the courts and the State Bar Association. Second was the marketer's view of focusing on product and services, producer-consumer relationships, competition, and general management of the marketing component of the firm. Both views must be considered and integrated to present a representative analytical appraisal.

The legal community has wrestled for many years with the issue of legal service promotion and its effect on legal professionalism (Dunn 1980, p. 332). The individual states found themselves reworking their guidelines on attorney advertising and solicitation due to the Bates Decision. Texas was no exception to this. The State Bar of Texas has attempted twice to pass an attorney advertising
referendum (Dunn 1980, p. 336). The purpose of the referendum was to amend the Disciplinary Rules governing advertising guidelines as well as media constraints for both print and broadcast media. Both referendums failed due to lack of participation by the bar members. That is, fewer attorneys voted than the required 51 percent necessary for a valid referendum. The mentality of a substantial portion of the bar membership with respect to this issue may be summarized in the following open statement from an article in the Texas Bar Journal:

There are many among us who prefer not to discuss lawyer advertising. Except for the reality, I certainly may be counted in that corner. . . . How do we best live with attorney advertising (Douhitt 1980, p. 332).

This citation conveys what appeared to be the feeling of many attorneys given the response to the referendums. In general, attorneys appear to understand neither the role of advertising to an institution nor the relationship of advertising to marketing. Clearly, the legal sector has need of information concerning the potential role of marketing (and, in turn, advertising) for its particular environment.

The marketing community as revealed in marketing literature has not displayed a clear and concise understanding of the legal service marketing issue. Time and again attention has been focused on the application of
advertising to the legal industry that encompasses environments which marketers choose to ignore. The literature primarily addresses tactical evaluations of advertising rather than focusing on the broad strategical issues. Marketing has failed to present to the legal industry a comprehensive evaluation of the legal marketplace.

The integration of the perspectives of the two major groups involved in the legal service marketing issue leads to a single conclusion. The volume of work on the topic has focused on the attorney advertising issue without a proper evaluation and understanding of the marketings issues related to the legal industry. Therefore, a study aimed at exploring the legal environment as it relates to marketing was deemed beneficial to the legal industry and to marketers who seek to apply marketing techniques to legal services.

Study Objectives

Due to prevailing controversy surrounding the legal service marketing issue, the general objective of this study was to determine attitudes of attorneys in the State of Texas concerning legal service marketing. The study sought to establish from a macroprospective the relationship between the legal service industry with respect to marketing management philosophies and usage of marketing planning.
These primary and related objectives were accomplished by the analysis of both primary and secondary data. The primary data were collected from a mail questionnaire sent to a sample of attorneys in the State of Texas. Secondary data were obtained from legal and marketing literature.

The study yielded significant insight into the legal service marketing issue. An investigation was conducted to expose differences and similarities among attorneys holding various perspectives on the issue of concern. Further, prevailing and subordinate philosophies of marketing management were identified and scrutinized. Analysis was conducted to distinguish characteristics of the attorney, (e.g., organization of firm, size of firm, volume of workload) with respect to various marketing management philosophies utilized.

The study was designed specifically to achieve the following objectives:

1. Determine if practicing law necessarily engages an attorney in marketing;
2. Determine if attorneys can be identified as having one of the three following marketing management philosophies:
   A. Production orientation
   B. Sales orientation
   C. Consumer orientation
3. Determine a profile of attorneys identified as having:
   A. Production orientation
   B. Sales orientation
   C. Consumer orientation

4. Determine attorney perceptions concerning the professional appropriateness of various message contents for promoting legal services;

5. Determine attorney perceptions concerning the professional appropriateness of specific media in promoting legal services;

6. Determine attorney perceptions concerning the relative importance of serving various individual and group interests in the practice of law;

7. Determine the extent to which attorneys utilize written business plans and specific characteristics of those plans.

Justification for the Study

Marketing as a discipline exists at the convenience of the society within which it functions. Due to this relationship, marketing must constantly prove its worth and effectiveness to the society. Just as societies are dynamic and process oriented, so marketing must evolve with
the change of the host environment. This change, in part, has been reflected in the broadening of marketing concepts and in applications to an ambit substantially larger than previously accepted. The application of marketing technology to the professional services area documents the broadened marketing perspective. The articles by Kotler and Levy (1969), Kotler and Conner (1977), and Bloom (1977) are all representative of marketing being extended to the professional service area.

The marketing discipline continues striving to develop a general theory of marketing. The detailed investigation of one profession and its relationship to marketing as a discipline contributes information to the total volume of knowledge needed to develop such a theory. Hunt notes that marketing has made significant strides in recent years, but still falls short of a general theory of marketing (1981, p. 75). He suggests that a theory of marketing must contain the following:

1. A systematically related set of statements;
2. Some lawlike generalizations;

This study contributes information to the professional service marketing area, which, when integrated into the total body of information with respect to service marketing, helps fulfill the criteria presented for a general theory of marketing.
The legal profession in Texas has been exposed directly to marketing techniques via the attorney advertising issue. The profession has been forced to deal openly with one specific area of marketing. The Supreme Court of Texas is certainly aware of the issue and realizes it may have to mandate advertising and solicitation guidelines within the state. The consumer of legal services has been exposed to expanded yellow page advertisements as well as those presented in print and broadcast media. The advertising issue, which is only a small part of the total legal service marketing issue, is, therefore, before the courts, the attorneys, and the general public.

The present situation from both the marketing perspective and from that of the legal profession points to a need for a thorough investigation and analysis of legal service marketing. The findings of this study contribute to both the practical and theoretical aspects of marketing. The information concerning attorney perspectives on the use of specific media and message content yields practical insights for using the promotional component. Marketing theory development is enhanced by the study of marketing management philosophies. The legal community benefits through the obtaining of more substantial information on attorney attitudes towards the legal service marketing
issue. Specific information on attorney perspectives of promotional media and message content should be of value to the courts in the regulation of attorney advertising. Finally, the attorneys and courts should be better able to provide for the needs of their clients through a thorough understanding of this complex issue.

Methodology

This study made use of data collected from both primary and secondary data sources. The secondary sources included periodicals and texts from both marketing and legal areas. Data were gathered from the Civil Statutes of the State of Texas which include the attorney "Canon of Ethics" and "Disciplinary Rules" governing attorney conduct.

Secondary data were utilized to determine if it could be substantiated that law practice involves marketing functions. Further, secondary data were sought as a basis of comparison with primary research data on the appropriateness of specific media and message content for attorney promotions. The "Canon of Ethics" was consulted to determine the stated mission and purpose of attorneys in the State Bar from a business perspective. These findings formulated a basis on which to compare the consistency of the implicit and explicit marketing orientation of attorneys from the primary research effort.
Primary data were collected by means of the mail survey technique. A sample of attorneys in the State of Texas was selected from the membership of the State Bar of Texas. In order to practice law in the state, an attorney must be a member of the State Bar of Texas, therefore, membership in the State Bar represented the population of attorneys licensed to practice law in the state. Since this was the population of interest, the membership role of the State Bar of Texas was designated the sample frame. An appropriate sample drawn from this population coupled with the use of the mail interview yielded results representative of attorneys throughout the state.

Role of the State Bar of Texas

Due to the professional nature of the target population of the study, the help and support of the State Bar of Texas was sought and obtained. The bar agreed to participate in the study and provided informational input as well as physical facilities and monetary support.

The State Bar of Texas and the State Supreme Court approved a questionnaire prepared for this study and mailed under their auspices. In all respects, the questionnaire appeared to the bar membership sample to be an inquiry by the State Bar of Texas. The cover letter carried a message from the President of the State Bar and his signature. The
State Bar provided the mailing list of 35,772 names and State Bar envelopes, both outgoing and return. The questionnaires were returned to the State Bar in Austin, Texas. Each of these procedures were accomplished in an attempt to enhance the response rate.

A total of 3,577 questionnaires were mailed to attorneys throughout the state of Texas. No follow-up mailing was attempted due to a preference of the State Bar. A follow-up mailing had been used in a previous study of its membership with undesirable results from the State Bar's perspective. The fact that identification of those who had not responded could be made was interpreted by many State Bar members as a misrepresentation of the respondent anonymity. The mailing yielded a return of 1,091 or 30.5 percent of the questionnaires sent out. A total of 2,486 or 69.5 percent of the questionnaires were not returned. Of the questionnaires that were returned, 14 or 1.3 percent were determined to be unusable because the requested information was not provided. Therefore, a total of 1,077 or 30.1 percent of the total mailing were returned and usable.

Research Hypotheses

The research hypotheses presented for evaluation in this dissertation were as follows.

1. **Hypothesis I.** There are no attitudinal differences among attorneys demonstrating a consumer
orientation on the basis of holding a business degree.

2. **Hypothesis II.** There are no attitudinal differences among attorneys demonstrating a consumer orientation versus a nonconsumer orientation on the basis of message content approval.

3. **Hypothesis III.** There are no attitudinal differences among attorneys demonstrating a consumer orientation versus a nonconsumer orientation on the basis of media approval.

4. **Hypothesis IV.** There are no attitudinal differences among attorneys demonstrating a consumer orientation versus a nonconsumer orientation with respect to the use of a formal written business plan.

5. **Hypothesis V.** There are no attitudinal differences among attorneys demonstrating a consumer orientation versus a nonconsumer orientation with respect to the use of an informal written business plan.

6. **Hypothesis VI.** There are no attitudinal differences among attorneys demonstrating a consumer and nonconsumer orientation with respect to the degree of importance assigned to each of the following.
7. Hypothesis VII. There are no differences among attorneys demonstrating a consumer orientation versus a nonconsumer orientation with respect to the number of periodicals and newspapers to which they subscribe.

8. Hypothesis VIII. There are no differences among attorneys demonstrating consumer orientation versus a nonconsumer orientation with respect to volume of practice handled.

9. Hypothesis IX. There are no differences among attorneys' marketing management philosophies that would permit classification of attorneys into a production, sales, or consumer orientation.

Limitations of the Study

The limitation of this study included the following.

1. The study was confined to attorneys in the State of Texas. This was due to the fact that rules and regulations concerning attorney conduct are state specific.
2. The study was narrowed to include only attorneys who hold membership in the State Bar Association.

3. Due to time and financial limitations, a mail survey was utilized with the inherent limitations and potential problems associated with the use of such a survey technique. Included in these possibilities were (a) low response, (b) ambiguity of questions, (c) narrow range of response, (d) bias due to order in which questions are exposed and answered, and (e) identity of the respondent.

4. The study deals with general attitudes of attorneys toward the marketing of legal services. The study does not attempt to distinguish attorney perspectives of legal service marketing as applied specific client groups.

5. The study is concerned primarily with attorney attitudes with respect to the legal service marketing issue rather than attempting to measure usage or effectiveness.

Outline of Dissertation

The following chapters adhere to the format presented below. Chapter II presents a historical perspective of the attorney marketing issue as well as a pertinent discussion of the marketing concepts relevant to the attorney marketing issue. Following that discussion, Chapter III presents
a detailed account of the research methodology of this study. This includes a discussion of the collection procedures of both the primary and the secondary data, questionnaire design, sampling procedure, and methods of analysis. Chapter IV presents the results of the secondary research and an interpretation of the statistical significance of the findings as appropriate. Chapter V presents the actual results of the primary research and analysis of statistical significance of the findings as appropriate. Chapter VI begins with interpretative analysis of the results presented in the previous chapter. Finally, Chapter VI presents conclusions and recommendations for further study.
CHAPTER BIBLIOGRAPHY


CHAPTER II

MARKETING ASPECTS OF LEGAL SERVICES:

A REVIEW OF THE LITERATURE

This chapter is designed to present a description of the nature of the legal service marketplace. This overview of necessity, encompasses a view of attorneys' and marketers' perspectives. This information was deemed essential to a thorough understanding of the various issues pertinent to the topic of legal service marketing.

The Legal Environment Perspective

The predominant view found throughout the legal literature was one of distain for legal service advertising. Seldom did legal writers distinguish advertising as only one part of marketing. Rather, advertising and marketing seemingly were equated in their discussion of the issues. This undifferentiated perspective has not been favorable with respect to marketing applications for attorney services. The following citation seemed very representative: "Traditionally, advertising and solicitation have been among the cardinal sins of the unethical lawyer and have been subject to blanket prohibitions in codes of professional ethics" (Welch 1978, p. 585). Another writer
expressed a more direct criticism toward advertising of legal services as follows: "Personally, I believe advertising will not, in the long run, prove to be in the interest of the client, of serving the ends of justice and the legal profession" (Booms and Bitner 1981, p. 333). These quotations point to the "low opinion" held by members of the legal profession regarding some specific marketing techniques. In particular, advertising and solicitation (or selling in marketing terminology) have been singled out as detestable practices for a forthright and upstanding attorney. Therefore, the implicit view of the legal profession suggests that general as well as specific marketing, sales, and advertising techniques are unprofessional and inappropriate for the delivery of legal services.

**Code of Professional Responsibility**

The explicit documentation of the legal profession's stance to various marketing techniques was sought from their own guidelines. The practice of law is regulated by the state. In Texas, regulation is administered through the State Bar of Texas and ultimately the courts. The citation of state regulation is presented in the State of Texas Civil Statutes, "Title 14, Attorneys at Law," (Vernon 1977, p. 169). The validity of such regulation is stated as
The practice of law is effected with a public interest, and hence, the state may regulate the practice of law and control it so that the public welfare will be served and promoted (Vernons 1979, p. 223).

The environment that attorneys operate within is further documented as to their relationship to the State Bar of Texas, to the State Supreme Court, and to the State of Texas as follows:

All persons who practice law in the State of Texas are members of the State Bar and are subject to the provisions of this article and the rules adopted by the State Supreme court. . . . The State Bar of Texas is an agency of the judicial department of the state, and is, therefore, an agency of the state government. . . (Vernons 1979, p. 224).

The practice of law is thus extensively regulated by the state via the State Bar and the rules of conduct enacted by the State Supreme Court. The extent of this regulation encompasses several possible areas of marketing. In particular, "Section 8, Code of Professional Responsibility," deals with several pertinent topics. This code is made up essentially of nine canons with numerous Ethical Considerations and Disciplinary Rules as appropriate to each canon. The nine canons are as follows.

1. A Lawyer Should Assist in Maintaining the Integrity and Competence of the Legal Profession.

3. A Lawyer Should Assist In Preventing the Unauthorized Practice of Law.

4. A Lawyer Should Preserve the Confidences and Secrets of a Client.

5. A Lawyer Should Exercise Independent Professional Judgement on Behalf of a Client.

6. A Lawyer Should Represent a Client Competently.

7. A Lawyer Should Represent a Client Zealously Within the Bounds of the Law.

8. A Lawyer Should Assist in Improving the Legal System.


The canons which should form the basis of attorney behavior were obviously very demanding. Of particular interest to this study were Canon One and Canon Two. Canon Two with its thirty-two Ethical Considerations and ten Disciplinary Rules spell out detailed provisions for an attorney on how to make his services available. Better stated, the canon prescribes how not to make legal services available. This was extremely interesting given the first Ethical Consideration of Canon One. It reads in part, "A basic tenet of
the professional responsibility of lawyers that every person in our society should have ready access to the independent professional services of a lawyer of integrity and competence" (Vernons 1977, p. 268). This statement shows the concern for making attorney services available to the public. Canon Two then provides thirty five pages of Ethical Consideration and Disciplinary Rules setting severe limitations and boundaries on how an attorney can fulfill Ethical Consideration One of Canon One.

The following excerpts from the Disciplinary Rules were typical of the theme present in Canon Two.

1. With respect to providing aid in recognition of legal problems,

Examples of permissible activities include preparation of institutional advertisements and professional articles for lay publications and participation in seminars, lectures, and civic programs. But a lawyer who participates in such activities should shun personal publicity (Vernons 1979, p. 271).

2. With respect to contacting clients,

Obviously a lawyer should not contact a non-client, directly or indirectly, for the purpose of being retained to represent him for compensation (Vernons 1979, p. 271).

3. With respect to selecting a lawyer: Professional Notices and Listing,

The traditional ban against advertising by lawyers, which is subject to certain limited exceptions, is rooted in the public interest. Competitive advertising would encourage extravagant, artful, self-laudatory brashness in seeking business and thus could mislead the layman. Furthermore, it would inevitably
produce unrealistic expectations in particular cases and bring about distrust of the law and lawyers. Thus, public confidence in our legal system would be impaired by such advertisements of professional services. The attorney-client relationship is personal and unique and should not be established as the result of pressures and deceptions. History has demonstrated that public confidence in the legal system is best preserved by strict, self-imposed controls over, rather than by unlimited, advertising (Vernons 1979, p. 272).

These extended quotations were presented to demonstrate the underlying tone reflected in the disciplinary rules toward typical marketing techniques. More explicitly, the Disciplinary Rules present essentially the "thou-shall-nots" for attorney communication. For the sake of brevity, a few of these were summarized below.

1. An attorney should not conspire to generate publicity about him or his firm (Vernons 1979, p. 279).

2. An attorney may only use a professional card with the specific information of name, address, telephone numbers and name of law firm (Vernons 1979, p. 279).

3. An attorney may not publish the same information that is present on his professional card in periodicals, magazines, newspapers, or other media (Vernons 1979, p. 279).
This review of the Canon Ethics was not exhaustive, but representative, of the content with respect to the research topic. The citations point to the extremely adverse perception of basic marketing functions, with respect to legal services, held in the governing document of the legal profession.

**Legal Research on the Delivery of Legal Services**

The preceding discussion sought to present the explicit statements by the legal profession concerning legal service marketing as well as give insight to the underlying aura of the professional attorney model as set down in the Canon of Ethics. Further insight was sought from the legal profession's research on the delivery of its own services.

The profession on both the national and state levels was concerned with essentially the same issues. The first issue that appeared in many writings dealt with the unmet need for legal services (Brinkman 1976, p. 167). Another major topic of concern was how the consumer evaluates and selects an attorney (Rosenthal 1976, p. 275). The evaluation of quality also was paramount in numerous discussions (Carlson 1976, p. 287). More important was the gathering of the research evidence and a call for a general theory or possible model for the mobilization of private law for its delivery to the consumer. One author offered eight major issues that should be addressed to achieve that theory. The issues were as follows:
1. The role of attorneys in recruiting clients, in defining problems as legal, in choosing remedies to be pursued and in effectively determining the law for clients.

2. The role of lay intermediaries in defining problems as legal and in leading clients to lawyers.

3. The relationship between the structure of legal service delivery systems and decisions to mobilize law.

4. The costs (financial, psychological, temporal, etc.) of mobilizing law and the way they relate to actual mobilization.

5. The extent to which the benefits of legality may be achieved without mobilizing law and the costs of doing so.

6. The relationship between the competence of parties and the successful mobilization of law.

7. The relationship between the outcome of legal mobilization and future decisions to mobilize law.

8. The relationship between extra legal power and the ability to mobilize law for institutional change (Lempert 1976, p. 186).
It was noted that marketing, as a discipline has much to contribute with respect to each of the eight issues that were set forth. Pertinent application and theory with respect to consumer behavior, channels of distribution, pricing, promotion and systems management could be applied in the study of the delivery of legal services as suggested by the previous issues.

An article by consumer advocate (and attorney) Ralph Nader, again tied the delivery of legal services to a marketing topic, consumerism (Nader 1976, p. 246). This article addressed some of the more deeply seeded problems associated with the delivery of legal services to a broader spectrum of individuals in the society. That is, Ralph Nader sought to tie the merger of consumerism and legal service needs to sociological theory. Namely, the author suggests, "... the shortcomings of our legal system as presently structured, and with a realization that some problems are amendable to solution only through a redistribution of power and wealth in the society" (Nader 1976, p. 247). This discussion of the legal system goes past the "access" view of the legal system to social power. Nader further addresses the use of prepaid and group legal services to improve the legal system through institutional change (Nader 1976, p. 253).
The type of research conducted by the legal profession on itself was systematically reviewed and documented in an article by F. Raymond Marks (1976, p. 191). Marks summarized the major empirical research factors on attorney and client relationships. He suggested four major areas into which the issues of these studies could be grouped. They were as follows:

1. Frequency of Lawyer Contact
2. Lawyer Use (and Nonuse) by Problem Type
3. Lawyer Use and Problem Solving Styles

Another article that summarized the research findings of many studies on numerous legal topics focused on the use and types of people utilizing legal services (Sarat 1977, p. 455). The author concluded that, "Studies of the use of legal services, valuable as they are, typically fail to provide a theoretical context or framework within which to interpret their findings" (Sarat 1977, p. 435). Selected results of the numerous studies presented in the article were noteworthy. In a national sample of adults, Curran and Spalding (1974) reported that 81 percent thought that lawyers could be trusted and 76 percent thought lawyers tried to understand their clients (Curran and Spalding 1976, p. 113). Additionally, the research found that 75 percent of the respondents thought that many things
handled by lawyers could be handled better by other professionals. Finally, they found that only 37 percent believed that lawyers would work as hard for poor clients as they would for wealthy ones.

Levine and Preston (1970) and Rockwell (1968) suggested blacks were less likely to have favorable attitudes toward attorneys, and blacks and young people were less likely to have consulted an attorney. Finally, an interesting conclusion of a 1964 Alabama Lawyer study was that those who had consulted a lawyer tended to have a lower esteem for lawyers in general than respondents who had never consulted a lawyer.

In summary, the discussion and review of research and writings from the legal community has sought to present the general tone of animosity toward marketing that appeared to be prevalent. This stance appeared to be predicted upon the legal profession's desire to maintain a dignified and forthright appearance before the public and the courts. Specifically, the legal profession has pointed to marketing techniques of promotion as being inconsistent with their desired image. Therefore, they have historically labeled such behavior as unethical.

The review of the research from the legal literature showed a primary focus on the consumers' views of the delivery of legal services and consumer attitude toward the
profession in general. A systematic and rigorous study of the legal system (and its subparts: the courts, attorneys, State Bar Association) relevant to the delivery of legal services was not found.

The preceding discussion of the legal environment perspective of the marketing of legal services focused on two main areas of investigation. First, the Code of Professional Responsibility was reviewed to ascertain the explicit stance of the legal profession with respect to various marketing issues. Second, more implicit documentation of the profession's view was sought from a review of the research findings from the legal profession's literature. Both areas tend to project a rather negative and narrow view of marketing and its applications to the delivery of legal services.

The Bates Decision

The bridge between the legal community and direct application of marketing techniques in the delivery of legal services was provided by the ruling of the United States Supreme Court in a landmark case on attorney advertising. The review of this case between the inspection of the legal environment perspective and the marketing perspective (concerning legal service marketing) helps provide the conceptual framework necessary for a thorough understanding of both sides of the issue.
The legal community underwent a dramatic change with the United State Supreme Court ruling that struck down the total prohibition of various forms of attorney communications with the public. The 1977 ruling in John R. Bates and Van Osteen vs. State Bar of Arizona (hereafter referred to as the Bates Decision) opened the door to new methods of attorney communication with the public without legitimate sanctions being imposed by state bar associations. The impact on the legal profession since the Bates Decision has been considerable. However, before the results of the Bates Decision could be comprehended, a review of the events leading to the Bates Decision was needed. A summary of those events is presented next.

The Road to the Bates Decision

The restrictions that were abolished by the Bates Decision were not always part of the legal profession's canons. The American Bar Association Canons of Professional Ethics was first implemented in 1908 (Hobbs 1976, p. 735). These canons attempted generally to disallow such perceived abuses as billboards and hawking on the streets (in-person solicitation). A newspaper "card" (business card) was an accepted form of attorney communication with current and potential clients. These cards were restricted in content to such items as the attorney's name, address,
telephone, and any special fields of law practice. These business cards were routinely placed in newspapers as advertisements until 1937 (Hobbs 1976, p. 737).

Patent attorneys were allowed to advertise under the Patent Office's supervision until 1952 (Hobbs 1976, p. 737). Only 2 to 4 percent of all patent attorneys did advertise. A partial advertising ban was first implemented because the Patent Office could not control abuses and finally patent attorney advertising was totally banned in 1959.

Through a series of cases dealing with various professions (i.e., dental, optometrists, legal), the courts upheld the states' right to regulate those professions (Hobbs 1976, pp. 737-738). However, a slight shift in the court's position was evidenced in the 1975 case of Goldfarb vs. Virginia State Bar. The United States Supreme Court held that the legal profession had no blanket exemption from the antitrust laws; that is, the violation of antitrust laws was used as a defense in Goldfarb to strike down bar association prohibitions of fee schedules. The courts reached back to the Sherman Act of 1890 and found the prohibitions to be a restraint of competition. This verdict was viewed as significant in that the courts had recognized the consumer's interest in the practice of law as well as the interests of bar associations and the states (Braner and Steinberg 1977, p. 521).
Bates Vs. the State Bar of Arizona

Two attorneys in Arizona placed an advertisement in a Phoenix newspaper for their legal clinic. The advertisement specified five legal services and specific prices for the services. The advertisement was in direct violation of the state bar Disciplinary Rule 2-101(b), as part of Rule 29(a) of the Supreme Court of Arizona, Arizona Revised Status (1977-1978). Bates and O'Steen admitted the advertisement violated the disciplinary rules but offered two basic defenses. The first defense was that the rule tended to limit competition and, therefore, was in violation of the Sherman Act, sections one and two. The second defense was the two attorneys' contention that the rule infringed upon their First Amendment rights of free speech (Welch 1978, p. 586). The Arizona Supreme Court rejected these defenses and as a result imposed censure upon the attorneys.

On appeal to the United State Supreme Court, the same two defenses were presented. The United States Supreme Court unanimously held that the Arizona Disciplinary Rules were exempt from the antitrust provisions of the Sherman Act (Sarat 1977, p. 586). Thus, the first defense offered by Bates and O'Steen was rejected. The United States Supreme Court cited the state action doctrine of Parker vs. Brown (1943) as the basis for their decision.
The United States Supreme Court did recognize, at least in part, the second defense. The First Amendment challenge was upheld by the U. S. Supreme Court citing Virginia State Board of Pharmacy vs. Virginia Citizens Consumer Council (1976). In the cited case, the State of Virginia had offered six defenses to its ban of prescription drug prices. The United States Supreme Court had recognized in that case the right and "vital interest of the consumer in an unrestricted flow of commercial information" (Welch 1978, p. 594). The U. S. Supreme Court had followed the trend of such cases as Valentine vs. Chrestensen (1942), Breard Vs. Alexandria (1951), and Bigelow vs. Virginia (1975). The Bigelow vs. Virginia case was pointed to by the Court as effectively eliminating the doctrine holding that commercial speech was unprotected by the First Amendment (Welch 1978, p. 594).

The Bates Decision prevented the state from prohibiting the publication of truthful advertising in a newspaper. However, the U. S. Supreme Court stopped considerably short of holding that advertising could not be regulated in any way (Welch 1978, p. 587). Some of the areas justified for regulation were as follows:

1. False, deceptive or misleading advertising.
2. Claims as to the quality of service.
3. Time, place and manner of advertising.
Additionally, the U. S. Supreme Court chose specifically to reserve judgment on several key points. Issues of particular importance to this study are as follows:

1. Spectrum of state regulation of in-person client solicitation (especially on-site).
2. Advertising via television or radio.
3. The use of disclaimers or warnings to consumers in legal advertisements.

In summary, the Bates Decision caused a substantive change in the legal profession with respect to State Bar prohibitions and restrictions on advertising. Granted, the change was mandated. Nonetheless, the profession was thrust into a less restrictive marketplace seemingly unaware of the intimacies of dealing competitively for the consumer. The previous discussion was not intended to be a thorough shepardizing of the Bates Decision and the technical legalities surrounding the numerous court cases leading to the Bates Decision. The importance of the review to this study was embedded in the dramatization of the events that led to the legal profession's forced awareness of openly dealing with marketing. The Bates Decision dealt specifically with newspaper advertising. However, the impact of cracking the Disciplinary Rules has been seen in other applications of marketing techniques.
Marketing Impacts of the Bates Decision

The Bates Decision in effect opened the door to the legal profession for a variety of innovations. In part, this was due to the reluctance of many of the states' bar associations to enforce the restrictions in their disciplinary rules as a result of the Bates Decision. That is, even though the Bates Decision did not remove the ability of the state to regulate attorney advertising at all, it was sufficient to cause dramatic reappraisal (Welch 1978, p. 600).

The impact in the marketplace was soon evident. One of the first groups to take note of potential changes in the market were accountants. Interestingly, the accounting profession prophesied the advent of attorneys' tax clinics (Loeb and Bloom 1977-78, p. 30). In part, this became fact with the joint venture of H & R Block Incorporated and Hyatt Legal Services. This venture brought under one roof the tax and legal clinic (Business Week 1980, p. 76). Whereas the legal clinic concept has been in existence since at least 1972, the Bates Decision made the concept more workable. This same article noted the significance of marketing to the legal clinic concept, "Some experts say that marketing and administrative problems often overwhelm such clients. . . . A lot fail because the lawyers starting them are not very good managers" (Business Week 1980, p. 78).
The arrival of numerous legal clinics and the relatively novel way of delivering legal service began to explode by the end of 1978 (Wall Street Journal 1980, p. 1). Some of the changes documented were as follows:

1. Legal Clinics using price competition, high volume, and streamlined procedures.
2. Sophisticated do-it-yourself legal packets with limited attorney contact.
3. Group and prepaid legal service plans (legal insurance).
4. Improved and expanded lawyer referral services including fee structures.
5. Competition across state lines with multiple offices.

The increased level of activity and competition in the legal service marketplace had other business implications. Some firms were not ready for the strategic and tactical planning necessary to handle the business decisions they had implemented into their law practice. A New York law firm ran an advertisement in four business publications aimed at corporate clients that needed help in recovering bad debts. The advertisement drew 1,000 responses. The
firm then was "... startled to realize that there's more to marketing than advertising. It had to assemble a sales presentation for perspective clients" (Wall Street Journal 1981, p. 1). The profession learned that advertising could pay for itself. One report showed that an average of $7.93 in fees was received for each dollar spent on advertising by attorneys (Wall Street Journal 1980, p. 1).

**Texas Since the Bates Decision**

The Bates Decision effectively left Texas attorneys in an unknowing condition with respect to the Disciplinary Rules. The rules had to be amended to reflect the changes brought about by the Bates Decision. A simple review of events in the State of Texas since the decision provided a picture of how little had occurred to clear the issue. The events were as follows:

1. June, 1977: The Bates Decision
2. June-July, 1977: A State Bar working committee was appointed by the State Bar president.
3. October, 1977: The State Bar Board of Directors received the proposal for the revised Disciplinary Code provisions from the working committee.

7. August, 1978: Another special committee on advertising was appointed.

8. August-September, 1978: Committee hearings with various media and consumer groups.

9. December, 1978: The Supreme Court of Texas suspended Disciplinary Rules 2-101 and 2-102, to the degree that they conflicted with the Bates Decision.

10. December, 1979: Committee met to propose a second referendum to be submitted to the State Bar membership.

11. April-May, 1980: Second referendum was submitted to the membership of the State Bar of Texas.


The previous summary outlines the events that took place in the State of Texas after the Bates Decision. The two referendums that failed were believed to be indicative
of the predominant disposition held by attorneys in Texas. The returned ballots in the first referendum numbered 81 percent for passage. The second referendum showed a similar response from the returned ballots of 82 percent for passage. The explanation was that attorneys who were against revision (regardless of the Bates Decision) simply did not return their ballot. This in effect was essentially two votes against, given the necessity of having 51 percent of all members voting to validate the referendum.

The Bates Decision had a very important and substantial impact on the regulation of the legal profession with respect to marketing legal services. As has been documented previously, the Bates Decision had a direct effect in the State of Texas concerning the Disciplinary Rules that govern attorney behavior and specific marketing practices in particular.

In summary, the review of the circumstances surrounding the Bates Decision (both nationally and in Texas) was provided as a bridge in the comparing and contrasting the legal and marketing perspectives concerning the marketing of legal services.

The Marketing Perspective

The issues of legal service marketing as viewed from the marketing standpoint were numerous. The review of pertinent marketing concepts and terminology is necessary to
gain a thorough understanding of them before a review of their application in the legal service area could be fully appreciated. In particular, the concepts or definitions of marketing, marketing management, service marketing, and professional service marketing are presented.

The Scope of Marketing

It has been stated that the term "marketing" was first introduced between 1906 and 1911 even though the concept of marketing has essentially been evidenced for thousands of years (Bartels 1976, p. 3). For numerous years, marketing was defined in terms of the traditional business enterprise. Such examples were taken from E. Jerome McCarthy (1975). His definition of marketing from a macro perspective was as follows:

Marketing is concerned with designing an efficient (in terms of use of resources) and fair (in terms of distribution output to all parties involved) system which will direct an economy's flow of goods and services from producers to consumers and accomplish the objectives of the society (McCarthy 1975, p. 18).

He also presented a micromarketing definition which narrows to the following:

Marketing is the performance of business activities which directs the flow of goods and services from producer to consumer or user to satisfy customers and accomplish the company's objectives (McCarthy 1975, p. 19).

The previous definitions emphasize the process, flow, and result of activities involved in marketing. However,
in an important marketing article dealing with an expanded or broadened view of marketing Kotler and Levy (1969) suggest the following:

The choice facing those who manage non-business organizations is not whether to market or not to market, for no organization can avoid marketing. The choice is whether to do it well or poorly, and on this necessity the case for organizational marketing is basically founded (Kotler and Levy 1969, p. 15).

Thus, these authors have suggested that marketing is essentially applicable to any organization. In fact, his statement suggests that all organizations are involved in marketing.

Kotler presented a broad encompassing definition of marketing that remained somewhat simplistic in concept. This definition was stated as, "Marketing is human activity directed at satisfying needs and wants through exchange processes" (Kotler 1980, p. 10). Therefore, how exchanges are created, stimulated, facilitated and valued is marketing (Kotler 1972, p. 49). This definition can be equally applied to profit and nonprofit organizations. Further, the definition can be utilized for both product and service oriented organizations.

**Marketing Management**

The tasks of planning, organizing, directing and controlling any organization could broadly be referred to as management. When these tasks are applied to the marketing
function of an organization then the concept of marketing management is formed. Kotler has defined marketing management as follows:

... the analysis, planning, implementation, and control of programs desired to create, build, and maintain mutually beneficial exchanges and relationships with target markets for the purpose of achieving organizational objectives (Kotler 1980, p. 19).

This definition expresses marketing management in terms broad enough to be applied to any organization. That is, marketing management is the management of the exchange process, whatever that exchange might be.

The evaluation of specialized marketing management philosophies was also of importance to this study. The works of Kotler revealed several marketing management philosophies. The first of these was the production concept. The first of these was the production concept.

The production concept was defined as follows:

... a management orientation that assumes that consumers will favor products that are available and affordable, and, therefore, the major task of management is to pursue improved production and distribution efficiency (Kotler 1980, p. 20).

This philosophy focuses upon the product as distinct from the evaluation of its possible application to the legal profession.

The second philosophy that was reviewed from Kotler's writings was the selling concept. This concept stresses moving the good or service rapidly. The concept is volume-oriented. Kotler defined this concept as follows:
". . . a management orientation that assumes that consumers will either buy or not buy enough of the organization's products unless the organization makes a substantial effort to stimulate their interests in the product" (Kotler 1980, p. 21).

The developments in the legal profession after the Bates Decision seemed to demonstrate, in part, the selling concept as described by the definition.

The final marketing management philosophy presented for review was the marketing concept. The marketing concept has as its focal point the consumer. This orientation has been stated in many phrases such as, "The customer is King," "Find wants and fill," and "Love the customer and not the product," (Kotler 1980, p. 22). The explicit definition presented by Kotler was as follows:

... is management orientation that holds that the key to achieving organizational goals consists of the organization determining the needs and wants of target markets and adapting itself to delivering the desired satisfactions more effectively and efficiently than its competitors (Kotler 1980, p. 22).

Thus, in essence the marketing concept is a way for the organization to achieve profits (however, these profits may be measured, in dollars for a business, or new members for a religious organization) through customer satisfaction.

In summary, each of the three philosophies presented was deemed to have possible applicability to the legal profession. The three philosophies each has a different
primary focus as the key to achieving the organization's goal. The production concept is focused upon the product, the selling concept has as its central orientation the needs of the seller (i.e., to convert his product into cash). Finally, the marketing concept has a consumer orientation and the satisfaction of that consumer as its primary focus (Kotler 1972, p. 49).

Service Marketing

A review of service marketing was viewed as an appropriate topic for discussion. The concept of services in marketing terminology has special significance even though it is routinely coupled with the concept of the product. One author defined "product" from a marketing perspective as "... any wants-satisfying good or service and its perceived tangible and intangible attributes" (McDaniel 1979, p. 124).

A search of the literature revealed many significant distinctions between product and service offerings, especially with respect to how these distinctions impact marketing management, marketing strategy, and the marketing mix. A more explicit definition for "services" was sought next. Judd suggests the following definition of marketing services, "A market transaction by an enterprise or entrepreneur where the object of the market transaction is other than the transfer of ownership (and title, if any) of a
This definition sought to distinguish services that were attached to a tangible product (i.e., warranty service contract with a television) as distinct from an independent offering of a service (i.e., legal or dental service).

Other writers sought to incorporate some of the more significant characteristics of services into their definition. Baranoff and Donnelly (1970) suggested the following definition for marketing services: "... separately identifiable, tangible activities which provide want satisfaction when marketed to consumers and/or industrial users and which are not tied to the sale of a product of another service" (Baranoff and Donnelly, p. 44). The concept of a service entails several characteristics that tend to distinguish it from a product concept. Baranoff suggests the following as unique characteristics of services:

1. Intangible nature.
2. Creditor-Client relationship.
3. Lack of need for logistics.
4. Highly differentiated marketing systems.
5. Inseparability of service from creator of service.
6. Highly fluctuating demand.
7. Perishable nature of service at creation.
The investigation of the characteristics of services points to the possibility of the need for specialized strategies for marketing services. For example, Baranoff and Donnelly state the short and direct nature of the service channel accents the impact of the location decision.

An empirical study by George and Barksdale revealed several differences in the marketing practices of service versus product firms (1964, p. 65). These authors report that service firms are less likely than manufacturing firms to perform offering analysis, develop sales training programs, use marketing research or spend as much on marketing in relationship to gross sales.

Another contribution to the understanding of service marketing was presented by Rathmell. He made a definitive distinction with respect to the distribution and delivery of services. He suggested that location should refer to the distribution of people and facilities prepared to perform services (Rathmell 1974, p. 104). Similarly, the channel should refer to a network designed to deliver services to the ultimate consumer or industrial user. In summary, location equals distribution and channel equals delivery.

The concept of service marketing management was presented as being different in conception than product
marketing management in two articles presented at the American Marketing Association's Marketing of Services special conference (Booms and Bitner 1981 and Lovelock 1981). These articles pointed to several consistencies between products and services but still suggested a need exists for different marketing management strategies. Another article, presented at the same conference, introduced an interesting contrast. This author argued that the real point of importance was that neither goods nor services is actually marketed. Rather, the bundle of benefits, whether tangible or intangible, should be the focus. Therefore, though the product or service may vary, similar strategies may be appropriated when the bundle of benefits is similar (Enis and Roering 1981).

In summary, the previous discussion of service marketing sought to review several major issues dealing with service marketing and its relationship to the total marketing function of the organization. The relevance of this discussion to legal service marketing is dramatic. Numerous points have impact on the legal service industry as it embarks into marketing management in the wake of the Bates Decision.

**Marketing Professional Services**

The review of the marketing literature that has been presented was intended to narrow progressively the topical
matter. The discussion has focused upon the scope of marketing, marketing management, service management, and service marketing management. Attention will next be focused upon the marketing of professional services and marketing legal services in particular.

The marketing of professional services was found to be dealt with (extensively) in the marketing literature. An article by Kotler and Connor suggested that specific programs were needed for managers of professional service firms (1977, p. 71). These authors recognized three major forces that service firm marketing managers would have to cope with:

1. Assaults on professional codes of ethics.
2. Changing expectations of clients to more client centered service.
3. Increased competition (Kotler and Connor 1977, p. 72).

The professions were seen as being basically against marketing inroads in their professions. These authors further noted several barriers present in the professions. The first of these was the professional's "distain of commercialism." For example, a professional collects a "fee" rather than "money." The second barrier suggested was the various associations' code of ethics. These standards
of practice tend to limit the practice of effective marketing techniques. The third was the equating of marketing and selling. The fact that most codes of ethics ban selling techniques, seemed to be an explanation as to why other areas of marketing received such little attention. Kotler and Connor conclude by stating that effective professional strategies can be developed that are consistent with professional objectives as well as what might be termed traditional business marketing objectives (1977, p. 75.).

The professions tended to view advertising somewhat differently among themselves (Darling 1977, p. 48). This study reported that all four groups included in the study (accountants, attorneys, dentists, and doctors) reacted negatively to the advertising issue. However, the accountants and attorneys seemed to have a more positive response to the potential role that advertising could play in their professions. Darling concluded that marketers should educate the professions concerning the potential advantageous role that advertising could play within their professions.

The need for consumer education concerning availability, and specifically, concerning professional services was also reported in the literature. Stratton reported that public pressure on various professional groups has
outstripped the potentially damaging image for professionals that promote themselves (1979, p. 72). Stratton forecast that professional advertising would become a rule rather than the exception within a few years.

Many professionals in various fields have contended that advertising lowers quality as well as the image of the profession (1980, p. 122). Conversely, professionals who do advertise see advertising as a method for increasing the availability of services to those who need it as well as developing price competition (1980, p. 124). A study of attorneys, accountants, dentists and doctors reported that these professions did not believe the public would be more aware nor would advertising assist the consumer in making a choice of professional services (Darling 1978, p. 23). Another writer, however, concludes that advertising "could produce vastly different outcomes in different markets of even a single profession" (Bloom 1977, p. 110).

The advances in marketing accountants' professional services were noteworthy. One article presents a "quiz" for evaluating a Certified Public Accounting firm's marketing orientation (Keane 1981, p. 12). This author stressed the need for a total marketing orientation of the professional Certified Public Accountant firm. That orientation was suggested as needing to reach from top to bottom in the firm. Similarly, an article notes the increased and
fierce competition among accounting firms as a result of firms apparently employing many of the suggestions summarized in the previous article (Yav 1981, p. 27).

**Legal Service Marketing**

Attention was next directed specifically at the literature dealing with legal service marketing. Various articles discussed the expansion of marketing techniques into the legal services field. One article discussed the relative advantages and disadvantages of prepaid legal insurance. The article reported that the systems approach would allow attorneys to practice law and leave administration to a system such as a legal insurance company (Clayton 1977, p. 10). Another article suggested that attorneys move toward the use of direct mail as an alternative to the mass media (Marshall 1978, p. 81).

Three substantive articles dealt directly with the issue of attorney advertising. A study by Shimp and Dyer investigated lawyers' attitudes toward legal service advertising and the relationship between attorneys' personal, practice related, and attitudinal characteristics and intentions to advertise (1978, pp. 74-81). This study was conducted prior to the final judgment in the Bates Decision, but during the turmoil that surrounded that case. The study made use of Likert-type statements dealing with four major issues. The issues investigated were as follows:
1. Philosophic reasons for and against advertising.
2. Economic considerations.
3. Issues concerning the potential impact of legal advertising on consumers.
4. Issues concerning the implementation of advertising (Shimp and Dyer 1978, p. 75).

The conclusions of this study with respect to the philosophic issues were of notable importance. The attorneys recognized the inadequacy of existing sources of information, but thought the nature of the attorney-client relationship was not suitable for the use of advertising. The attorneys responded to the economic issues stating that advertising would generally increase demand slightly but would not improve quality, lower price, nor create positions for new attorneys. The attorneys did not think that advertising would facilitate the selection process, but rather, that it would ultimately be detrimental to public confidence in attorneys and, "tend to become deceptive and confuse rather than enlighten potential clients" (Shimp and Dyer 1978, p. 77). Information on attorney advertising content was gathered. The study reported that attorneys generally believed that price should not be included but area of specialization, attorney qualifications and general attorney data were viewed as appropriate. The media the
attorneys generally found appropriate were yellow pages and law directories.

The study reported the findings of a discriminant analysis to examine relationships between advertising intentions and various characteristics. The analysis found among the discriminating variables that attorneys who intend to advertise tend to "be younger, practice by themselves or with a small firm and focus more on legal affairs of individuals rather than businesses or institutions" (Shimp and Dyer 1978, p. 80). The same authors continued their work and developed a decision path model for attorneys with respect to advertising and intentions to continue advertising (Shimp and Dyer 1981).

The consumer's perspective of the attorney advertising issue was investigated by Smith and Meyer (1980). This study looked specifically at the criteria consumers used to select attorneys, how important the criteria should be and whether or not consumers actually used the criteria they rated as important (Smith and Meyer 1980, p. 59). The importance ratings were gathered from both consumers and attorneys.

The study supported previous findings that personal acquaintances and personal recommendations were the most frequently used technique to select an attorney. The study showed information available through State Bar Associa-
tions' service was the least used. The attorneys tended to report similar rankings of the criteria that they thought their clients were using. More important was the degree of discrepancy between actual and stated importance by consumers. The conclusion, consumers tend not to actually use the criteria they state as the more important criteria. This could very well be due to lack of information on those criteria.

Smith and Meyer concluded that legal advertising was "warranted" (1980, p. 63). This was based upon the consumers' need and right to information. Conversely, advertising was not suggested as the whole or total answer to the problem, that is, advertising was only a partial solution.

The last article reviewed attempted to move away from the partial solution. Darden, Darden, and Kiser finally moved toward a comprehensive view of the legal service issue (1981), p. 123). This article studied consumers, users, and nonusers of legal services with respect to demographic characteristics and perceptions of information sources as well as the importance of needs for legal services. The authors' findings generally supported literature from the legal and sociological fields relating to usage of legal services.

Darden, Darden and Kiser did suggest various marketing techniques to help solve various marketing related problems.
The authors dealt with product knowledge, legal retailing, promotion, pricing, and environmental relationships. This article indeed took a large step forward in applying a total marketing perspective to the legal service area. The study fell short in the analysis of the total environment that attorneys operate within. The need for marketers to understand the environments of courts, attorneys, and bar associations is just as important as the attorney's need to understand the clients' environment.

In summary, a review of both legal and marketing literature was undertaken. The legal literature tended to present a hostile attitude in general toward marketing and advertising in particular. This appeared to be the result of the profession's desire to maintain its integrity. The marketing perspective revealed a narrow understanding of the legal environment. Marketing literature tended to focus upon the needs of the consumer and how marketers would like to apply marketing techniques to the legal service area. In short, both perspectives were short sighted and narrow. The need for a broader perspective of both marketing and legal environments seemed evident.
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CHAPTER III

DESCRIPTION OF RESEARCH METHODOLOGY

This chapter describes the research procedures and techniques for the collection of both primary and secondary data. The secondary data were collected from legal and marketing literature with special attention to the Civil Statutes of the State of Texas (1980). The primary data were collected from a sample of members of the State Bar of Texas. Further, the chapter details information concerning questionnaire construction, sampling procedures, and statistical analysis employed in the study.

Secondary Research Procedure

A study of secondary sources was utilized to gather information with respect to the following specific areas of investigation:

1. What is the stated mission and purpose of the State Bar of Texas?
2. Are attorneys engaged in the marketing process?
3. What, if any, is the implicit marketing management philosophy with respect to clients?
The investigation of the first area was undertaken by a search of the Civil Statutes of the State of Texas, in particular "Title 14, Attorneys at Law" was utilized to find the explicit statement of the mission and purpose of attorneys in the State of Texas (Vernons 1980, p. 244).

The second area dealt with the issue of whether attorneys are engaged in the marketing process. This investigation required a two-step procedure. First, a composite definition of marketing was garnered from major writings in the marketing field. These definitions were chosen from the works of Philip Kotler (1980, p. 49), E. Jerome McCarthy (1975, p. 18), and the American Marketing Association (1960, p. 1). Secondly, an investigation of attorney activities was sought again from the Civil Statutes of the State of Texas. The attorney's statement of mission and purpose was examined with respect to the marketing definition. Then a comparative analysis was made between the definition of marketing and attorney activities.

The final area to be examined through secondary data sources dealt with the implicit marketing management philosophy presented in "Title 14, Attorney at Law," Civil Statutes of the State of Texas (Vernons 1980). This implicit analysis was compared specifically with the writings of Philip Kotler on various marketing management philosophies (1980, pp. 20-26). Based upon implicit findings in the legal writings and the criteria available from the
marketing literature, a determination was made of the attorneys' stated marketing management philosophy in the State of Texas.

Primary Research Procedure

The primary data needed from the respondents were both factual and attitudinal. The construction of the questionnaire instrument was attempted only after a review of pertinent theories and concepts with respect to scaling and attitude measurement. The instrument was pretested and revised accordingly. The questionnaire was mailed to a systematic random sample of the State Bar membership. The returned questionnaires were coded into a data set and subjected to various analytical techniques. Each of these steps in the primary data procedure is presented below in detail.

Attitude Measurement

Primary attitudinal data were collected from the attorney sample with respect to marketing philosophies and various marketing topics. In order to develop an adequate instrument to measure those attitudes, a review of attitudinal measurement and scaling techniques was undertaken. The works of researchers, scholars, and writers from various disciplines were utilized to enhance conceptual understanding of scaling (Maravell 1974, p. 10; Torgenson 1958, p. 13; Green and Tull 1978, p. 162).
A constant-sum scale was used to gain insight into attorney perceptions of the various publics with which the attorney deals in the practice of law (Green and Tull 1978, p. 177). From the review of the literature, it was determined that a Likert scale served the needs of the research at hand for the majority of the attitudinal information that was required. The Likert scale is a summated scale that provides for a cumulative scoring for a particular construct over several questions. The limitations of the Likert scale were noted in the literature (Bellenger and Greenberg 1978, p. 146). The use of any measurement technique has some disadvantages. The researcher must be aware of them and use appropriate techniques for minimizing possible weaknesses. One such technique involves the reliability of the instrument with respect to attitudinal statements. A test of reliability was incorporated into the analysis of the attitudinal statements.

Fact Measurement

Factual information was obtained through multiple questions in several forms. Both open-ended and closed-ended questions were utilized. Primarily, questions with closed-ended response categories were presented. As appropriate, a response category of "other (please specify)" was offered to allow for other pertinent responses. The
inventory method of questioning was used to facilitate multiple responses to a single question.

Factual data were required from several areas of interest including demographic data on the respondents and their legal practice. Factual responses were solicited concerning selected reading material of the respondent and the use of formal and nonformal business plans.

**Questionnaire Construction**

The construction of the instrument was performed in multiple stages. This allowed for the appraisal and revision of the questionnaire at various points in the process of developing the final instrument. The final instrument had seven sections, and the development of each section will be covered in the following discussion.

**Section I. Marketing Attitude Statements.**—The first section of the questionnaire was developed in an attempt to measure attorney attitudes toward three marketing management philosophies—production, sales, and consumer orientation. A five-point Likert scale was presented with the following response categories: strongly agree, agree, neutral, disagree, strongly disagree. The response field was a total of ninety millimeters across. That is, there were five response lines for each question, arranged horizontally, each ten millimeters long, and each line was
separated by a blank space of ten millimeters. The five response lines added to the four blank areas resulted in a total response field of ninety millimeters. This degree of care was taken with the physical scale field to help convey to the respondents the perception of equal appearing intervals between each of the response categories. These statements were developed by the researchers from the criteria synthesized and presented by Kotler on the various marketing management orientations (1980, p. 20-26).

A second group of attitudinal statements using an identical type Likert scale was developed to measure the degree of marketing concept orientation adhered to by the respondent. These specific statements were developed by the researcher on the basis of similar research work aimed at accounting firms (Keane 1981, pp. 12-13).

**Questionnaire Prestest.**—A group of thirty-two original attitudinal statements was developed and discussed with attorneys and members of the executive board of the State Bar of Texas. After revision, a pilot questionnaire was administered to a sample of twenty-six attorneys. Members of the pilot group were a convenience sample selected primarily for their willingness to cooperate in the project. However, it should be noted that the sample included attorneys with diverse backgrounds and practices—individual practices, in-house corporate attorneys,
lobbyists, legal educators, and both small and large partnerships. These individuals were telephoned to solicit their help prior to mailing the pilot questionnaire. The attorneys were encouraged to answer the questionnaire but were to make comments on any question concerning wording, clarity, and interpretation.

All of the pilot questionnaires were returned, and the comments for each individual question were evaluated. The pilot questionnaire was reviewed and critically appraised by experienced researchers holding advanced degrees in marketing and statistics.

The results of the pretest led to a reduction in the number of statements utilized in the final questionnaire as well as changes in wording and sentence structure. A copy of the final questionnaire is presented in Appendix A. In the actual test instrument, the three marketing management orientations were each represented by four attitude statements. The statements corresponding to the appropriate orientation are presented as follows:

1. Production Orientation Statements in Section I
   1. Consumers of legal services are primarily interested in the price.
   4. Clients know the feature differences (such as an area of specialty) of competing attorneys or firms.
7. Clients choose from among competing attorneys or firms on the basis of obtaining the best quality.

10. Improving service quality is the key to attracting and holding clients.

2. Sales Orientation Statements in Section I

2. Consumers of legal services will not utilize attorneys unless the attorney or firm makes a substantial effort to stimulate their interest in its services.

5. Legal services are sold rather than bought.

8. Clients can be induced to utilize more legal services through various sales stimulating devices.

11. Organizing a strong volume-oriented firm (attorney) and staff is the key to attracting and holding clients.

3. Consumer Orientation Statements in Section I

3. Consumers of legal services can be grouped (into different market segments) depending upon their needs with respect to legal services.

6. Legal service consumers in any group (with similar needs) will seek the ser-
vices of an attorney or firm which comes closest to or specializes in their needs.

9. Developing effective services and programs for a selected group(s) is the key to attracting and holding clients.

12. An attorney or firm should determine the needs of the client group(s) and then adapt services and organization to satisfy the clients.

The remaining attitude statements (statements 13 through 22) used in the final questionnaire were used to measure a consumer versus nonconsumer orientation of the respondents. That is, half the statements were phrased with a negative consumer orientation and half with a positive consumer orientation. These statements were divided as follows:

1. Negative Consumer Orientation in Section I.

13. Marketing legal services means selling legal services.

15. Marketing legal services means advertising legal services.

17. Marketing for an attorney or legal firm is inconsistent with attorney professionalism.
19. It is best for an attorney or firm to hold business development, strategy meetings outside regular business hours.

21. Less than 10 percent of an attorney's or a legal firm's total business time should be spent on planning and preparing for business development.

2. Positive Consumer Orientation in Section I.

14. Developing new business for a legal firm (or attorney) is important enough to put a partner (member) in charge with firm-wide responsibility.

16. A legal firm (or attorney) has a need to educate itself about legal service marketing.

18. An attorney or legal firm should have a written business and marketing plan.

20. Actively seeking new clients with immediate needs is consistent with attorney professionalism.

22. Cultivating contacts with potential clients for their future needs is consistent with attorney professionalism.

Section II. Promotional Appeals.--This section of the questionniare was designed to measure attorney atti-
tudes toward various issues of message content. The attorneys were asked to evaluate the professional appropriateness of utilizing specific promotional appeals (message content) when communicating with consumers. The respondents were provided with a five-point Likert scale comprising the following response categories; very appropriate, somewhat appropriate, neutral, somewhat inappropriate, very inappropriate.

The various issues were presented in the pilot survey described in the discussion of Section I of the questionnaire. The options were revised with respect to wording and clarity before the final group was assembled.

The issues selected for inclusion in the final questionnaire are presented below in the order in which they appeared on the questionnaire. They are as follows:

1. Hours of operation
2. Pricing of specific services
3. Flat hourly rates
4. Statements concerning quality of service
5. Location of office(s)
6. Statement of certification in specialization area(s)
7. Telephone number(s)
8. Types of cases you want to handle
9. Law school(s) attended
Section III. Media.—The third section of the questionnaire sought to measure attorneys' attitudes toward the usage of particular communication media. The attorneys were asked to evaluate various media with respect to appropriateness for use by the legal profession. The attorneys were asked to respond on a five-point Likert scale comprising the following response categories: very appropriate, somewhat appropriate, neutral, somewhat inappropriate, very inappropriate.

The media list was presented to the attorneys for evaluation in the pilot questionnaire and was carefully revised for wording and clarity of meaning. The media list selected for inclusion in the final questionnaire is presented below:

1. Yellow Pages
2. Newspapers
3. Professional/Academic Journals (i.e., State Bar Journal, etc.)

4. Popular/News magazines

5. Television

6. Radio

7. Billboard

8. Direct Mail

9. Handbills

10. Transit (bus, cab, etc.)

11. Circulars/Shopping Guides

12. Trade/Association magazines (i.e., Women's Wear Daily for women's apparel industry)

Section IV. Attitude Toward Various Publics--This portion of the instrument measured the relationship the attorney perceives between him and five predominant publics. A constant-sum scale was employed to measure the relationship as viewed by the attorneys. Attorneys were asked to respond based upon the degree of importance that they attached to serving the interest or welfare of these five publics.

This question was presented in the pretest and was reworded based upon the response from members of the pilot study. The five groups that were presented for evaluation in the question are as follows in the order which they appeared on the questionnaire:
1. Courts
2. Client
3. General Public
4. State Bar
5. The Firm or Your Private Practice

Section V. Business Planning.—This section of the questionnaire sought to gain data from the respondents concerning the type of business planning used by the attorney or firm. This section was presented in the pretest and revised based upon the response. It became readily apparent that an additional question dealing with informal, non-written business plan was appropriate for this particular section.

Questions in this section dealt with two basic areas. The first was whether the firm or individual attorney utilizes a written business plan. If so, five additional sub-questions were to be answered by the attorney. These questions dealt with the topics presented below:

1. Who within the firm prepared the plan?
2. Was help external to the practice employed in the preparation of the plan?
3. What are the time scope(s) of the plan?
4. What areas of business activities are included in the plan?
5. What marketing activities are included in the plan?
The final question inquired whether an informal, unwritten business plan was used by the attorney or firm.

Section VI. Readership Information.--An inventory question was used in this section to measure the attorney's joint or individual subscription to various periodicals, journals, and newspapers. A list was presented in the pre-test questionnaires and revised based upon the comments of the responding attorneys. The following is a list of the publications covered in this section, and they are presented in the order in which they appeared in the final questionnaire:

1. Barons
2. Business Week
3. Forbes
4. Fortune
5. Journal of Management
6. Journal of Marketing
7. Newsweek
8. Texas Business
9. Time
11. Wall Street Journal

Section VII. Categorical Data.--Factual data were requested for respondent classification. The majority of
the categorical questions was taken from a previous State Bar Study conducted by the State Bar of Texas in the spring of 1981 which utilized similar sampling procedures. The match of the categorical questions with previous research enabled this author to measure sample representativeness of the population as a whole.

The data obtained dealt with nineteen items contained in twenty-two questions and sub-questions. The categorical areas for which data were collected are presented below:

1. Validation for State Bar membership
2. Zip code for principal office
3. Age
4. Sex
5. Ethnic background
6. Length of time admitted to any bar
7. If degree held in law
8. Where legal training was obtained
9. Extent of current occupation involved in legal practice
10. Primary legal occupation
11. Number of chargeable and nonchargeable hours per month
12. Percent of income from legal practice
13. Areas of legal practice concentration
14. Volume of practice
15. Areas of board certified specialization
16. Undergraduate degree background
17. Graduate degree background
18. Standard hourly rate
19. Personal net income

Cover Letter

The cover letter that appeared as the first page of the questionnaire bore the photograph and signature of the President of the State Bar of Texas, Wayne Fisher, to enhance the personalized appeal of the State Bar President to his membership. The cover letter was prepared by the researcher and submitted to Fisher and the Executive Committee of the State Bar for review.

Physical Composition of the Questionnaire

The production of the questionnaire was done by the inhouse print shop of the State Bar of Texas. The questionnaire was typeset and reproduced on a three page tri-fold, thus using both sides of each page—six sides available for printing. This procedure eliminated the possibility of pages missing during collating. The final version of the questionnaire was reviewed and approved by the office of the Executive Director of the State Bar and the Texas Supreme Court.
Mailing Information

The questionnaires were mailed to the sample members via first class mail. The postage was preprinted on State Bar envelopes, and the envelopes were addressed by heat activated labels that were computer-printed from the State Bar membership rolls.

The return envelopes had business reply pre-printed postage, and were pre-addressed to the State Bar of Texas Executive Offices. Copies of both outgoing and return envelopes are presented in Appendix A.

The questionnaires were mailed from Austin, Texas, and returned to the State Bar of Texas in Austin, Texas. Returned questionnaires were accepted for thirty days from the date of mailing. This time period was suggested by the Assistant Executive Director of the State Bar of Texas based upon response patterns from previous bar mailings.

Sampling Procedure

The population for this study was identified as licensed practicing attorneys in the State of Texas. The sample frame selected for the study was the membership roll of the State Bar of Texas. This frame was considered very consistent with the population of the study because to practice law in the State of Texas, an individual must be a member of the State Bar of Texas. Known frame error
existed due to retired attorneys still on the bar membership roll. The State Bar had no knowledge of which members on its roll were retired or not practicing. A previous bar study from a similar sample produced a 2 percent response from retired members, and this was accepted as a sample frame limitation.

Sample Size

The determination of the sample size for this study was impacted by three major considerations: (1) the adequacy of the sample size to meet minimal levels of statistical inference to the population; (2) the adequacy of the sample size to allow various statistical methods of analysis to be employed; and (3) the desirability of matching the sample size of a previous bar study in order to draw comparative analysis from the two studies.

The minimal sample size based upon statistical criteria was derived from an appropriate formula for proportions with a finite universe correction factor (Spalding 1976, p. 13).

\[
\begin{align*}
  n &= \frac{p(q)}{E^2 + \frac{p(q)}{Z^2}} \\
  &= \frac{.5 (.5)}{2} \\
  &= \frac{.05 + .5 (.5)}{2.576 + 32,168} \\
  &= 650.16 \text{ or rounded to } 650
\end{align*}
\]
Where:  
\( n \) = sample size  
\( N \) = population size  
\( p \) = percent of the sample that are practicing attorneys in the State of Texas, assumes .5 in case to maximize  
\( E \) = allowable error, .05 in this case  
\( Z \) = the confidence level in standard normal deviate units, .99 in this case  
\( q \) = percent of the sample that are not practicing attorneys (1-p)

The adequacy of sample size with respect to planned statistical analysis was considered. Several statistical measures were to be performed but the discriminant procedure appeared to present the most severe constraint in terms of minimal sample size. In order to adequately utilize the multivariate discriminant technique, a predictive validation sample of at least 300 was needed. (This validation sample group in the discriminant analysis separated from the remaining cases during the initial analysis phase as a test of the classification ability of the discriminant function).

The third consideration in the selection of a sufficient sample size pertained to a previous bar study. The study conducted by the State Bar of Texas had sampled 10 percent of the State Bar membership making a total of 3,500 members who were sampled previously. It was desired that match between the previous study's sample and this research be achieved to provide a basis of comparison between the characteristics of the respondents.
In summary, the desired match with the previous State Bar study provided the most restrictive constraint with respect to desired sample size. Thus, 10 percent of the total State Bar membership was chosen as the criterion for selecting the sample size. The membership roll contained 35,772 as of July 1, 1981, and 3,577 questionnaires were sent to approximately 10 percent of the total State Bar membership.

**Sampling Technique**

The sampling procedure employed in this study was a systematic random technique. The sample frame was the State Bar membership roll which is arranged by membership numbers. The numbers are assigned when the member passes the State Bar exam and reassigned when a member drops off the roll.

The systematic sampling technique selected every tenth name from the list after a random starting point was obtained. A random number generator indicated the starting point to be the eighth name on the list.

**Statistical Analysis**

The analysis of the primary data was achieved through various statistical techniques. The data were entered into a computer file for the Statistical Package for the Social
Questionnaire Section I. Attitude Statements

The first section of the questionnaire contained two distinct groups of attitudinal statements. The first group comprised statement numbers one through twelve. The statements were further divided into three groups representing the production, sales, and consumer orientation. A summated score for each orientation was obtained. Next, the summated score was used as a basis for dividing the respondents into high, neutral, or low groups for each orientation. The divisions were accomplished by an inspection of the summated score distribution for each orientation.

The test of reliability was performed on the attitudinal statements for each orientation. This was accomplished by use of the SPSS subprogram Alpha Test of Reliability. This program generates Cronbach's Alpha as well as the standardized item alpha. Further, factor analysis was employed to analyze the groupings of the summated variables.

The next step was to crosstabulate the summated variables for each of the orientations against each of the other two orientations. The cells were inspected for adequacy in performing a simple chi-square test of significance. The general rule of not more than 20 percent of the
cells with expected frequencies of less than five was used (Bellenger and Greenberg 1978, p. 239). The .01 level of significance was the criterion for the chi-square test.

The second group of attitudinal statements comprised numbers thirteen through twenty-two. A summated variable was converted to a consumer or nonconsumer designation (hereafter referred to as the "Consumer-orientation variable). The conversion was based upon the distribution of the responses across the respondents.

The SPSS subprogram Alpha Test of Reliability was performed on the ten statements that constitute the second part of Section I. The statements were appraised by their coefficients of reliability generated by the program with respect to the measurement of a consumer orientation designation. Factor analysis was run on these variables to analyze the variables that tended to load together.

The next procedure was to standardize the data in all attitude statements of Section I. The process involves the simple transformation of the raw data in Section I, questions one through twenty-two, to the following form:

\[
Z = \frac{X - U_X}{G_X}
\]

Where:  
\( Z \) = Standardized score  
\( U_X \) = sample mean on the attitudinal statement
The purpose of this transformation was to improve the validity of such parametric tests as analysis of variance (Bartlett 1947, pp. 39-53; Kerlinger 1973, pp. 440-441; Morrison 1969, p. 158).

The analysis as described for Section I of the questionnaire prepared the data for combination with variables in other sections of the questionnaire in order to perform further analyses. The use of these variables from Section I are described as appropriate when utilized in combination with variables from other sections.

**Questionnaire Section II. Promotional Appeals**

The first step in the analysis of this section was to run simple summary and descriptive statistics on the fourteen issues evaluated. The next step was to standardize the raw data from statements one through fourteen. This was accomplished using the same procedure and formula as was previously cited in the standardization of data in Section I of the questionnaire.

Following the standardization process, a one-way analysis of variance was performed. The independent variable was the consumer-orientation variable computed in Section I. This independent variable was then run separately using each of the fourteen promotional issues as dependent vari-
The level of significance for the F statistic was chosen at the .01 level.

The next step to be undertaken was the calculation of Pearson product moment correlation coefficients for Section II with the consumer-orientation variable from Section I. The data were assumed to be of interval level.

**Questionnaire Section III. Media**

The analysis of Section III corresponds exactly with the analysis conducted on Section II. Only a simplified explanation will be repeated. The data in Section III were analyzed using the simple descriptive and summary procedures for each of the twelve media presented. Next, the raw data were standardized.

The one-way analysis of variance technique was performed for each medium with the independent variable being the consumer-orientation variable from Section I. The dependent variables were the media in each analysis. The Pearson product moment correlations were computed between the consumer-orientation variable and each of the media.

**Questionnaire Section IV. Attitudes Toward Various Publics**

This section measured the respondent’s attitude on a ratio scale toward the five identified publics. The section was analyzed according to respondents who stated the client to be one of the following:
1. Greater importance than any other group.
2. Equal to one or more groups and of greatest importance.
3. Less importance than any (one or more) of the other groups.

This was accomplished by interpretation of the number of points assigned to each public presented.

The next analytical procedure in this section was the one-way analysis of variance. The independent variable was the consumer-orientation variable from Section I. The dependent variables were each of the five publics presented.

**Questionnaire Section V. Business Planning**

This section was analyzed through simple summary and descriptive statistics for each question. A one-way analysis of variance was computed with the dependent variable being the use of a formal written business plan and the independent variable being the consumer-orientation variable. The same analysis was performed with the use of the informal nonwritten business plan as the dependent variable.

Pearson product moment correlation coefficients were computed between the consumer orientation variable and the formal written and informal nonwritten questions. These correlations were inspected for strength and direction of relationships.
Questionnaire Section VI. Readership

The first step in the analysis of this section was through summary and descriptive statistics. A summated value for the total number of newspapers and periodicals subscriptions was created.

The summated readership variable was used as the dependent variable in a one-way analysis of variance. The independent variable was the consumer-orientation variable from Section I.

Questionnaire Section VII. Categorical Data

Summary and descriptive statistics were the initial procedures in the investigation of the data obtained from this section of the questionnaire. There were three questions from this section that were of direct interest in the evaluation of the research questions. Question number sixteen dealing with the volume of practice as well as questions number nineteen and twenty pertaining to college education were pertinent to further analysis.

The volume of practice variable was used as the dependent variable in a one-way analysis of variance. The independent variable was the consumer-orientation variable from Section I.

The respondents holding of a business degree was computed from questions nineteen and twenty. A one-way
analysis of variance was employed with the business degree variable as a dependent variable and the consumer-orientation variable as the independent variable.

Questions sixteen, nineteen, and twenty from this section were paired individually with the consumer-orientation variable in the computation of Pearson product moment correlation coefficients. These were inspected for strength and direction of relationships.

The final procedure utilized data from several sections. This final procedure was multiple discriminant analysis. The purpose of the technique is both for analysis and classification. The groups to be identified were production, sales, and consumer-oriented marketing management philosophies. These groups were first measured in Section I; questions one through twelve created a summated variable for each of the three marketing management philosophies. Based upon the distribution of the scores, the respondents were classified into either a production, sales, or consumer orientation.

The total number of all usable cases were split into approximately equal groups. The purpose of the procedure was to use one set of cases to derive the discriminant function and the other as a validation sample of the model with respect to its ability to classify the "unknown" respondents. Obviously, if the unknown sample cases were
used in the derivation of the model, a predictive bias would be present.

The discriminant procedure utilized a step-wise selection method of the discriminating variables. In this type of procedure, the variables were selected for entry based upon their discriminating power. The first criterion for inclusion in the model was the computation of a minimum partial multivariate F ratio. The ratio was set as a minimum of two for inclusion in the model. Further, a second criterion for inclusion in the model was Wilk's Lambda. This test used "the overall multivariate F ratio for the test of differences among the group centroid" (Nie et. al. 1977, p. 447). In effect, the maximization of the F led to a minimization of Wilk's Lambda which is a measure of group discrimination.

The discriminating variables originally entered into the stepwise discriminant program were taken from several sections of the questionnaire. The data in Section II were combined in a summated score for the fourteen promotional issues that were presented to the attorneys. This summated variable was used as a discriminating variable. The same procedure was employed for the data in Section III. The media responses were summated for the twelve media presented and used as a single discriminating variable.
The data in Section IV were entered as five separate variables. The number of points assigned to each public presented comprised a discriminating variable for inclusion in the procedure.

Data from Section V were used as potential discriminating variables. Dummy variables were constructed from the questions dealing with the use of formal written and informal nonwritten business plans. These were entered as two separate variables in the procedure.

The readership information in Section VI was entered as a single summated variable. The variable was computed as the number of newspapers and periodicals to which the respondents reported subscribing.

Several categorical variables were selected as potential discriminating variables from Section VII. Each of these variables were converted to dichotomous responses such that they could be treated as dummy variables. The categorical questions utilized were as follows:

3. Age, such that forty-six and below was "young", above was "old".

4. Sex, "male" and "female" groups.

6. Years in any bar, such that sixteen or less was "few", more was "many".

10. Percentage of work week in legal profession, such that less than 51 percent or less was "few", and more was "many".
11. Primary legal occupation, such that sole practitioner and firm partner or associate was "private practice" and all other responses were "other".

13. Chargeable hours per month, such that 121 hours or less was "few" and more was "many".

14. Percentage of income from legal profession, such that 51 percent or less was "small", and more was "large".

16. Volume of practice, such that "much more, slightly more and all the practice you can handle" was "busy" and "slightly less and much less practice" was "not busy".

In total, eighteen variables were entered as potential discriminating variables. In summary, there was one variable from Section II, one from Section II, five from Section IV, two from Section V, one from Section VI and eight from Section VII included in the analysis.
CHAPTER BIBLIOGRAPHY


CHAPTER IV
ANALYSIS OF SECONDARY RESEARCH FINDINGS

This chapter presents the findings of the secondary research. The secondary data are analyzed in an effort to answer whether attorneys are engaged in the marketing process and if an implicit marketing management orientation was identified, and to determine the stated mission and purpose of the State Bar.

Secondary Research Analysis

The secondary research was conducted to answer the first study objective presented for this research effort. This objective was stated as "Determine if practicing law necessarily engages an attorney in marketing." The solution of this basic objective suggested three questions which are presented for consideration as follows:

1. What is the stated mission and purpose of the State Bar of Texas?
2. Are attorneys engaged in the marketing process?
3. What, if any, is the implicit marketing management philosophy with respect to clients?
The questions were of necessity evaluated sequentially. That is, the answering of question one was pertinent to the evaluation of question two, and the analysis of question two was necessary for analysis of question three. Further, the evaluation of secondary research question three (as presented above), was pertinent to the achievement of the second study objective.

Mission and Purpose

The mission or purpose of an organization can be conceived of as the basic reason for which that organization was established (Carlisle 1975, p. 595). Further, the statement of mission and purpose would state the ends for which the organization exists. The statement of purpose for the State Bar of Texas is contained in the Civil Statutes of the State of Texas, "Title 14, Attorneys at Law." Specifically, the revised Article II, section one, reads in part as follows:

The purpose of the State Bar shall be to aid the courts in carrying on and improving the administration of justice; to advance the quality of legal services to the public; to foster and maintain on the part of those engaged in the practice of law high ideals of integrity, learning, competence in public service, and high standards of conduct; to provide proper professional services to the members of the State Bar; to encourage the formation and activities of the local bar association; to provide forums for the discussion of subjects pertaining to the practice of law, the science of jurisprudence and law reform, and the relationship of the State Bar to the public and to publish information relating thereto; to the end that the public responsibilities of the legal profession may be more effectively discharged (Vernon 1979, p. 34).
The stated purpose of the State Bar contains several statements that were of exceptional note to this study. The analysis of the mission and purpose from a marketing perspective shows the State Bar to be concerned with more than a single group. That is, the State Bar demonstrates a desire to serve the interest of the courts, the public in general and its own members. The extension of this stated purpose to the members of the State Bar helped gain insight into the multiple publics that an attorney interfaces. Thus, the mission and purpose statement reveals that attorneys are not just public oriented, they also have a stated relationship with the courts and other members of their profession.

Finally, the State Bar's stated mission and purpose dealt with the administration of justice under the law. The other activities of the bar and its members are directly or indirectly aimed at helping to achieve that purpose. The relationships between and among the various groups which attorneys interact were important to comprehending the nature and scope of the stated mission and purpose for the State Bar of Texas. Therefore, as the State Bar is made up of its member attorneys, the mission and purpose of the State Bar revealed insight into the perspectives of the attorneys themselves.
Attorneys in Marketing

The determination of whether practicing law necessarily engages an attorney in the marketing process required two basic items: first, a standard to determine what constitutes marketing; and second, by determination of the relationship engaged in by attorneys with clients during the practice of law. Armed with a standard and the actual activities a reasonable analysis could be conducted.

The determination of a standard of what constitutes marketing led to the examination of a definition of marketing. The definition suggested by Kotler was utilized in the analysis. Again, Kotler suggests the following definition of marketing: "Marketing is human activity directed at satisfying needs and wants through exchange processes" (Kotler 1980, p. 10). The clarification of the exchange concept is pertinent to a concise understanding of the previous. The same author gives the following definition of an exchange: "Exchange is the act of obtaining a desired object from someone by offering something in return" (Kotler, 1980, p. 13). Thus, marketing occurs any time any exchange occurs. The exchange may be in any form. For example, the exchange may be in terms of money, time, performance of service, or a physical product.

The determination of any relationship entered into by attorneys in the practice of law was also sought. These
data were extracted from the Civil Statutes of the State of Texas, "Title 14, Attorneys at Law" (Vernons 1979, p. 169). Several examples of an exchange relationship were present. Article 304 note 2 of "Title 14, Attorneys at Law" read in part, "relation between attorney and client is highly fiduciary" (Vernons 1979, p. 174). The existence of this exchange relationship was reinforced in Article 304, Section II, note 81 through note 109. The title of this subdivision is "Compensation of Attorney" (Vernons 1979, p. 185). Thus, the normal practice of law apparently would engage the attorney in a monetary exchange relationship with a client.

Another type of relationship investigated involved the attorney and the courts. Article 304 note 27 reads in part as follows:

An attorney, after being admitted to practice, becomes an officer of the court. . . Attorney as an officer of the court owes a duty to the court not to conceal material facts. . . Lawyers are officers of the court and as such have taken an oath calling for highest type of ethical conduct in their performance of duty in trial of cases . . . (Vernons 1979, p. 183).

This citation notes the relationship that exists between the attorney and the courts. The exchange that occurs in this relationship might be conceptualized of as professional in nature. That is, the privilege of practicing before the court is exchanged for a measure of ethical conduct.
This citation also notes that only after being admitted to practice does the relationship exist. The admission to practice in Texas makes an individual a member of the State Bar (Vernons 1977, p. 224). Therefore, a relationship exists between the attorney and the Bar. This exchange relationship could be conceptualized as one where the attorney submits himself to the guidelines of the State Bar for the privilege of practicing law in the state.

A relationship between the attorney and the public at large was found. Article 320a Section I, note 35 states, "Practice of law is a profession affected with the public interest. . ." (Vernons 1979, p. 226). This citation points up a relationship between a practicing attorney and the general public. This exchange might be explained as a transaction involving the privilege of practicing law and the social benefit and desirability of having individuals perform such a service.

In summary, the explicit statements from the governing rules for attorneys in the State of Texas reveals at least four different exchange relationships. The attorney in the practice of law is engaged in an exchange process with the client, the courts, the State Bar, and the general public. The investigative findings of the actual attorney relationship were coupled with the definition of marketing.
The findings with respect to attorney relationships revealed that attorneys in the routine practice of law are engaged in multiple exchange relationships. The definition or standard of what constitutes marketing in essence was stated as the presence of an exchange process. Therefore, the analysis led to the finding that attorneys are engaged in the marketing process.

**Marketing Management Philosophy**

The Civil Statutes of the State of Texas were used as a basis for the determination of the third question suggested by the first study objective. The question addressed in this section dealt with the attorney's implicit marketing management philosophy toward the client. "The Code of Professional Responsibility" and the "Canon of Ethics" contained within it revealed time and again a focus upon the public in general, the courts, the Bar, and the client (Vernons 1979, pp. 268-271).

The "Ethical Consideration 1-1" notes the professional responsibility of attorneys to provide every member of the society with access to the services of an attorney (Vernons 1979, p. 268). Clearly this focuses the attorney upon the public. "Ethical Consideration 1-2" notes that responsibility of an attorney to maintain high standards and encourage all lawyers to do the same. This responsibility to peers is closely aligned with the State Bar since that organization is an attorney's membership reference group.
The search and examination of the marketing management philosophy held toward the client revealed that it is not held separately from the orientation toward other publics. That is, the attorney appears to have a multiple orientation as distinct from a singular focus that is routinely considered from a marketing perspective. The consumer or client relationship is addressed directly in Canons four through seven. An inspection of these writings shows the client to be of considerable importance. This relationship between attorney and client is also continuously impacted by the other publics with which the attorney interfaces.

In summary, a definitive identification of a traditional marketing management philosophy could not be derived concisely from the legal statutes. The closest match would be a consumer or client orientation. This perspective could be supported since the entire legal system focuses upon justice for the individual. However, in a traditional marketing sense, a consumer orientation does not adequately allow for multiple considerations of other highly pertinent publics.
Chapter Bibliography


CHAPTER V

ANALYSIS OF PRIMARY RESEARCH FINDINGS

This chapter presents the findings from the primary research. The primary data are reported by questionnaire items with statistical analysis appropriate to the thrust of this study's objectives. Special attention is devoted to the analysis of the research hypotheses and their statistical significance. Finally, an evaluation of the composite information drawn from both the secondary and primary data is presented.

Primary Research Analysis

Introduction

An overview of the data analysis technique is presented first. This section contains the analysis of the primary data. The reliability of the instrument with respect to the attitude statements is discussed next. This discussion is followed by a presentation of the summary information for each of the items in the questionnaire. A discussion of appropriate cross tabulations, analysis of variance, correlations, and discriminant analysis is then presented. Following this discussion, an analysis of each research question and its statistical significance is undertaken.
Data Analysis

The data from the questionnaire were coded and entered into a data file. The raw data file was then entered into the Statistical Package for the Social Sciences (SPSS) for computerized processing. Numerous SPSS subprograms were used to process the responses to the questionnaires. The SPSS subprograms that were employed included, Reliability, Frequencies, Crosstabs, Pearson Product Movement Correlation, Factor, and Discriminant. The data analysis was conducted on a total of 1,077 cases. It should be noted that data were missing from some cases. Therefore, some of the statistical procedures were performed on fewer than the full 1,077 cases.

Statistical Analysis

This section of the chapter reports the findings and relevant statistics associated with the data analysis. The reliability of the instrument is discussed first. Following the reliability discussion, a presentation is made of the findings for each item on the questionnaire with summary statistics. Next, pertinent findings of cross tabulations between variables are presented. The results of the analysis of variance procedure are presented next. The findings of Pearson's Product Movement correlations between variables are then discussed, followed by results of the discriminant
analysis. Finally, discussion of sample validation is presented.

**Reliability of the Instrument.**—The reliability of the instrument focused upon attitudinal statements in section one of the questionnaire. Statements one through twelve composed the production, sales, and consumer-oriented scales. Statements thirteen through twenty-two were combined to form the consumer- or nonconsumer-oriented scale. A summary of the reliability statistics is presented in Table I. The statistics presented are Cronbach's Alpha Coefficient of Reliability, the summated statements group mean, and the analysis of variance F statistic probability level.

The analysis of the production statements showed a reliability measure of .60 with a significant F at the .0001 level. The reliability coefficient for the sales statements was .73 with a highly significant F statistic of .0001. The consumer statements had a reliability coefficient of .68 and a significant F statistic at the .0001 level. These reliability coefficients were somewhat low. However, given the exploratory nature of the study and that the scales were developmental, the reliability of the scales were deemed sufficient.

The reliability of the consumer- versus nonconsumer-oriented statements was somewhat higher. The reliability
for this group of statements was .85 with a significant F statistic at the .0001 level. This reliability coefficient was acceptable.

Factor analysis was performed on the statements as an additional check due to the marginal reliability coefficients of the composite orientation statements of section one. The method employed was common factor analysis with varimax rotation. A summary of the factor analysis is presented in Table II. The factor analysis tended to support the grouping of the production, sales, and consumer statements for the composite orientation variables.

Analysis by Questionnaire Item.—The first twelve items in the questionnaire were used to form the summated production, sales, and consumer-oriented variables. The frequencies and means for each statement are presented in Table III. Several interesting points were drawn from an evaluation of the statements independently.

The attorneys tended to be split with respect to clients choosing on the basis of quality (see question seven). The summary found 45 percent of the attorneys on the disagree side. This was interesting given that 89 percent of the attorneys responded on the agree side to quality being the key to attracting and holding clients (see question ten).
The attorneys agreed with the possible division of clients based upon needs. Eighty-four percent of the attorneys responded on the agree side for this statement (see question three).

The second group of statements in section one comprised numbers thirteen through twenty-two. These statements constituted the items used in the summated consumer-versus nonconsumer-oriented variables. The individual analysis of these statements presented interesting insights.

Forty-four percent of the attorneys were unable to distinguish selling from marketing (see question thirteen). They encountered less difficulty in distinguishing advertising from marketing (see question fifteen). That is, the attorneys tended to equate marketing and selling while tending to distinguish advertising from marketing.

The attorneys demonstrated contrasting views of marketing and the cultivation of contacts with potential clients with respect to attorney professionalism. Thirty-two percent of the attorneys said marketing was inconsistent with attorney professionalism (see question seventeen). Yet, 84 percent of the attorneys considered the cultivating of contacts of potential clients for their future needs as being consistent with attorney professionalism (see question twenty-two). Forty-eight percent of the attorneys agreed that actively seeking clients with immediate needs was
consistent with attorney professionalism (see question twenty). Clearly, the attorneys did not understand the components of marketing. Sixty percent of the attorneys agreed that attorneys needed legal service marketing education (see question sixteen).

The second section of the questionnaire contained fourteen promotional issues. The frequencies and means for these issues are presented in Table IV. The attorneys were asked to respond to these issues with respect to their professional appropriateness. These issues were used to calculate the summated promotional issue variable.

The attorneys clearly disapproved of the statements concerning the quality of service issue (see question four). Sixty-nine percent of the attorneys stated that it was inappropriate. This is especially interesting given that 45 percent said that quality was a basis for selecting an attorney and 89 percent said it was the key to attracting and holding clients.

The attorneys were about equally divided on the pricing issues (see questions two and three). The attorneys had a slightly more favorable response to the fixed fees statement as compared to pricing of specific services. Thirty-five percent of the attorneys said specific pricing was appropriate while 52 percent said fixed hourly rates were appropriate.
The attorneys were about equally divided on the issues of law schools attended (see question nine) and statements of past legal experience (see question twelve). The attorneys found statements of consumer specific needs slightly more appropriate than inappropriate, with 43 and 34 percent respectively (see question fourteen). Fifty-two percent of the attorneys felt statements concerning the promptness of service were inappropriate as compared to 29 percent selecting appropriate (see question thirteen).

The attorneys tended to consider as appropriate the issues of hours of operation (see question one), location of offices (see question five), statements of certification (see question six), telephone numbers (see question seven), and types of cases to handle (see question eight). An interesting comparison can be drawn between the responses to questions eight and twelve. Seventy-nine percent of the attorneys said statements concerning the types of cases to handle are appropriate and 39 percent of the attorneys said statements concerning past legal experience were appropriate. This seemed somewhat inconsistent. The attorneys said it was appropriate to present consumers the legal areas in which they want to conduct practice but thought it inappropriate to offer evidence of experience in that area or in related areas.

Finally, 57 percent of the attorneys selected years of practice (see question ten) and 53 percent selected profes-
sional affiliations (see question eleven) as appropriate promotional issues. The overall evaluation of the promotional issues again presented several inconsistent responses by the attorneys with respect to marketing issues.

The third section of the questionnaire presented twelve media for the attorneys to evaluate with respect to their professional appropriateness. The frequencies and means for each of the media are presented in Table V.

Attorneys tend to find as appropriate only two of the media. Eighty-two percent of the attorneys said the yellow pages were an appropriate medium (see question one). Seventy-two percent said professional and academic journals were appropriate (see question three). Newspapers were seen as appropriate by 37 percent of the attorneys (see question two). These were the only three media that 30 percent or more of the attorneys said were appropriate.

The attorneys tended to find all the remaining media as inappropriate. Handbills, transit, and billboards received the lowest average score ranging from 1.56 to 1.58 on a one (Low) to five (High) ordinal scale. Clearly, the legal community has an unfavorable view of these media with respect to their professional appropriateness.

The fourth section of the questionnaire dealt with attorney attitudes with respect to the degrees of importance they attached to serving various publics in the practice of
Frequencies and means for this section are presented in Table VI. The analysis of this section revealed the "client" to be the most important public based upon the mean assignment of 51.39 points. This point assignment mean was more than double the second ranking public of the "firm or private practice" at 19.52 average points. These two groups were followed by the "courts" with 14.63 average points, the "general public" with 10.03 average points and the "state bar" with 6.10 average points.

The fifth section of the questionnaire dealt with business planning aspects of legal practice. The first question dealt with attorney use of formal written business plans. Five percent of the attorneys said they used a formal written business plan. A similar question was presented to the attorneys concerning their use of informal nonwritten business plans. Forty percent of the attorneys responded "yes" to this question. The summary for formal and informal business plans questions is presented in Table VII. These figures tend to be consistent with question eighteen from section one, which asked if a firm should have a written business and marketing plan. Twenty percent of the attorneys said they should.

The remaining questions in section five were directed only to the attorneys who had responded affirmatively to the use of a formal written business plan. It should be noted
that the response percentages are based on 39 respondents. The responses to the remaining questions of section five are presented in Table VIII through Table XII.

Forty-one percent of the responding attorneys said the written business plan was prepared within the firm by a committee. Sixty-two percent said an outside consultant or firm was not used in preparation of the formal written plan. That is, the plan was prepared internal to the firm. Forty-four percent of the responding attorneys said that the written business plan contained a one-year scope. Twenty-six percent said the plan included a five-year scope and 18 percent had a plan that included a time scope of greater than five years. These figures are presented in Table X.

The content of the formal written business plan was investigated. A summary of responses to this question is presented in Table XI. It was found that 69 percent of the respondents' plan contained a statement about manpower, financial, physical facilities, and marketing needs of the firm. The actual components of the marketing statement were investigated further and are presented in Table XII. The specialization of the firm received the highest response frequency of 82 percent, followed by promotion and price determination at 77 and 69 percent, respectively.

In summary, the business planning section revealed that the majority of attorneys use neither formal or informal
business plans. Further, the use of an informal plan was used more extensively in comparison with the scant use of a formal business plan. Based on the limited number of formal business plans, the written plans being utilized appeared to be rather comprehensive, with the time scope extending well past a single year.

The sixth section of the questionnaire investigated certain readership information among attorneys. A summated variable was constructed from the number of newspaper and periodicals subscribed to for each respondent. The average number of daily newspapers read was 1.07, with 57 percent reading one daily and 32 percent reading two daily newspapers. It should be noted that these figures excluded the Wall Street Journal as it was dealt with specifically in a subsequent question. The summary figures for newspaper readership are presented in Table XIII.

The attorneys were asked to provide information concerning their subscriptions to particular news and business reading material. The summary of the responses to this question is presented in Table XIV. The Wall Street Journal was most frequently mentioned by 62 percent of the respondents. Time and Newsweek were next with 45 and 39 percent, respectively. It was interesting to note that some attorneys did subscribe to the Journal of Marketing and the Journal of Management even though they constituted
less than 1 percent of the respondents. The average readership for the reading material presented was 2.39 subscriptions per respondent.

The final section of the questionnaire dealt with several categorical areas. The data from this section provided a basis for classification of respondents. The categorical data summaries are presented in Table XV through Table XXXVII. It should be noted that several of the questions in this section were included at the request of the State Bar. These questions had no direct bearing on the study and are only dealt with in summary fashion in the tables.

The geographic dispersion of the attorneys was examined by Zip codes. The summary for this information is presented in Table XV. Seventy-one percent of the attorneys were from metro areas, with urban and rural attorneys representing 20 and 9 percent, respectively. The median age group range of the respondents was between thirty-six and forty-five years old. The age summary is presented in Table XVI. The respondents were overwhelmingly white and male at 95 percent and 91 percent, respectively. These figures are presented in Table XVII and Table XVIII. The median group range for which the respondents had been admitted to any legal bar was between ten and fifteen years (see Table XIX).
Ninty-seven percent of the attorneys held a law degree and this information is summarized in Table XX. The legal education of the attorneys was obtained at various institutions. Thirty-four percent of the attorneys received their legal education at the University of Texas and the remaining attorneys were distributed across seven other Texas schools and out-of-state institutions. These schools are summarized in Table XXI.

The majority of attorneys considered themselves to be in at least part-time practice of law. Ninty percent of the attorneys responded yes to this query. Eighty-three percent of the attorneys said from 76 to 100 percent of their work week was in the practice of law. The information for these two questions is contained in Table XXII and Table XXIII. Seventy-one percent of the attorneys were either a firm partner or associate, or a sole practitioner as their primary legal occupation. This information is presented in Table XIV.

The questionnaire questioned the respondents concerning the number of hours they practice law per month. The median category range for both chargeable and nonchargeable hours per month was 176 to 225. The median category range for chargeable hours was 121 to 150 hours per month. These figures are summarized in Table XXV and Table XXVI. Eighty-two percent of the attorneys derived 80 percent or more of
their income from the practice of law. This information is presented in Table XXVII.

The practicing attorneys responded in majority to having all or more practice than they could handle. This information is presented in Table XXVIII. Twenty-three percent of the attorneys had much more and 29 percent had slightly more. Twenty-five percent said they had all they could handle and 23 percent had either slightly or much less.

The attorneys described their educational background and it is summarized in Table XXIX, Table XXX, Table XXXI, and Table XXXII. Ninety-three percent of the attorneys held an undergraduate degree (and 12 percent held a graduate degree) other than a juris doctorate. Twenty-nine percent of the undergraduate degree holders had business degrees and 31 percent of the graduate degrees were in business.

The attorneys provided information concerning their standard hourly rates and their personal net income from legal practice. This information is presented in Table XXXIII and Table XXXIV. The standard hourly rate median category was $61 to $75. It was interesting to note that 31 percent of the attorneys charged more than $100 per hour and 21 percent charged more than $125 per hour. The personal net income median category of the respondents was $30,000 to $39,999.
Analysis by cross tabulation.—The data were analyzed by cross tabulation variables in the questionnaire with other variables in order to gain further insight to the topic of study. In order to accomplish the cross tabulation procedure, variables categories were collapsed to obtain meaningful results from the chi-square statistic. This statistic was inspected at the .01 level for significance. The two summated variables from section one were crossed with the summated promotional appeals variable, summated media variable, summated readership variable and selected items in the categorical section.

The three summated variables from the first part of section I were used to classify the respondent as having a production, sales, or consumer orientation. These orientations were combined as value categories of a single variable for each respondent and cross tabulated with the variable mentioned previously. The cross tabulation analysis for this section revealed six variables to be significant with a chi-square statistic at the .01 level.

The summated promotional appeals variable was significantly different when cross tabulated with the composite orientation variables (see Table XXXIX). The composite orientation variables were significantly different when cross tabulated with the number of points assigned to "the general public" variables (see Table XXXIX). It should be
noted that a substantial disparity existed between the size of the groups, with the consumer-oriented group comprising nearly 79 percent of the 857 attorneys that were classified.

The cross tabulation revealed a significant difference between the composite orientation variable and the "use of a formal written business plan" variable. The analysis showed forty-two respondents answering "yes" and 76 percent of those being classified as consumer-oriented (see Table XL).

The final cross tabulations that had a significant chi-square were found among the composite orientations and the individual summated production-, sale-, and consumer-oriented variables. Each of these three cross tabulations were significant which tended to support the division of the composite orientation variable (see Table XLI, Table XLII, and Table XLIII).

Several significant chi-squares were also found when variables were cross tabulated with the consumer-oriented variable from the second part of section I. The consumer-oriented variable was divided into consumer-versus non-consumer-oriented respondents. Based upon this analysis, six significant differences were found.

The cross tabulation of the consumer-oriented variable with the number of points assigned to "the client" revealed a significant difference between groups (see Table XLIV). A significant difference was also found between the con-
sumer-oriented variable and the "use of the formal written business plan" variable (see Table LXV), and the "use of the informational nonwritten business plan" variable (see Table LXVI). It was interesting to note that more than 64 percent of the respondents were classified as consumer-oriented. Sixty-nine percent of those who answered "yes" to the use of an informal business plan were designated as consumer-oriented.

Three of the summated variables were also found to be significant when cross tabulated with the consumer-oriented variable. The summated promotional appeals variable, summated media variable, and the summated readership variable were all significantly different. It was important to note that the consumer-oriented variable revealed differences on each of the summated variables. The implications of these differences are discussed later with respect to the research hypotheses.

In summary, several significant chi-squares were found at the .01 level from the cross tabulation analysis. The composite orientation variables (from section I, part I) revealed significant differences for the summated, promotional appeals score, the points assigned to "the general public", the use of a formal written business plan, and the summated variables for the production, sales, and consumer scores. The consumer-oriented variable was significant when
cross tabulated with the number of points assigned to "the clients", the use of a formal written business plan, the use of an informal business plan, the summated promotional appeals score, the summated media score, and the summated readership score.

**Analysis by correlation.**—Analysis was conducted by use of Pearson's Product Moment correlations. The analysis was conducted using the consumer-oriented variable with the promotional issues, the media issues, the use of formal and informal business plans, and the number of points assigned to each of the five publics. Further analysis was conducted with the categorical data of section seven.

Correlation analysis of the consumer-oriented variable with each of the promotional issues revealed interesting results. All of the correlations were significant at the .01 level. The correlation coefficients were all relatively small, the largest being .25. This was interpreted as some relationship existing between the consumer-oriented variable and each of the promotional appeals that was not zero (see Table L).

The results of the correlation analysis between the consumer-oriented variable and each of the media were essentially the same as with the promotional issues. Each of the correlations was significant but with relatively low coefficients. The highest coefficient for any of the media
was .27. This was interpreted as some relationship existing between the consumer-oriented variable and each of the media that was not equal to zero (see Table LI).

The correlation coefficients for the business planning questions were both significant. The use of a formal written business plan had a .14 correlation coefficient and the informal plan had a correlation coefficient of .16. The relatively low coefficients indicated some relationship existing between the variables that was not equal to zero (see Table LII).

The correlation analysis for the consumer-oriented variable with each of the five publics of section IV revealed only one significant result. The client group was significant with a correlation coefficient of -.08. This was interpreted as some relationship existing between the consumer-oriented variable and the client group scores that was not equal to zero (see Table LIII).

The correlation analysis of the consumer-oriented variable with the various questions in the categorical data section of the questionnaire revealed no significant relationships at the .01 level. The significance level of .01 was adhered to because of the substantial size of the sample.

In summary, the correlation analysis did not provide substantial insight into the relationship between the variables that were appraised. Although significant coeffi-
icients were found, the coefficients were consistently small. This indicated that none of the variables tested had significantly high correlation with the consumer-oriented variable.

**Analysis by one-way analysis of variance.**—The next step in the analytical procedure was investigation by the use of one-way analysis of variance. The analysis was first used to study the relationship between consumer-oriented versus nonconsumer-oriented attorneys and the promotional issues of section two. The consumer-oriented variable from the second group of statements in section one was used to divide the respondents into the consumer- or nonconsumer-oriented groups.

The one-way analysis of variance for the consumer-oriented variable with the promotional issues showed all the promotional issues to be significant at the .01 level. That is, the mean responses to each of the promotional issues when analyzed by consumer- versus nonconsumer-orientation was significantly different (see Table LIV). It was also important to note that the mean scores for the consumer-oriented group were consistently higher than the non-consumer-oriented group. Therefore, the attorneys classified as having a consumer orientation rated each of the promotional issues relatively more appropriate than nonconsumer-oriented attorneys. The summated promotional
score variable also showed the consumer-oriented attorneys with a significantly higher mean than nonconsumer-oriented attorneys.

The one-way analysis of variance between the consumer-oriented variable and the media issues revealed similar results to the promotional issues. All of the media issues were significant at the .01 level, with consumer-oriented groups displaying a consistently higher mean than the nonconsumer-oriented group (see Table LV). The summated media score variable was significant at the .01 level. Again, the consumer-oriented group displayed a higher mean for the summated score than the nonconsumer-oriented group. Therefore, the consumer-oriented group consistently rated the various media as being relatively more appropriate than the nonconsumer-oriented group.

One-way analysis of variance was conducted on the five groups presented in section four of the questionnaire. The respondents were asked to assign 100 points across the five groups to reflect the degree of importance to which they attached serving the interest or welfare of the groups in their practice of law. The analysis showed only the client group to have significantly different means between the consumer-oriented and nonconsumer-oriented groups (see Table LV). Surprisingly the nonconsumer-oriented group's mean was 56.5 and the consumer-oriented group's mean was 50.6. The
difference seemed to be explained in the consumer-oriented group's greater degree of importance attached to the firm or private practice. The difference between the group means for this public was significant at the .04 level. The consumer-oriented group's mean was 19.02 and the nonconsumer-oriented group's mean was 15.6.

The fact that both groups' means were greater than 50 percent of the allocated percentage points indicates the client group's importance in the practice of law. The fact that the client group's points' mean was only slightly greater than 50 percent of the points indicates the attorneys' recognition of other publics as also dramatically impacting their practice. That is, the practice of law involves more than a single myopic orientation toward the client. Conceptually, the aggregate weight of the other four groups presented was only slightly less than the client weight. This should indicate to marketers the need to understand all orientations that dramatically impact the practice of law.

The one-way analysis of variance was used to analyze the business planning section. A significant difference between consumer- and nonconsumer-oriented attorneys was found with respect to the use of a formal written business plan. The analysis was significant at the .01 level (see Table LVI). This was to be expected as the fifty-one attor-
neys who responded yes to the use of the formal written business plan were classified as having consumer orientation.

The summated readership variable from section six was used in a one-way analysis of variance with the consumer-oriented variable. The analysis showed a significance level of .07 and was therefore rejected. That is, the means of the consumer- and nonconsumer-oriented groups with respect to readership were not significantly different at the .01 level.

The consumer-oriented variable was used in one-way analysis of variance with the volume of practice variable from section seven. The analysis showed no significant difference between the consumer- and nonconsumer-oriented group means.

In summary, the analysis of variance conducted with the consumer-oriented variable showed significant results with several variables. Each of the media and promotional issues from section two and three was found to be significantly different. Only the client group in section four was found to have significantly different means for the two groups. In section five, the use of a formal written business plan was significant because all attorneys who used a written business plan were classified as consumer-oriented.
One-way analysis of variance was also run using the composite orientation variable with several variables from section two through seven. The composite orientation variable divided attorneys into production-, sales-, and consumer-oriented groups.

The first analysis was conducted between the composite orientation variable and the promotional issues of section two. Eight of the promotional issues were found to be significantly different as was the summated promotional score variable (see Table LVII). The direction of difference was revealed by the Duncan Test at the .05 level.

Seven of the nine promotional issues showed consistency in the ascending order of the means. That is, the means consistency ranked from production, to consumer, to sales. This was interpreted as being consistent with the orientation philosophy of the three groups. Attorneys with sale-orientations would be expected to generally have higher scores (most appropriate) on the promotional issues and on their summated scores across all the issues. Production-oriented attorneys would be expected to have the lowest scores (least appropriate) on the issues.

The consumer groups had the highest mean on two issues: "statements of certification" and "professional affiliations." In these two instances the production group had the lowest mean followed by the sales and consumer groups. In
both cases, the production and sales means were not significantly different. The same was true for the sales and consumer means for both issues. However, the production and consumer means were significantly different as measured by the Duncan Test.

The composite orientation variable was used in a one-way analysis of variance with each of the media from section three and the summated media score (see Table LVII). Four of the twelve media revealed significant differences among the production-, sales-, and consumer-oriented groups. The summated media score was found to be significantly different among the three groups.

Three of the four significant media issues showed the production mean to be significantly lower than the consumer and sales means. The means ranked from production to consumer to sales. These followed the dominate pattern revealed in the promotional issues. The same was true for the summated media score. The production mean was significantly lower than the consumer and sales means and the consumer and sales means were not significantly different.

The "professional/academic journals" media was found to have significantly different means. That is, the production and sales means were not significantly different from each other, and sales and consumer means were not significantly different from each other. However, the product groups mean
was found to be significantly different from the consumer mean.

The one-way analysis of variance conducted with the composite orientation variable and each of the groups in section four revealed no significant differences at the .01 level. The same was true for both the use of formal written and informal nonwritten business plans from section five. No significant differences were found among the groups with respect to the summated readership score from section six. No significant differences were found in any of the categorical variables from section seven analyzed with the composite variable.

In summary, the one-way analysis of variance using the composite orientation variable as the independent variable with the various dependent variables revealed several significant differences. Eight of the fourteen promotional issues and the summated promotional issue score were found to have significantly different means between or among the groups. Four of the twelve media issues means were significantly different, as was the summated media score. The dominate pattern among the significant issues from the promotional and media sections, showed the sale-oriented mean to be highest followed by consumer-oriented and production-oriented with the lowest mean. Further, the production group mean was significantly different from the
consumer and sales means, and the latter two groups were not significantly different. The analysis showed distinguishable differences among the promotional and media issues when analyzed by the production-, sales-, and consumer-oriented groups of attorneys.

**Analysis by discriminant procedure.**—The multiple discriminant procedure was employed in an attempt to identify variables that would permit classification of the attorneys into one of the three marketing orientation groups. The three orientation groups were production, sales, and consumer. The procedure used different predictor variables.

The overall results of the discriminant procedure were not favorable. A dramatic imbalance existed among the number of attorneys classified into each of the groups. The sales-oriented group was the smallest with 57 attorneys in the group (see Table LIX). It was necessary to balance the number of respondents in each group used in the discriminant analysis. Therefore, all the sales respondents were included with a sample of sixty respondents each drawn from the production and consumer oriented groups. These restrictions meant that approximately 180 respondents in total would be used in the discriminant analysis.

The 180 respondents in the analysis were divided into roughly equal groups by the discriminant program. This
procedure was followed to hold out a validation sample for the derived discriminant functions. Therefore, ninety cases were used in the analysis sample.

The discriminant analysis found three of the eighteen predictor variables to be significant. The three variables were as follows.

1. Use of the formal written business plan.
2. Number of chargeable hours per month.
3. Use of the informal nonwritten business plan.

These three predictor variables were used to derive the two canonical discriminant functions (see Table LX).

The Wilk's Lambda shows only a small amount of discriminatory power existed in the variables used even though it is statistically significant. The sum of the eigenvalues can be interpreted as a measure of the total variance existing in the discriminating functions. Hence, 20 percent of the variance is explained in total by both the functions.

The presence of a poor model was borne out in the classification stage of the analysis. The model was able to classify correctly 49.41 percent of the cases that were used to derive the functions. The model was able to classify correctly 33.33 percent of the cases not in the validation sample (see Table LXI and Table LXII), that is, the model predicted correctly the cases not used to derive the model with the same probability as random chance for three equal groups.
In summary, the discriminant analysis did not provide a model with which to profile group membership. The variables introduced as predictor variables had relatively little predictive power statistically. The statistics from the derivation stage of the analysis were reinforced by the low hit ratio in the classification stage. The classification percentage was equal to random chance. Therefore, no attempt was made to interpret the discriminant weight or loading to derive a profile of group membership.

Sample Validation

The results of the categorical data from the study was compared with the results of a State Bar of Texas Study conducted in January of 1981. The current study was mailed in July 1981. Ten different categorical questions were inspected to check for similarities and differences between the two responding groups.

Both samples were drawn from the State Bar membership rolls by use of systematic random sampling. Different starting points were used to avoid duplication of respondents. The January 1981 study received 2065 usable responses from a 10 percent mailing to the total Bar membership. This yielded a 50 percent response rate. The current study received 1077 usable responses for a 30 percent response rate from a mailing to 10 percent of the Bar membership.
A cross tabulation analysis was used to inspect for differences or similarities in the responding groups (see Tables LXIII through LXXIII). A chi-square test of significance was calculated on each of the ten categorical variables included in both studies. Six of the ten categorical variables were significant at the .01 level. That is, the test indicated the two samples' respondents were different with respect to that variable.

The ZIP code, age, practice of law on at least part-time basis, number of chargeable hours per month, percentage of income from legal profession, and hourly rate variables were all found to be significantly different. It should be noted that all of the significantly different variables could be considered ordinal except for the ZIP code variable. The five ordinal variables all had median values in the same categorical group for both samples.

The sex, ethnic, years admitted to any bar, number of chargeable and non-chargeable hours, and personal net income variables were not significantly different at the .01 level. These variables indicated the two samples tended to be similar.

Data from the two studies were judged overall to be highly similar to each other. The variables that displayed significant differences showed consistent median groups with only small differences in categorical percentages. Statis-
tically, the fact that both samples contain extremely large sample sizes results in small percentage changes in cells reflecting large absolute frequency changes in each cell. Therefore, due to the extremely large sample size the test may be overly sensitive to even the .01 level. This occurrence was documented in the statistical literature as Lindley's Paradox (4, p. 176).

Analysis of the Research Hypotheses

The discussion presented in this section analyzed the results of the primary data with respect to each of the research hypotheses. The research hypothesis was stated first followed by a statement of acceptance or rejection. The primary data were examined for statistically significant differences. The acceptance or rejection of the research question was based on the statistical examination.

Analysis of Research Hypothesis I.—The first research hypothesis states, "There are no attitudinal differences between attorneys demonstrating a consumer orientation on the basis of holding a business degree." Research Hypothesis I was rejected. There are attitudinal differences between consumer-oriented attorneys with business degrees and consumer-oriented attorneys without business degrees. The results of one-way analysis of variance showed consumer-oriented attorneys with business degrees to be significantly different from consumer-oriented
attorneys without business degrees with respect to the professional appropriateness of trade association magazines (see Table LXXIV). The difference was significant at the .01 level. At the .05 level of significance newspapers, television, and radio all revealed significantly different means for the two groups. In all four instances, attorneys without business degrees found the media to be relatively more appropriate than did the attorneys with business degrees.

**Analysis of Research Hypothesis II.**--The second research question states, "There are no attitudinal differences between attorneys demonstrating a consumer orientation versus a nonconsumer orientation on the basis of message content approval." Research Hypothesis II was rejected. The analysis of each of the fourteen promotional issues is presented below (see Table LIV).

1. Hours of Operation.--There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "hours of operation." The consumer-oriented attorney's mean was significantly higher.

2. Pricing of Specific Services.--There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "pricing of specific services." The consumer-oriented group's mean was significantly higher.
3. Flat Hourly Rates.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "flat hourly rate." The consumer-oriented group mean was significantly higher.

4. Statements Concerning Quality of Service.—There was a significant difference between consumer- and nonconsumer-oriented attorneys with respect to statements concerning "quality of service." The consumer-oriented group mean was significantly higher.

5. Location of Office(s).—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "location of office(s)." The consumer-oriented group mean was significantly higher.

6. Statement of Certification in Specialization Areas.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "statements of certification in specialization areas." The consumer-oriented group's mean was significantly higher.

7. Telephone Number(s).—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "telephone number(s)." The consumer-oriented group was significantly higher.

8. Types of Cases You Want To Handle.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "type of case you want to
handle." The consumer-oriented group mean was significantly higher.

9. Law Schools Attended.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "law schools attended." The consumer-oriented group's mean was significantly higher.

10. Years of Practice.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "years in practice." The consumer-oriented group's mean was significantly higher.

11. Professional Affiliations.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "professional affiliations." The consumer-oriented group's mean was significantly higher.

12. Statements of Past Legal Experience.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "statement of past legal experience." The consumer-oriented group's mean was significantly higher.

13. Statements Concerning Promptness of Service.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "statements concerning promptness of service." The consumer-oriented group's mean was significantly higher.
14. Statements of Consumer Needs for Specific Legal Services.—There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of "statements of consumer needs for specific legal services." The consumer-oriented group's mean was significantly higher.

The summated score for the promotional issues was inspected for significant difference between the consumer- and nonconsumer-oriented attorneys. There was a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of their summated scores for the appeals. The consumer-oriented group's mean again was significantly higher.

In summary, all fourteen promotional issues presented had mean responses that were significantly different between consumer- and nonconsumer-oriented attorneys. The summated score for the promotional issues was significantly different between the two groups. In each case, the consumer-oriented group's mean was significantly higher. Research Hypothesis II was rejected.

Analysis of Research Hypothesis III.—The third research hypothesis states, "There are no attitudinal differences between attorneys demonstrating a consumer orientation versus a nonconsumer orientation on the basis of media approval." Research Hypothesis III was rejected. The
individual analysis of the twelve media with respect to the consumer- versus nonconsumer- oriented attorneys is presented next (see Table LIV).

1. Yellow Pages.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

2. Newspaper.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

3. Professional/Academic Journal.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

4. Popular/News Magazines.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

5. Television.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

6. Radio.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

7. Billboard.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.
8. Direct Mail.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

9. Handbills.—There was a significant difference between the two groups. The consumer-oriented group's means was significantly higher.

10. Transit.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

11. Circulars/Shopping Guides.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

12. Trade/Association Magazines.—There was a significant difference between the two groups. The consumer-oriented group's mean was significantly higher.

The summated variable for the media was inspected for significantly different means between the consumer- and nonconsumer-oriented attorney groups. There was a significant difference in the summated score mean between the two groups. The consumer-oriented group's mean was significantly higher.

In summary, all of the twelve media issues were significantly different in terms of mean scores when compared between consumer- and nonconsumer-oriented
attorneys. The summated score variable for the media was also significantly different between the groups. In each case, the consumer-oriented group's mean was significantly higher.

Analysis of Research Hypothesis IV.--The fourth research hypothesis states that "There are no attitudinal differences between attorneys demonstrating a consumer- or nonconsumer- orientation with respect to the use of a formal written plan." Research Hypothesis IV was rejected. The analysis of consumer- versus nonconsumer-oriented attorneys on the basis of use of a formal written business plan showed a significant difference at the .01 level (see Table LV). All attorneys who utilized a formal written business plan were classified as having a consumer orientation.

Analysis of Research Hypothesis V.--The fifth research hypothesis states, "There are no attitudinal differences between attorneys demonstrating a consumer orientation versus a nonconsumer orientation with respect to the use of an informal nonwritten business plan." Research Hypothesis V was accepted. There was not a significant difference between consumer- and nonconsumer-oriented attorneys on the basis of use of an informal business plan.

Analysis of Research Hypothesis VI.--The sixth research hypothesis states, "There are no attitudinal differences between attorneys demonstrating a consumer and
nonconsumer orientation with respect to the degree of importance assigned to each of the following.

a. The Courts
b. The Client
c. The General Public
d. The State Bar
e. The Firm or Private Practice

Each of the five groups was analyzed for statistically significant differences between the consumer- and nonconsumer-oriented groups' means. Research Hypothesis VI was accepted with respect to the courts, general public, State Bar and the firm or private practice groups. Research Hypothesis VI was rejected with respect to the client group (see Table LV).

The client group was also analyzed by recoding their responses into one of the three following groups.

1. The client group received more points than any other single group.

2. The client group received the greatest number of points assigned but the points were equal to the number assigned to one or more other groups.

3. The client group was assigned points less than the number assigned to one or more other groups.

The tabulation analysis of these response groups with the two attorney groups showed no significant difference (see Table LXV).
In summary, Research Hypothesis VI was rejected with respect to the client group and accepted with respect to the court, general publics, State Bar, and firm or private practice groups. Therefore, of the five groups studied in this section, the only significant difference found in group means between the consumer- and nonconsumer-oriented attorney groups related to the client group.

Analysis of Research Hypothesis VII.--The seventh research hypothesis states, "There are no differences between attorneys demonstrating a consumer versus nonconsumer orientation with respect to the number of periodicals and newspapers to which they subscribe." There was not significant difference between the groups on the basis of the number of periodicals and newspapers read. Research Hypothesis VII was accepted.

Analysis of Research Hypothesis VIII.--The eighth research hypothesis states, "There are no differences between attorneys demonstrating a consumer orientation versus a nonconsumer orientation with respect to the volume of practice handled." There was no significant difference between the two groups on the basis of the volume of practice handled. The cross tabulation analysis produced an insignificant chi square. Research Hypothesis VIII was accepted.
Analysis of Research Hypothesis IX.—The ninth research hypothesis states, "There are no differences among attorneys' marketing management philosophies that would permit classification of attorneys into production sales or consumer orientation." Research Hypothesis IX was rejected. The one-way analysis of variance conducted with the composite orientation variables and the first twelve statements from section one showed significant differences. All twelve statements were significant at the .0001 level. Eleven of the twelve statements revealed the intended group mean to be higher than the remaining two groups. The first statement, intended to be a production-oriented statement, revealed that the sales group mean was higher, but not significantly higher than the production group mean (see Table LXVI).

Based upon the one-way analysis of variance, it was determined that attorney groups could be distinguished according to implicit marketing management orientation. Unfortunately, the discriminant was unable to provide a significant model by which to classify attorneys into the three orientation groups (see Table LXI and Table LXII).

In summary, the nine research hypotheses were evaluated in light of the primary research findings to determine their acceptance or rejection. The first four research hypotheses and Research Hypothesis IX were rejected. Research
Hypothesis V, VII, and VIII were accepted. Research Hypothesis VI was rejected with respect to client group and accepted with respect to the courts, general public, State Bar, and the firm or private practice group.

Overview of the Research Analysis

The information that was obtained from both the secondary and the primary research was pertinent to the overall investigation of this study. In order to gain further insight into the topic under consideration, an analysis of the composite results from both the secondary and the primary research was undertaken.

The secondary analysis clearly pointed to the fact that the practice of law engages attorneys in the marketing function. The attorneys were shown to be involved in the exchange process. In comparison, the results of the primary research showed the attorneys to be somewhat unsure of what constitutes marketing. Specifically, a majority of the attorneys were either neutral about or agreed that marketing meant selling. Slightly fewer than one-third of the attorneys considered marketing as inconsistent with attorney professionalism and a clear majority said cultivating and seeking clients is consistent. The attorneys did not recognize these activities which are marketing activities, as personal selling and prospecting.
The implication of this analysis points up the need to educate attorneys regarding marketing. Specifically, the attorney could benefit from education on legal service marketing. Emphasis should be placed on attorney education before an attempt to apply marketing techniques to their profession. More than half the attorneys agreed that attorneys should educate themselves about legal service marketing. The implication for marketers is that at least a partially willing consumer for marketing services education is waiting. The legal profession in Texas, at least in part, is willing to take a cautious look at what marketing has to offer the profession. To date, it appears that marketers have attempted to stimulate selective demand for specific marketing techniques without first establishing primary demand for the overall product.

Marketers constantly suggest the need to analyze the environment in which an organization operates. Marketers have not sufficiently analyzed the legal marketplace for effective marketing techniques to be marketed to the legal community. The secondary research analysis suggested that the attorney is faced with multiple groups that command considerable attention. The attorney is faced with servicing the interest of the client, the courts, the Bar, the general public, and his own practice. The majority of studies in the marketing literature showed the focus to be
upon the consumer. Little consideration has been devoted by marketers to appraising the impact of the other groups upon the attorneys practice.

The primary research substantiated the consumer or clients place of importance in the practice of law. However, by comparison, the other four groups in aggregate account for 49 percent of the attorney's interest. This suggests that the combined interest of the other groups may be equal to the weight of the client's interest in a given situation.

An analysis of the relative interests of the various groups presented other significant implications. It was important to note that each of the other four groups act in effect as both an interviewing and moderating filter. That is, the courts may impose guidelines as to acceptable media for an attorney to use in communicating with potential clients. If the client or consumer has indicated a desire to have information on the radio or television and the courts have not allowed these media, then the court has intervened. That is, the court has filtered the attorneys' client orientation by imposing a standard not commensurate with the client's desire. The State Bar might serve as a moderating filter with respect to the image produced through promotion by an attorney. The attorney might desire to communicate aggressively with potential clients but uses
a less aggressive appeal in order to avoid direct confrontation with attorney peers and the State Bar. Potentially, each of the groups could have both filtering effects in various situations.

Another view suggested by the information from the question concerning the degree of importance attached to serving the interest of the various groups dealt with potential conflict (see Table VI). Given that the attorneys are primarily concerned with the interests of the client, the point distribution for the remaining four groups may be an indicator of the degree of conflict realized between serving the interest of the consumer and the other groups. This interpretation would reveal the interest of the firm to be most often in conflict with those of the client and the State Bar's interest would conflict the least with those of the client.

The primary research revealed that the attorneys could be identified as having distinguishable marketing management philosophies. The attitude statements showed significant differences among the production-, sales-, and consumer-oriented attorneys. Yet, the discriminant analysis was unable to produce a model that would permit classification of the attorneys into the three orientations on the basis of the various variables contained in the questionnaire. In keeping with the previous analysis, the attorneys marketing
management philosophies may be tempered dramatically by the impact of the other relevant groups. The overall analysis may suggest that the other groups moderate and intervene in filtering business decisions to such an extent that the end result is marginally distinguishable differences in practices by the attorney of all groups. This might explain the inability to describe or profile differences in the attorney holding various orientations.

Possibly the most important implication for marketers revealed in the overall analysis of the research concerned attorney orientations. Clearly, it is not enough to know the attorneys' marketing management orientation. An appraisal of the total macro orientation towards the various relevant groups must be undertaken before an adequate understanding of the attorneys and their environment can be comprehended. Armed with the insight of the macro orientation, then appraisal of appropriate marketing techniques for legal service marketing can be made. The macro orientation toward the client, firm, courts, State Bar, and general public is critical to an understanding of legal service marketing.
Chapter Bibliography


CHAPTER VI

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Summary

This study sought to explore attorney attitudes toward legal service marketing in the State of Texas. Items of specific interest were the marketing management philosophies of attorneys, attitudes toward various promotional and media issues and attitudes toward serving the interest of various groups in the practice of law.

An overview of the legal service marketplace and its nature were presented as background material. The legal environment perspective and the marketing perspective were both given attention. The legal environment was investigated to reveal traditional views of marketing held by the legal profession. This was done by inspection of the legal literature and the Code of Professional Responsibility. Special emphasis was placed on the investigation of the Bates Decision and its impact on the legal profession. The results of the Bates Decision in terms of changes in the marketplace were reviewed. Relevant activities of the State Bar and the courts since the Bates Decision were presented.

The review of pertinent marketing literature presented perspectives on the scope of marketing, marketing management,
service marketing, and the marketing of professional services. A review of legal service marketing in marketing and business literature was presented. The conclusion from the literature review of both the legal and marketing perspective was that both needed a broader perspective of the legal service marketing issue and a greater understanding of the other's perspective.

The research undertaken collected data from both primary and secondary data sources. The secondary research focused primarily upon the Civil Statutes of the State of Texas and "Title 14 Attorneys at Law" in particular. The secondary research first sought to expose the stated mission and purpose of the State Bar of Texas. Next a determination was made as to whether attorneys are engaged in the marketing process. Finally, an attempt was made to identify attorney's implicit marketing management philosophy with respect to clients suggested in the legal literature.

The primary research procedure was undertaken next. A brief discourse on attitude and fact measurement was presented. The review of this material was pertinent to the development of the survey instrument.

A questionnaire was constructed by the researcher. It was submitted to a pilot sample of attorneys and revised. The final questionnaire was then submitted to 3,577 members of the State Bar of Texas. The study population was
licensed attorneys in the state of Texas. The study sample was selected from the State Bar membership roles. A systematic random sampling procedure was utilized to select a sample of 10 percent of the population.

The State Bar of Texas was a participant in the study. The questionnaire was mailed to the attorneys as an inquiry of the Bar. A total of 1,091 questionnaires were returned; 1,077 were useable. This yielded a response rate of 30.1 percent of the total mailing.

The primary data were coded and processed in a computer file. The statistical analysis was conducted utilizing the Statistical Package for the Social Sciences version H. The statistical analysis included frequencies, one-way analysis of variance, cross tabulations, and discriminant analysis.

The analysis of the research findings was presented next. The results of the secondary research were reported first. The analysis showed the practice of law does engage an attorney in the marketing process. The investigation of the mission and purpose of the State Bar revealed multiple groups to be of importance to the State Bar and therefore to attorneys. The analysis showed the Bar to be concerned with serving the interests of the client, the courts, the general public, and members of the Bar, and thus the practice of law in general. The inspection of the legal statutes for the implicit marketing management orientation found that the
closest match was that of a consumer orientation. However, it was noted that the traditional marketing consumer orientation did not adequately allow for the substantive impacts of other highly relevant groups whose needs were of importance in the practice of law.

The report of the primary research finding was presented next. The reliability of the questionnaire with respect to the attitudinal measures was shown to be adequate. This was demonstrated through the use of Cochran's Alpha Test of Reliability and factor analysis.

Frequency responses for each item on the questionnaire were presented and discussed. The responses suggested many interesting findings. The attitudinal statements in section one revealed some inconsistencies in the attorneys' responses. The attorneys seemed somewhat inconsistent in their appraisal of quality as a client criterion for selection of an attorney in comparison with the substantially larger number of attorneys who said quality was the key to attracting and holding clients. The attorneys were somewhat inconsistent in their views of marketing and its activities as they related to the practice of law. The attorneys tended to see marketing and selling as equivalent. Further, the attorneys tended to distinguish between the seeking of clients with immediate and future needs, the former being inconsistent and the latter being consistent with attorney professionalism.
The analysis of the promotional issues with respect to attorney professionalism revealed the attorneys' view of the various issues. The attorneys tended to approve clearly hours of operation, statements of certification in specialization areas, telephone numbers, types of cases you want to handle, and location of offices. The attorneys were clearly against pricing of specific services, statements concerning quality of service, statements of past legal experience, and statements concerning promptness of service.

The analysis of the media issues showed the attorneys to be clearly in favor of only two of the media as advertising vehicles—the yellow pages and professional/academic journals. The attorneys clearly disapproved of newspapers, popular/news magazines, television, radio, billboards, direct mail, transit, circular/shopping guides, and trade/association magazines as vehicles for advertising.

The analysis of the degree of importance attached to serving the interests of the various groups in the practice of law revealed the client to be of paramount importance. The interests of the firm, the courts, the general public, and the State Bar followed in descending order of importance.

The analysis concerning attorney use of formal written business plans brought to light that 5 percent make use of this business tool, and 40 percent employed an informal written business plan.
The readership information revealed that the attorneys tended to read at least one daily newspaper. The respondents tended to subscribe to at least two of the business and news periodicals and 62 percent subscribed to The Wall Street Journal.

The analysis of the categorical data was presented next. The respondents were representative of a wide geographical dispersion from across the state. The respondents tended to be white males between the ages of thirty-six and forty-five, holding a law degree, producing 121 to 150 chargeable hours per month, derived 80 percent or more of their income from the practice of law, having all or more practice they can handle, charging $61 to $75 per hour and having a personal net income between $30,000 and $39,999.

Cross tabulation analysis was conducted for both the composite orientation variable and the consumer-oriented variable against numerous variables from sections two through seven of the questionnaire. The composite orientation variable was used to divide the respondents into production, sales, and consumer orientations. Significant differences in the groups were sought at the .01 level for the chi-square. Significant differences were found with the summated promotional appeals score variable, the points assigned to the general public variable, the use of a formal written business plan variable, and the summated variables for the production, sales, and consumer scores.
The consumer-oriented variable was used to divide attorneys into consumer- and nonconsumer-oriented groups. The cross tabulation analysis revealed significant differences for the chi-square at the .01 level for the consumer-oriented variable with the following variables: number of points assigned to "the client", the use of a formal written business plan, the use of an informal written business plan, the summated score for the promotional issues, summated score for the media issues, and the summated score for readership.

Correlation analysis using Pearson Product moment correlations was conducted using the consumer-oriented variables with the following variables: promotional issues, the media issues, the use of formal and informal business plans, and the point assignments to the five publics. The .01 level of significance was selected.

The analysis showed all of the promotional issues to be significant but with small correlation coefficients. The largest was .25. The analysis with the media issues revealed each media to be significant but with a relatively small correlation coefficient. The highest correlation coefficient was .27.

The correlation coefficients on both business planning questions were significant but relatively small. The "client" group from section four was significant but extremely small.
Overall, the correlation analysis showed consistently small coefficients that were significant. The variables analyzed did not reveal substantive correlations with the consumer-oriented variable.

The one-way analysis of variance brought to light several significant findings. The analysis was conducted with both the composite oriented variable and the consumer-oriented variable as the independent variable. The .01 level of significance was selected.

The analysis revealed significantly different means for the consumer- and nonconsumer-oriented groups with respect to each of the promotional and media issues. The response to "the client" group in section four was significantly different. The use of the formal written business plan was found to be different since all responding attorneys who used a written plan were classified as consumer-oriented.

The composite orientation variable had significantly different group means with respect to eight of the fourteen promotional issues and the summated promotional score variable. Four of the twelve media issues and the summated media score variable were significant.

A discriminant analysis was conducted to produce a statistical model utilizing predictor variables from the questionnaire that would permit classification of the attorneys into a production, sales, or consumer
orientation. The discriminant analysis failed to render a model that would allow significant classification with greater probability than random chance.

Investigation was directed toward answering the nine research hypotheses which were evaluated with respect to the findings from the primary research. In summary, the first four research hypotheses and the ninth research hypothesis were rejected. Research Hypothesis V, VII, and VIII were accepted. The client group in Research Hypothesis VI was rejected and the hypothesis was accepted for the four remaining groups.

In summary, the total research effort was directed at achieving seven study objectives. The study revealed that the practice of law does engage attorneys in the marketing process. The attorneys were categorized by attitudinal statements as having a production, sales, or consumer orientation. The analysis produced no significant differences in the categorical profiles of the attorneys with respect to their differences in marketing management philosophies. The study showed attorney attitudes toward fourteen promotional content issues. The research provided insight into attorney attitudes toward twelve media issues with respect to their professional appropriateness in promoting legal services. Attorney perceptions concerning the relative importance of serving five relevant groups in the practice of law were investigated. The analysis
revealed the consumer or client group to be most important followed in descending order by the interests of the firm, the courts, the general public, and the State Bar. Finally, the research provided insight into attorney use of written business plans. The research effort found that an extremely small percentage of attorneys utilize written business plans. The practice of law, therefore, does engage an attorney in the marketing process indicating a need to educate attorneys concerning marketing and its applications in the delivery of legal services.

The results of the study reflect the need for marketers to understand the macroenvironment within which the attorneys operate. Marketers must arrive at a thorough understanding of the legal marketplace and its participants. In particular, the substantial role of the courts and the State Bar in determining permissible marketing alternatives for the profession as a whole within the state must be comprehended. In short, both groups need an education concerning each other.

Although the analysis of attorneys' marketing management orientations revealed a primary consumer orientation, substantive moderating and intervening impact of the other relevant groups may filter the attorney's business and marketing decisions to such an extent that differences in marketing management orientation have little
impact on the attorney's practice. Therefore, it is not enough for marketers simply to know the attorney's marketing management orientation. To apply marketing technology to the delivery of legal services, it is mandatory that marketers understand the scope of the law practice and the relevant groups that impact the decisions of the practicing attorney.

Conclusions

The body of evidence from this research effort strongly points to the opportunity that exists for marketing to assist the legal community in the delivery (or marketing) of legal services. The Bates Decision has set at naught the long standing prohibitions and stringent restraints on the use of most marketing techniques available to an attorney who was attempting to stay within the professional guidelines. The situation in the legal community in Texas is uncertain. The Disciplinary Rules have been suspended in as much as they conflict with the Bates Decision. An appropriate question is, how might marketing assist the legal community in appraising and assessing the current situation and provide insight into the new environment?

This research has clearly shown that an opportunity exists for marketing to step into the legal environment and offer its "tool box" of marketing experience and techniques. The most serious limitation to marketing achieving that step
is marketing's own somewhat myopic view of marketing applications. That is, marketing has tended to view the marketing of legal services in a more general rather than specific manner. In particular, marketing must engage itself in extensive and intensive study of the total legal environment. That total investigation, as supported by this study, should include, at a minimum, legal consumers, attorneys, the State Bar of Texas, the Texas Supreme Court and other regulating court systems, law firm practices, law schools and relevant course content to the topic of this study, and certainly the interest of the society as a whole. All of these areas should be studied and examined in detail with respect as to how marketing of legal services would impact their support of the legal environment. In short, marketing should conduct a business and marketing audit of the legal system to gain a holistic view of the delivery of legal services. This is not a new concept applied in total rather than part as has been the tendency in the wake of the Bates Decision.

Once marketers have done their homework, the development of the situational and environmental analysis, the next step would be to appraise key problems and opportunities that exist in the legal environment where marketing technology could be useful. Based on the findings of this study, such techniques and concepts as market segmentation, product
positioning, strategic planning, and basic sales skills may all have a place in the legal environment. These concepts will have to be applied within the parameters set by the legal community. Marketers have essentially scoffed at the concept of attorney professionalism when it conflicted with basic marketing philosophy. This study has shown that marketing techniques must be consistent with the laws and attitudes that pervade the legal environment if attorneys are to utilize them.

Armed with a complete situational analysis and key problems and opportunities marketers would be equipped to play a substantive role in the education of the legal environment. This education should include the following; alternatives, appropriateness, applications.

The availability of the various marketing alternatives under the new relaxed standards would be of interest to attorneys, the State Bar of Texas, and the Texas Supreme Court. In short, the legal community needs an appropriate "short course" concerning marketing and how marketing may help each member of the legal community better fulfill their responsibilities in the delivery of legal services.

The opportunity exists for the marketing community to take an active role in reshaping the thinking of the legal community with respect to marketing legal services. By taking an active role in educating the attorneys and courts
on the issue of marketing legal services, a more favorable attitude toward this issue may be accomplished. However, this can only be achieved if marketers go into this educational process with a consumer orientation for the legal community. That is, marketers must service the needs of the total legal community rather than just the business, marketing, or advertising dimension of the legal field.

After the legal community is educated as to the availability of marketing alternatives as applied in the legal environment and they perceive marketing as being willing to operate within the bounds of attorney professionalism, then specific applications of marketing techniques could be readily introduced. These applications could be presented through seminars held by the State Bar of Texas. Similar information could be presented through continuing legal education at law schools and as original information to law students. For example, legal office site location analysis may be useful in stimulating demand for particular services when coupled with segmentation. Such an analysis might investigate what effect on demand office location in a high traffic retail mall would have for low usage segments of the population.

In summary, the analysis of specific applications can only be conducted after a comprehensive educational process for both the legal community and marketers seeking to assist
that group. The State Bar of Texas and legal educational institutions should work closely with markets logistics academics and business consulting firms to generate synergy for the mutual benefit of both groups.

Recommendations for Further Study

The implications of this study suggest several areas for further research and action needed in both the legal and marketing communities. This study was exploratory in nature and should be viewed in such a light. The study suggests more extensive data are needed on business functions in the practice of law. For example, an evaluation of accepted informal standards held by attorneys with respect to client solicitation would be helpful for marketers. This would be useful in evaluating appropriate marketing communication techniques with the client but still within the boundaries set by profession as professionally appropriate.

Information on the "typical attorney or types of lawyers who would be most inclined to utilize marketing techniques should be investigated. This study might address the type of attorney most likely to use marketing techniques in the near future as opposed to those who are more reluctant and utilize the techniques more gradually over an extended period of time. This type of investigation might attempt to apply adopter categories such as innovators, early adopters, late adopters, and laggards to attorneys
with respect to marketing legal service. The brand adoption process should also be investigated as to its ability to help describe and analyze the attorneys on the same issues.

An appropriate topic of investigation as suggested by this study would be to distinguish the attitudes of market sensitive attorneys from other attorneys. That is, investigate the attitudes of attorneys who are private practice with a legal firm or sole practitioner separate from other types of attorneys. A determination of what makes an attorney "market sensitive" would be of importance. An analysis of business practices in general of market sensitive attorneys in comparison to business practices of other attorneys would also benefit a general understanding of the marketing of legal services issue.

Further investigation into the composite of respondents that lead to the findings and conclusions of this study are appropriate. As with most survey research, the problem of the nonrespondent groups are of concern. The results of the study may be significantly biased by nonresponding attorneys. The nonrespondent may be so totally adverse to the topic that no response was given. The nonrespondent may also be the "very busy" attorney. It may be these attorneys who utilize one or more explicit or implicit business and marketing strategies. The length of the questionnaire may have hampered these "very busy" attorneys from responding.
Other investigation techniques should be used in further research to avoid some of the nonresponse problems. As with this study, the tradeoffs among time, costs, and the extent and intensity of the generated information must be balanced.

An implication which consistently was evidenced throughout the research pertains to the need of communication between the legal profession and the marketing profession. An investigation of alternative educational processes for both attorneys and marketers should be undertaken. A possible remedy would be business and marketing seminars and focus groups sponsored by the State Bar. A two-way flow of communication is needed for the attorneys and marketers to understand each other. Another possibility would be lectures and mini courses offered through law schools. These courses could be directed at both graduating law students and practicing attorneys as appropriate.

In summary, marketers must educate themselves as to the total macroenvironment of the legal marketplace. Marketing educators teach the need for environmental analysis of the marketplace. Marketing as a discipline should apply its own teaching to the distribution of marketing technology with respect to the legal service marketplace.

Benefits of the educational process of both attorneys and marketers might be reflected in increased attorney use.
of marketing techniques. The education of attorneys might be reflected in a less hostile attitude toward the various mass media. Attorney views of both number and type of professionally appropriate marketing practices might be dramatically increased. The educational process for marketers should result in more appropriate mix of marketing techniques for the professional service market.

An opportunity clearly exists for research into possible applications of business and marketing planning techniques to the legal service area. Specifically, appropriate research should be conducted to determine the feasibility of applying marketing planning, market segmentation strategy, promotional strategy, pricing strategy, and distribution strategy in legal service marketing. The possible applications of marketing technology to the delivery of legal service can realize its tremendous potential only through mutal communication between the legal field and the marketing field.
Dear Texas Lawyer:

This is a confidential membership questionnaire.

As President of the State Bar, I cannot stress enough the importance of possessing accurate pertinent information on the bar membership. This information is invaluable in representing your interests on both the state and national levels. The ability to document information from the bar membership is a powerful tool in presenting and asserting your views on various issues. This information will assist both the courts and the State Bar in making ongoing decisions concerning programs, policies, and standards of practice in Texas.

The collection of information through this confidential questionnaire will help present a factual profile of the membership as well as insights into attitudes on various issues of importance to every lawyer in Texas. Since only a 10% sample of our total membership is being asked to respond, your response is critical to gathering an accurate measure of our membership. By using a small sample, a costly and time-consuming census can be avoided if you will respond now.

The end result of the heightened level of information from our membership will be more responsive service and programs to members of the State Bar and ultimately to the people of the State of Texas. The information you supply will help guide our future directions and actions. As a participant in the study, you have a special voice in speaking for the Bar membership. This is a simple and direct medium that will be heard clearly in Austin.

You may be assured of the confidential nature of this study. Results will be reported only in aggregate form and respondents will remain anonymous. Please take time today to provide your bar association with the information needed to fulfill our mission and purpose. Thank you in advance for your cooperation and valuable time.

Please mail the completed Questionnaire by Monday, August 17, 1981.

Sincerely,

Wayne Fisher
President, State Bar of Texas
### CONFIDENTIAL MEMBERSHIP QUESTIONNAIRE

Please indicate whether you strongly agree, agree, are neutral, disagree, or strongly disagree by placing an X in the appropriate space. There are no right or wrong answers to these statements. We simply want your opinion with respect to your practice of law.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
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<tbody>
<tr>
<td>1. Consumers of legal services are primarily interested in the price</td>
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<td>2. Consumers of legal services will not utilize attorneys unless the attorney or firm makes a substantial effort to stimulate their interest in its services.</td>
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<td>3. Consumers of legal services can be grouped into different market segments depending on their needs with respect to legal services.</td>
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<td>4. Clients know the feature differences (such as specialty) of competing attorneys or firms.</td>
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<td>5. Legal services are sold rather than bought.</td>
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<td>6. Legal service consumers in any group (with similar needs) will seek the services of an attorney or firm which comes closest to or specializes in their need.</td>
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<td>7. Clients choose from among competing attorneys or firms on the basis of obtaining the best quality.</td>
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<td>8. Clients can be induced to utilize more legal services through various sales stimulating devices.</td>
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<td>9. Developing effective services and programs for a selected group(s) is the key to attracting and holding clients.</td>
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<td>10. Improving service quality is the key to attracting and holding clients.</td>
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<td>11. Organizing a strong volume oriented firm (attorney) and staff is the key to attracting and holding clients.</td>
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<td>12. An attorney or firm should determine the needs of their client group(s) and then adapt their services and organization to satisfy the clients.</td>
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<td>13. Marketing legal services means seeing legal services.</td>
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<td>14. Developing new business for a legal firm (or attorney) is important enough to put a partner (member) in charge with firm-wide responsibility.</td>
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<td>15. Marketing legal services means advertising legal services.</td>
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<td>16. A legal firm (or attorney) has a need to educate themselves about legal service marketing.</td>
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<td>17. Marketing for an attorney or legal firm is inconsistent with attorney professionalism.</td>
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<td>18. An attorney or legal firm should have a written business and marketing plan.</td>
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<td>19. It is best for an attorney or firm to hold business development strategy meetings outside regular business hours.</td>
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<td>20. Actively seeking new clients with immediate needs is consistent with attorney professionalism.</td>
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<td>21. Less than 10 percent of an attorney's or a legal firm's total business time should be spent on planning and preparing for business development.</td>
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<td>22. Cultivating contacts with potential clients for their future needs is consistent with attorney professionalism.</td>
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</table>
II. In your opinion, how professionally appropriate are the following appeals (message content) for an attorney or a law firm to utilize in promoting or advertising legal services? Please check the appropriate space for each appeal presented.

<table>
<thead>
<tr>
<th>Appeals</th>
<th>Very Appropriate</th>
<th>Somewhat Appropriate</th>
<th>Neutral</th>
<th>Somewhat Inappropriate</th>
<th>Very Inappropriate</th>
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</thead>
<tbody>
<tr>
<td>1. Hours of operation</td>
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<td>2. Pricing of specific services</td>
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<td>3. Hourly rates</td>
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<td>4. Statements concerning quality of service</td>
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<td>5. Location of office(s)</td>
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<td>6. Statement of certification in specialization areas</td>
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<td>7. Telephone number(s)</td>
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<td>8. Types of cases you want to handle</td>
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<td>9. Law school(s) attended</td>
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<td>10. Years of practice</td>
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<td>11. Professional affiliations (State Bar, American Bar, etc.)</td>
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<td>12. Statements of past legal experience</td>
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<td>13. Statements concerning promptness of service</td>
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<td>14. Statements of consumer need for specific legal service (Examples: Wills, real estate, review of contracts, commercial contracts)</td>
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III. In your opinion, how professionally appropriate are the following media for an attorney or firm to utilize in promoting or advertising legal services? Please check the appropriate space for each media presented.

<table>
<thead>
<tr>
<th>Media</th>
<th>Very Appropriate</th>
<th>Somewhat Appropriate</th>
<th>Neutral</th>
<th>Somewhat Inappropriate</th>
<th>Very Inappropriate</th>
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</thead>
<tbody>
<tr>
<td>1. Yellow Pages</td>
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<td>2. Newspaper</td>
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<td>3. Professional/Academic Journals (i.e., State Bar Journal, etc.)</td>
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<td>4. Popular/news magazines</td>
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<td>5. Television</td>
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<td>6. Radio</td>
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<td>7. Billboard</td>
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<td>8. Direct Mail</td>
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<td>9. Handbills</td>
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<td>10. Transit (bus, cab, etc.)</td>
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<td>11. Circulators/Shopping Guides</td>
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<td>12. Trade/Association magazines (i.e., Women's Wear Daily for women's apparel industry)</td>
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</table>

IV. Please assign 100 points across the following groups to reflect the degree of importance which you attach to serving the interest or welfare of the five groups in your practice of law.

<table>
<thead>
<tr>
<th>Group</th>
<th>Points</th>
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<tbody>
<tr>
<td>To the courts</td>
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<tr>
<td>To the client</td>
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<tr>
<td>To the general public</td>
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<tr>
<td>To the state bar</td>
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<tr>
<td>To the firm or your private practice</td>
<td>100 pts.</td>
</tr>
</tbody>
</table>

Please continue at top of page 4
1. Do you as an attorney in private practice or your legal firm have a written business plan, for acquiring and keeping clients? (Check only one.)

Yes ______ No ______ (Skip to Question 2) Do not know ______ (Skip to Question 2)

1(a) If yes, was the plan prepared within the firm by (check only one):

- an individual other than a managing partner
- a managing partner
- a committee
- Other (please specify) ______

1(b) Was an individual or firm, external to your legal practice, used as a consultant in the development or preparation of the business plan?

Yes ______ No ______ Do not know ______

1(c) Does the time scope of the plan include a (check all that apply):

- 1 yr plan (**) 2 yr plan (***) 3 yr plan (****) 4 yr plan (***** 4 yr plan (****** 5 yr plan (*******) greater than 5 yr plan (^)

1(d) Does the business plan include a statement about (check all that apply):

- A. How prices/fees are to be determined
- B. How often fee schedules are to be reviewed
- C. What types of cases or areas of specialization the firm will engage in
- D. Goals for increasing revenue for the firm
- E. Plan for promotion of the firm to potential clients
- F. Number and location of offices
- G. Marketing needs of the firm
- H. Physical facility needs of the firm
- I. Financial needs of the firm
- J. Manpower needs of the firm

1(e) Does the business plan include a statement about (check all that apply):

- A. How prices/fees are to be determined
- B. How often fee schedules are to be reviewed
- C. What types of cases or areas of specialization the firm will engage in
- D. Goals for increasing revenue for the firm
- E. Plan for promotion of the firm to potential clients
- F. Number and location of offices
- G. Marketing needs of the firm
- H. Physical facility needs of the firm
- I. Financial needs of the firm
- J. Manpower needs of the firm

2. Do you as an attorney in private practice or your legal firm have an informal, non-written business plan for acquiring and keeping clients?

Yes ______ No ______ Do not know ______

VI READERSHIP INFORMATION

1. What newspaper(s) do you read daily? (Please specify)

2. Which of the following do you subscribe to individually or jointly? (Check all that apply)

- 1. Barons
- 2. Business Week
- 3. Forbes
- 4. Fortune
- 5. Journal of Management
- 6. Journal of Marketing
- 7. Newsweek
- 8. Texas Business
- 9. Time
- 10. U.S. News and World Report
- 11. Wall Street Journal

II CATEGORICAL DATA

1. Are you a member of the State Bar of Texas? _____ yes _____ no

2. Indicate the zip code of the area in which your principal office is located

3. What is your age?

- under 30
- 30 to 35
- 36 to 45
- 46 to 55
- 56 to 65
- over 65

4. Please indicate your sex

- female
- male

5. Please indicate your ethnic background

- American Indian
- Asian American
- Black
- Hispanic
- Other (please specify)
11. What is your primary legal occupation?
   - sole practitioner
   - firm partner or associate
   - in-house lawyer
   - corporation lawyer (House Counsel)
   - bank (trust officer)

12. How many hours, both chargeable and non-chargeable, do you devote to the practice of law in an average month?
   - less than 50
   - 50 to 120
   - 121 to 190
   - 191 to 260
   - 261 to 325
   - over 325

13. On the average, how many chargeable hours do you produce per month?
   - less than 50
   - 51 to 120
   - 121 to 190
   - 191 to 260
   - 261 to 325
   - over 325

14. What percent of your earned income in 1980 (excluding investment income) was derived from the law profession (including judges, law school faculty, government attorneys, and corporate attorneys)?
   - 0 to 15%
   - 16 to 30%
   - 31 to 50%
   - 51 to 75%
   - 76 to 100%

15. Which of the following areas of the law constitute at least 10% of your practice? (Check all that apply)
   - Civil Trial
   - Administrative
   - Admiralty
   - Bankruptcy
   - Business
   - Employment
   - Environmental
   - Eminent Domain
   - Family Law (divorce)
   - Family Law (child custody)
   - General Practice
   - Health Law
   - International
   - Labor
   - Military
   - Natural Resources
   - Patents, Trademarks
   - Personal Injury
   - Public Law
   - Real Estate
   - School Law
   - Securities
   - Taxation
   - Other

16. For practicing attorneys only. With respect to your volume of practice, do you normally have
   1. Much more practice than you can handle
   2. Slightly more practice than you can handle
   3. About the practice you can handle
   4. Slightly less practice than you can handle
   5. Much less practice than you can handle

17. Are you certified by the Texas Board of Legal Specialization in? (Check all that apply)
   - Civil Trial
   - Criminal
   - Estate Planning & Probate
   - Family
   - Immigration & Nationality
   - Labor

18. Do you plan to seek Board certification in the next year? (Check all that apply)
   - Civil Trial
   - Criminal
   - Estate Planning & Probate
   - Family
   - Immigration & Nationality
   - Labor

Please continue at top of page 6
19. Do you have an undergraduate degree from a college or university?

| Yes | No |

19a. If yes, please specify:

| Institution | Degree | Major | Year |

20. Do you have a graduate degree other than a juris doctorate?

| Yes | No |

20a. If yes, please specify:

| Institution | Degree | Major | Year |

21. When you charge on an hourly basis, what is your average or standard hourly rate?

| Less than $25 | $25 to $30 | $31 to $40 | $41 to $50 | $51 to $60 | $61 to $75 | $76 to $99 | $100 to $124 | $125 or more |

22. What was your personal net income before taxes in 1980 from your work as a member of the legal profession? Deduct all business, but not personal expenses.

| Under $10,000 | $10,000 to $19,999 | $20,000 to $29,999 | $30,000 to $39,999 | $40,000 to $49,999 | $50,000 to $59,999 | $60,000 to $69,999 | $70,000 to $79,999 | $80,000 to $89,999 | $90,000 to $99,999 | $100,000 to $124,999 | $125,000 to $149,999 | $150,000 to $189,999 | $190,000 to $209,999 | $210,000 to $249,999 | $250,000 or more |
APPENDIX B
TABLE I

RELIABILITY STATISTICS FOR SECTION I

<table>
<thead>
<tr>
<th>Statements</th>
<th>Alpha</th>
<th>Mean</th>
<th>F-Probability</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section I—Part I</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production</td>
<td>.60</td>
<td>12.76</td>
<td>.0000</td>
</tr>
<tr>
<td>Sales</td>
<td>.73</td>
<td>11.47</td>
<td>.0000</td>
</tr>
<tr>
<td>Consumer</td>
<td>.68</td>
<td>14.64</td>
<td>.0000</td>
</tr>
<tr>
<td><strong>Section I—Part II</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consumer—Nonconsumer</td>
<td>.85</td>
<td>32.91</td>
<td>.0000</td>
</tr>
<tr>
<td>Statement</td>
<td>Statement Orientation</td>
<td>Factor One</td>
<td>Factor Two</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>-----------------------</td>
<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>1. Consumers of legal services are primarily interested in the price.</td>
<td>Production</td>
<td>0.37099</td>
<td>-0.13249</td>
</tr>
<tr>
<td>2. Consumers of legal services will not utilize attorneys unless the attorney or firm makes a substantial effort to stimulate their interest in its services.</td>
<td>Sales</td>
<td>0.637000</td>
<td>0.00531</td>
</tr>
<tr>
<td>3. Consumers of legal services can be grouped (into different market segments) depending upon their needs with respect to legal services.</td>
<td>Consumer</td>
<td>0.30571</td>
<td>0.09341</td>
</tr>
<tr>
<td>4. Clients know the feature differences (such as an area of specialty) of competing attorneys or firms.</td>
<td>Production</td>
<td>-0.02567</td>
<td>0.37529</td>
</tr>
<tr>
<td>5. Legal services are sold rather than bought.</td>
<td>Sales</td>
<td>0.54713</td>
<td>0.00582</td>
</tr>
<tr>
<td>6. Legal service consumers in any group (with similar needs) will seek the services of an attorney or firm which comes closest to or specializes in their need.</td>
<td>Consumer</td>
<td>0.06485</td>
<td>0.54400</td>
</tr>
<tr>
<td>7. Clients choose from among competing attorneys or firms on the basis of obtaining the best quality.</td>
<td>Production</td>
<td>-0.20095</td>
<td>0.64169</td>
</tr>
<tr>
<td>Statement</td>
<td>Statement Orientation</td>
<td>Factor One</td>
<td>Factor Two</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>-----------------------</td>
<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>8. Clients can be induced to utilize more legal services through various sales stimulating devices.</td>
<td>Sales</td>
<td>0.31686</td>
<td>-0.09596</td>
</tr>
<tr>
<td>9. Developing effective services and programs for a selected group(s) is the key to attracting and holding clients.</td>
<td>Consumer</td>
<td>0.30503</td>
<td>0.27336</td>
</tr>
<tr>
<td>10. Improving service quality is the key to attracting and holding clients.</td>
<td>Production</td>
<td>0.00543</td>
<td>0.36805</td>
</tr>
<tr>
<td>11. Organizing a strong volume oriented firm (attorney) and staff is the key to attracting and holding clients.</td>
<td>Sales</td>
<td>0.24909</td>
<td>0.11946</td>
</tr>
<tr>
<td>12. An attorney or firm should determine the needs of their client group(s) and then adapt their services and organization to satisfy the clients.</td>
<td>Consumer</td>
<td>0.12516</td>
<td>0.26813</td>
</tr>
</tbody>
</table>

* Only factors with an equitable value of 1 or above are considered significant and reported.
### TABLE III

**FREQUENCIES AND MEANS FOR SECTION 1**

**ATTITUDE STATEMENTS**

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
<th>Mean Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Consumers of legal services are primarily interested in the price.</td>
<td>41 (4)</td>
<td>277 (26)</td>
<td>176 (17)</td>
<td>510 (48)</td>
<td>56 (5)</td>
<td>2.75</td>
</tr>
<tr>
<td>2. Consumers of legal services will not utilize attorneys unless the attorney or firm makes a substantial effort to stimulate their interest in its services.</td>
<td>21 (2)</td>
<td>191 (18)</td>
<td>181 (17)</td>
<td>601 (57)</td>
<td>67 (6)</td>
<td>2.53</td>
</tr>
<tr>
<td>3. Consumers of legal services can be grouped (into different market segments) depending upon their needs with respect to legal services.</td>
<td>165 (16)</td>
<td>720 (68)</td>
<td>123 (12)</td>
<td>46 (4)</td>
<td>6 (1)</td>
<td>3.94</td>
</tr>
<tr>
<td>4. Clients know the feature differences (such as an area of specialty) of competing attorneys or firms.</td>
<td>10 (1)</td>
<td>187 (18)</td>
<td>133 (13)</td>
<td>603 (57)</td>
<td>127 (12)</td>
<td>2.39</td>
</tr>
<tr>
<td>5. Legal services are sold rather than bought.</td>
<td>18 (2)</td>
<td>178 (17)</td>
<td>238 (23)</td>
<td>546 (52)</td>
<td>74 (7)</td>
<td>2.55</td>
</tr>
<tr>
<td>Statement</td>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Neutral</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
<td>Mean Response</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------------</td>
<td>-------</td>
<td>---------</td>
<td>----------</td>
<td>-------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>6. Legal service consumers in any group (with similar needs) will seek the services of an attorney or firm which comes closest to or specializes in their need.</td>
<td>29 (3)</td>
<td>451</td>
<td>204</td>
<td>356</td>
<td>13 (1)</td>
<td>3.12</td>
</tr>
<tr>
<td>7. Clients choose from among competing attorneys or firms on the basis of obtaining the best quality.</td>
<td>55 (5)</td>
<td>427</td>
<td>175</td>
<td>364</td>
<td>38 (4)</td>
<td>3.09</td>
</tr>
<tr>
<td>8. Clients can be induced to utilize more legal services through various sales stimulating devices.</td>
<td>29 (3)</td>
<td>504</td>
<td>233</td>
<td>246</td>
<td>43 (4)</td>
<td>3.22</td>
</tr>
<tr>
<td>9. Developing effective services and programs for selecting group(s) is the key to attracting and holding clients.</td>
<td>84 (8)</td>
<td>566</td>
<td>262</td>
<td>129</td>
<td>13 (1)</td>
<td>3.55</td>
</tr>
<tr>
<td>10. Improving service quality is the key to attracting and holding clients.</td>
<td>297 (28)</td>
<td>639</td>
<td>78</td>
<td>39</td>
<td>2 (0)</td>
<td>4.13</td>
</tr>
<tr>
<td>11. Organizing a strong volume oriented firm (attorney) and staff is the key to attracting and holding clients.</td>
<td>35 (3)</td>
<td>170</td>
<td>317</td>
<td>486</td>
<td>44 (4)</td>
<td>2.68</td>
</tr>
<tr>
<td>Statement</td>
<td>Strongly Agree (5)</td>
<td>Agree (4)</td>
<td>Neutral (3)</td>
<td>Disagree (2)</td>
<td>Strongly Disagree (1)</td>
<td>Mean Response</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>--------------------</td>
<td>-----------</td>
<td>-------------</td>
<td>--------------</td>
<td>-----------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>12. An attorney or firm should determine the needs of their client group(s) and then adapt their services and organization to satisfy the clients.</td>
<td>97 (9)</td>
<td>627 (59)</td>
<td>180 (17)</td>
<td>145 (14)</td>
<td>11 (1)</td>
<td>3.62</td>
</tr>
<tr>
<td>13. Marketing legal services means selling legal services.</td>
<td>32 (3)</td>
<td>429 (41)</td>
<td>277 (26)</td>
<td>294 (28)</td>
<td>24 (2)</td>
<td>3.14</td>
</tr>
<tr>
<td>14. Developing new business for a legal firm (or attorney) is important enough to put a partner (member) in charge with firm-wide responsibility.</td>
<td>47 (4)</td>
<td>426 (41)</td>
<td>372 (36)</td>
<td>190 (18)</td>
<td>12 (1)</td>
<td>3.23</td>
</tr>
<tr>
<td>15. Marketing legal services means advertising legal services.</td>
<td>24 (2)</td>
<td>234 (22)</td>
<td>213 (20)</td>
<td>451 (43)</td>
<td>135 (13)</td>
<td>2.59</td>
</tr>
<tr>
<td>16. A legal firm (or attorney) has a need to educate themselves about legal service marketing.</td>
<td>55 (5)</td>
<td>585 (55)</td>
<td>277 (26)</td>
<td>125 (12)</td>
<td>13 (1)</td>
<td>3.52</td>
</tr>
<tr>
<td>17. Marketing for an attorney or legal firm is inconsistent with attorney professionalism.</td>
<td>110 (10)</td>
<td>238 (22)</td>
<td>240 (23)</td>
<td>394 (37)</td>
<td>80 (8)</td>
<td>2.91</td>
</tr>
<tr>
<td>18. An attorney or legal firm should have a written business and marketing plan.</td>
<td>26 (2)</td>
<td>189 (18)</td>
<td>472 (45)</td>
<td>326 (31)</td>
<td>40 (4)</td>
<td>2.84</td>
</tr>
<tr>
<td>Statement</td>
<td>Strongly Agree (5)</td>
<td>Agree (4)</td>
<td>Neutral (3)</td>
<td>Disagree (2)</td>
<td>Strongly Disagree (1)</td>
<td>Mean Response</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>--------------------</td>
<td>-----------</td>
<td>-------------</td>
<td>--------------</td>
<td>-----------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>19. It is best for an attorney or firm to hold business development,</td>
<td>41 (4)</td>
<td>354 (34)</td>
<td>423 (40)</td>
<td>223 (21)</td>
<td>11 (1)</td>
<td>3.18</td>
</tr>
<tr>
<td>strategy meetings outside regular business hours.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20. Actively seeking new clients with immediate needs is consistent</td>
<td>61 (6)</td>
<td>442 (42)</td>
<td>246 (23)</td>
<td>272 (26)</td>
<td>36 (3)</td>
<td>3.21</td>
</tr>
<tr>
<td>with attorney professionalism.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21. Less than 10 percent of an attorney's or a legal firm's total business</td>
<td>41 (4)</td>
<td>357 (34)</td>
<td>440 (42)</td>
<td>193 (18)</td>
<td>24 (2)</td>
<td>3.19</td>
</tr>
<tr>
<td>time should be spent on planning and preparing for business</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>development.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22. Cultivating contacts with potential clients for their future needs</td>
<td>129 (12)</td>
<td>764 (72)</td>
<td>86 (8)</td>
<td>68 (6)</td>
<td>12 (1)</td>
<td>3.89</td>
</tr>
<tr>
<td>is consistent with attorney professionalism.</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Statement</td>
<td>Count (Row %)</td>
<td>Mean Response</td>
<td></td>
<td></td>
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<tr>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Very Appropriate</td>
<td>Somewhat Appropriate</td>
<td>Neutral</td>
<td>Somewhat Inappropriate</td>
<td>Very Inappropriate</td>
<td></td>
</tr>
<tr>
<td>1. Hours of operation.</td>
<td>411 (40)</td>
<td>288 (28)</td>
<td>168 (16)</td>
<td>109 (10)</td>
<td>64 (6)</td>
<td>3.84</td>
</tr>
<tr>
<td>2. Pricing of specific services.</td>
<td>167 (16)</td>
<td>299 (29)</td>
<td>126 (12)</td>
<td>245 (23)</td>
<td>210 (20)</td>
<td>2.97</td>
</tr>
<tr>
<td>3. Flat hourly rates.</td>
<td>190 (18)</td>
<td>350 (34)</td>
<td>152 (14)</td>
<td>199 (19)</td>
<td>153 (15)</td>
<td>3.22</td>
</tr>
<tr>
<td>4. Statements concerning quality of service.</td>
<td>73 (7)</td>
<td>127 (12)</td>
<td>127 (12)</td>
<td>272 (26)</td>
<td>443 (43)</td>
<td>2.15</td>
</tr>
<tr>
<td>5. Location of office(s).</td>
<td>583 (55)</td>
<td>318 (30)</td>
<td>96 (9)</td>
<td>25 (2)</td>
<td>30 (3)</td>
<td>4.33</td>
</tr>
<tr>
<td>6. Statement of certification in specialization area(s).</td>
<td>573 (54)</td>
<td>346 (33)</td>
<td>80 (8)</td>
<td>22 (2)</td>
<td>33 (3)</td>
<td>4.33</td>
</tr>
<tr>
<td>7. Telephone number(s).</td>
<td>703 (67)</td>
<td>249 (24)</td>
<td>57 (5)</td>
<td>18 (2)</td>
<td>26 (2)</td>
<td>4.51</td>
</tr>
<tr>
<td>8. Types of cases you want to handle.</td>
<td>438 (42)</td>
<td>387 (37)</td>
<td>113 (11)</td>
<td>57 (5)</td>
<td>57 (5)</td>
<td>4.01</td>
</tr>
<tr>
<td>9. Law school(s) attended.</td>
<td>147 (14)</td>
<td>242 (23)</td>
<td>271 (26)</td>
<td>242 (23)</td>
<td>150 (14)</td>
<td>2.99</td>
</tr>
<tr>
<td>10. Years of practice.</td>
<td>211 (20)</td>
<td>389 (37)</td>
<td>193 (18)</td>
<td>157 (15)</td>
<td>100 (10)</td>
<td>3.43</td>
</tr>
<tr>
<td>Statement</td>
<td>Very Appropriate (5)</td>
<td>Somewhat Appropriate (4)</td>
<td>Neutral (3)</td>
<td>Somewhat Inappropriate (2)</td>
<td>Very Inappropriate (1)</td>
<td>Mean Response</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>----------------------</td>
<td>--------------------------</td>
<td>--------------</td>
<td>---------------------------</td>
<td>------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>11. Professional affiliations (State Bar, American Bar, etc.).</td>
<td>197 (19)</td>
<td>358 (34)</td>
<td>261 (25)</td>
<td>144 (14)</td>
<td>89 (8)</td>
<td>3.41</td>
</tr>
<tr>
<td>12. Statements of past legal experience.</td>
<td>113 (11)</td>
<td>293 (28)</td>
<td>206 (20)</td>
<td>264 (25)</td>
<td>176 (17)</td>
<td>2.91</td>
</tr>
<tr>
<td>13. Statements concerning promptness of service.</td>
<td>89 (8)</td>
<td>216 (21)</td>
<td>100 (19)</td>
<td>320 (21)</td>
<td>224 (21)</td>
<td>2.64</td>
</tr>
<tr>
<td>14. Statements of consumers need for specific legal service (Examples:</td>
<td>123 (12)</td>
<td>318 (31)</td>
<td>247 (24)</td>
<td>214 (21)</td>
<td>135 (13)</td>
<td>3.07</td>
</tr>
<tr>
<td>Statement</td>
<td>Very Appropriate</td>
<td>Somewhat Appropriate</td>
<td>Neutral</td>
<td>Somewhat Inappropriate</td>
<td>Very Inappropriate</td>
<td>Mean Response</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>------------------</td>
<td>----------------------</td>
<td>---------</td>
<td>------------------------</td>
<td>-------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>1. Yellow Pages</td>
<td>544 (52)</td>
<td>319 (30)</td>
<td>75 (7)</td>
<td>67 (6)</td>
<td>50 (5)</td>
<td>4.18</td>
</tr>
<tr>
<td>2. Newspaper</td>
<td>123 (13)</td>
<td>252 (24)</td>
<td>153 (15)</td>
<td>285 (27)</td>
<td>233 (22)</td>
<td>2.78</td>
</tr>
<tr>
<td>3. Professional/Academic Journals (i.e., State Bar Journal, etc.)</td>
<td>402 (38)</td>
<td>363 (34)</td>
<td>150 (14)</td>
<td>71 (7)</td>
<td>71 (7)</td>
<td>3.90</td>
</tr>
<tr>
<td>4. Popular/news magazines</td>
<td>58 (5)</td>
<td>151 (14)</td>
<td>164 (16)</td>
<td>358 (34)</td>
<td>320 (30)</td>
<td>2.30</td>
</tr>
<tr>
<td>5. Television</td>
<td>48 (5)</td>
<td>73 (7)</td>
<td>115 (11)</td>
<td>318 (30)</td>
<td>504 (48)</td>
<td>1.90</td>
</tr>
<tr>
<td>6. Radio</td>
<td>48 (5)</td>
<td>74 (7)</td>
<td>115 (11)</td>
<td>320 (30)</td>
<td>501 (47)</td>
<td>1.91</td>
</tr>
<tr>
<td>7. Billboard</td>
<td>30 (3)</td>
<td>27 (3)</td>
<td>60 (6)</td>
<td>293 (28)</td>
<td>645 (61)</td>
<td>1.58</td>
</tr>
<tr>
<td>8. Direct Mail</td>
<td>49 (5)</td>
<td>111 (11)</td>
<td>111 (11)</td>
<td>247 (33)</td>
<td>539 (51)</td>
<td>1.94</td>
</tr>
<tr>
<td>9. Handbills</td>
<td>28 (3)</td>
<td>28 (3)</td>
<td>71 (7)</td>
<td>259 (24)</td>
<td>672 (64)</td>
<td>1.56</td>
</tr>
<tr>
<td>10. Transit (bus, cab, etc.)</td>
<td>32 (3)</td>
<td>28 (3)</td>
<td>67 (6)</td>
<td>249 (24)</td>
<td>681 (64)</td>
<td>1.56</td>
</tr>
<tr>
<td>Statement</td>
<td>Very Appropriate (5)</td>
<td>Somewhat Appropriate (4)</td>
<td>Neutral (3)</td>
<td>Somewhat Inappropriate (2)</td>
<td>Very Inappropriate (1)</td>
<td>Mean Response</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>----------------------</td>
<td>--------------------------</td>
<td>-------------</td>
<td>----------------------------</td>
<td>------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>11. Circulars/Shopping Guides</td>
<td>43 (9)</td>
<td>63 (6)</td>
<td>89 (8)</td>
<td>263 (25)</td>
<td>599 (57)</td>
<td>1.76</td>
</tr>
<tr>
<td>12. Trade/Association magazines (e.g., Womens Wear Daily for women's apparel industry)</td>
<td>81 (8)</td>
<td>220 (21)</td>
<td>155 (15)</td>
<td>243 (23)</td>
<td>353 (34)</td>
<td>2.46</td>
</tr>
</tbody>
</table>
### TABLE VI
**FREQUENCIES AND MEANS FOR SECTION IV**

<table>
<thead>
<tr>
<th>Categories</th>
<th>Courts</th>
<th>Client</th>
<th>General Public</th>
<th>State Bar</th>
<th>Firm or Private Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>88 (9)</td>
<td>18 (2)</td>
<td>168 (17)</td>
<td>256 (26)</td>
<td>106 (11)</td>
</tr>
<tr>
<td>1 to 10</td>
<td>423 (52)</td>
<td>26 (3)</td>
<td>563 (57)</td>
<td>639 (64)</td>
<td>325 (33)</td>
</tr>
<tr>
<td>11 to 20</td>
<td>283 (29)</td>
<td>43 (4)</td>
<td>188 (19)</td>
<td>86 (9)</td>
<td>276 (28)</td>
</tr>
<tr>
<td>21 to 30</td>
<td>136 (14)</td>
<td>131 (13)</td>
<td>45 (5)</td>
<td>9 (1)</td>
<td>195 (20)</td>
</tr>
<tr>
<td>31 to 40</td>
<td>38 (4)</td>
<td>183 (18)</td>
<td>19 (2)</td>
<td>-</td>
<td>53 (5)</td>
</tr>
<tr>
<td>41 to 50</td>
<td>16 (2)</td>
<td>238 (24)</td>
<td>5 (1)</td>
<td>1 (*)</td>
<td>21 (2)</td>
</tr>
<tr>
<td>51 to 60</td>
<td>-</td>
<td>111 (11)</td>
<td>-</td>
<td>-</td>
<td>15 (2)</td>
</tr>
<tr>
<td>61 to 70</td>
<td>-</td>
<td>61 (6)</td>
<td>-</td>
<td>-</td>
<td>2 (-)</td>
</tr>
<tr>
<td>71 to 80</td>
<td>-</td>
<td>121 (12)</td>
<td>2 (*)</td>
<td>-</td>
<td>2 (*)</td>
</tr>
<tr>
<td>81 to 90</td>
<td>-</td>
<td>35 (4)</td>
<td>-</td>
<td>-</td>
<td>4 (-)</td>
</tr>
<tr>
<td>91 to 100</td>
<td>-</td>
<td>43 (4)</td>
<td>3 (*)</td>
<td>1 (*)</td>
<td>2 (*)</td>
</tr>
<tr>
<td>Mean Response</td>
<td>14.63</td>
<td>51.39</td>
<td>10.03</td>
<td>6.10</td>
<td>19.52</td>
</tr>
</tbody>
</table>

*Indicates the actual count representing less than 1 percent of the responses for that column.
TABLE VII

FREQUENCIES FOR SECTION V
USE OF FORMAL AND INFORMAL BUSINESS PLANS

<table>
<thead>
<tr>
<th>Statement</th>
<th>Count (Row %)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Do you as an attorney in private practice of your legal firm have a written business plan, for acquiring and keeping clients?</td>
<td>Yes: 51 (5); No: 860 (89); Do Not Know: 59 (6)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Do you as an attorney in private practice of your legal firm have an informal, non-written business plan for acquiring and keeping clients?</td>
<td>Yes: 373 (40); No: 476 (51); Do Not Know: 80 (9)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
TABLE VIII

FREQUENCIES FOR "WAS THE PLAN PREPARED WITHIN THE FIRM BY?" WITH RESPECT TO USE OF FORMAL WRITTEN BUSINESS PLAN*

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>Column %</th>
</tr>
</thead>
<tbody>
<tr>
<td>An individual other than a managing partner</td>
<td>9</td>
<td>23</td>
</tr>
<tr>
<td>A managing partner</td>
<td>10</td>
<td>25.6</td>
</tr>
<tr>
<td>A committee</td>
<td>16</td>
<td>41</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
<td>10.4</td>
</tr>
<tr>
<td>TOTAL</td>
<td>39</td>
<td>100</td>
</tr>
</tbody>
</table>

*Based upon 39 usable responses.
TABLE IX

FREQUENCIES FOR "WAS AN INDIVIDUAL OR FIRM EXTERNAL TO YOUR LEGAL PRACTICE USED AS A CONSULTANT IN THE DEVELOPMENT OR PREPARATION OF THE BUSINESS PLAN?" WITH RESPECT TO THE USE OF A FORMAL WRITTEN BUSINESS PLAN*

<table>
<thead>
<tr>
<th>Statement</th>
<th>Count (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Was Individual or Firm External To Firm Used To Prepare Formal Business Plan</td>
<td>Yes: 10 (26), No: 24 (62), Do Not Know: 5 (12)</td>
</tr>
</tbody>
</table>

*Based on 39 usable responses.
### TABLE X

FREQUENCIES FOR "DOES THE TIME SCOPE OF THE PLAN INCLUDE A (CHECK ALL THAT APPLY)?" WITH RESPECT TO THE USE OF FORMAL WRITTEN BUSINESS PLAN*

<table>
<thead>
<tr>
<th>Scope of Plan Includes</th>
<th>Count</th>
<th>%**</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 year plan</td>
<td>17</td>
<td>44</td>
</tr>
<tr>
<td>2 year plan</td>
<td>9</td>
<td>23</td>
</tr>
<tr>
<td>3 year plan</td>
<td>8</td>
<td>21</td>
</tr>
<tr>
<td>4 year plan</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>5 year plan</td>
<td>10</td>
<td>26</td>
</tr>
<tr>
<td>Greater than 5-year plan</td>
<td>7</td>
<td>18</td>
</tr>
</tbody>
</table>

* Based on 39 usable responses.
** Respondents were asked to "check all that apply", therefore, total will not equal 100%. 
<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manpower Needs of the Firm</td>
<td>34</td>
<td>87</td>
</tr>
<tr>
<td>Financial Needs of the Firm</td>
<td>35</td>
<td>90</td>
</tr>
<tr>
<td>Physical Facility Needs of the Firm</td>
<td>31</td>
<td>79</td>
</tr>
<tr>
<td>Marketing Needs of the Firm</td>
<td>27</td>
<td>69</td>
</tr>
<tr>
<td>Other General Areas</td>
<td>11</td>
<td>28</td>
</tr>
</tbody>
</table>

* Based on 39 usable responses.
** Respondents were asked to "check all that apply", therefore column total will not equal 100%.
TABLE XII

FREQUENCIES FOR "DOES THE BUSINESS PLAN INCLUDE A STATEMENT ABOUT (CHECK ALL THAT APPLY)?" WITH RESPECT TO THE USE OF A FORMAL WRITTEN BUSINESS PLAN*

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%**</th>
</tr>
</thead>
<tbody>
<tr>
<td>How prices/fees are to be determined</td>
<td>27</td>
<td>69</td>
</tr>
<tr>
<td>How often fee schedules are to be reviewed</td>
<td>18</td>
<td>46</td>
</tr>
<tr>
<td>What type of cases or areas of specialization the firm will engage in</td>
<td>32</td>
<td>82</td>
</tr>
<tr>
<td>Goals for increasing the revenue of the firm</td>
<td>26</td>
<td>67</td>
</tr>
<tr>
<td>Plan for promotion of the firm to potential clients</td>
<td>30</td>
<td>77</td>
</tr>
<tr>
<td>Number and location of offices</td>
<td>16</td>
<td>41</td>
</tr>
</tbody>
</table>

* Based on 39 usable responses.

** Respondents were asked to "check all that apply", therefore column total will not equal 100%.
TABLE XIII
FREQUENCIES FOR NUMBER OF NEWSPAPERS READ DAILY
(EXCLUDES THE WALL STREET JOURNAL)

<table>
<thead>
<tr>
<th>Number of Newspapers Read Daily</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>60</td>
<td>6</td>
</tr>
<tr>
<td>1</td>
<td>577</td>
<td>57</td>
</tr>
<tr>
<td>2</td>
<td>321</td>
<td>32</td>
</tr>
<tr>
<td>3</td>
<td>45</td>
<td>4</td>
</tr>
<tr>
<td>4</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>*</td>
</tr>
</tbody>
</table>

TOTAL 1,013 100

Mean 1.07 Newspapers Read Daily per Respondent

* Less than 1%.
TABLE XIV

FREQUENCIES FOR "WHICH OF THE FOLLOWING DO YOU SUBSCRIBE TO INDIVIDUALLY OR JOINTLY? (CHECK ALL THAT APPLY)"

<table>
<thead>
<tr>
<th>Reading Material</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barons</td>
<td>50</td>
<td>5</td>
</tr>
<tr>
<td>Business Week</td>
<td>189</td>
<td>19</td>
</tr>
<tr>
<td>Forbes</td>
<td>157</td>
<td>16</td>
</tr>
<tr>
<td>Fortune</td>
<td>148</td>
<td>15</td>
</tr>
<tr>
<td>Journal of Management</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>Journal of Marketing</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Newsweek</td>
<td>377</td>
<td>39</td>
</tr>
<tr>
<td>Texas Business</td>
<td>134</td>
<td>14</td>
</tr>
<tr>
<td>Time</td>
<td>439</td>
<td>45</td>
</tr>
<tr>
<td>U.S. News &amp; World Report</td>
<td>213</td>
<td>22</td>
</tr>
<tr>
<td>The Wall Street Journal</td>
<td>607</td>
<td>62</td>
</tr>
</tbody>
</table>

Mean 2.39 Publications Subscribed to per Respondent
<table>
<thead>
<tr>
<th>Zip Code Area</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>State of Texas</td>
<td>927</td>
<td>92.3</td>
</tr>
<tr>
<td>Outside State of Texas</td>
<td>76</td>
<td>7.6</td>
</tr>
<tr>
<td>Bexar</td>
<td>78</td>
<td>7.8</td>
</tr>
<tr>
<td>Dallas</td>
<td>192</td>
<td>19.1</td>
</tr>
<tr>
<td>Harris</td>
<td>254</td>
<td>25.3</td>
</tr>
<tr>
<td>Tarrant</td>
<td>59</td>
<td>5.9</td>
</tr>
<tr>
<td>Travis</td>
<td>72</td>
<td>7.2</td>
</tr>
<tr>
<td><strong>Metro Subtotal</strong></td>
<td><strong>635</strong></td>
<td><strong>65.3</strong></td>
</tr>
<tr>
<td>Bell</td>
<td>5</td>
<td>0.4</td>
</tr>
<tr>
<td>Cameron-Hidalgo-Wilacy</td>
<td>13</td>
<td>1.3</td>
</tr>
<tr>
<td>Collin</td>
<td>1</td>
<td>0.1</td>
</tr>
<tr>
<td>Ector-Midland</td>
<td>22</td>
<td>2.2</td>
</tr>
<tr>
<td>El Paso</td>
<td>15</td>
<td>1.5</td>
</tr>
<tr>
<td>Fort Bend-Brazoria</td>
<td>7</td>
<td>0.7</td>
</tr>
<tr>
<td>Galveston</td>
<td>2</td>
<td>0.2</td>
</tr>
<tr>
<td>Jefferson</td>
<td>27</td>
<td>2.7</td>
</tr>
<tr>
<td>Lubbock</td>
<td>22</td>
<td>2.2</td>
</tr>
<tr>
<td>McClellan</td>
<td>9</td>
<td>0.9</td>
</tr>
<tr>
<td>Nueces</td>
<td>21</td>
<td>2.1</td>
</tr>
<tr>
<td>Zip Code Area</td>
<td>Count</td>
<td>%</td>
</tr>
<tr>
<td>------------------</td>
<td>-------</td>
<td>-----</td>
</tr>
<tr>
<td>Potter-Rawdall</td>
<td>20</td>
<td>2.0</td>
</tr>
<tr>
<td>Smith-Gregg</td>
<td>11</td>
<td>1.1</td>
</tr>
<tr>
<td>Taylor</td>
<td>10</td>
<td>1.0</td>
</tr>
<tr>
<td>Wichita</td>
<td>4</td>
<td>0.4</td>
</tr>
<tr>
<td><strong>Urban Subtotal</strong></td>
<td><strong>189</strong></td>
<td><strong>18.3</strong></td>
</tr>
<tr>
<td><strong>Rural Subtotal</strong></td>
<td><strong>83</strong></td>
<td><strong>8.3</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,003</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>
TABLE XVI

FREQUENCIES FOR "WHAT IS YOUR AGE?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 30</td>
<td>202</td>
<td>19</td>
</tr>
<tr>
<td>30 to 35</td>
<td>307</td>
<td>29</td>
</tr>
<tr>
<td>36 to 45</td>
<td>274</td>
<td>26</td>
</tr>
<tr>
<td>46 to 55</td>
<td>132</td>
<td>12</td>
</tr>
<tr>
<td>56 to 65</td>
<td>107</td>
<td>10</td>
</tr>
<tr>
<td>Over 65</td>
<td>43</td>
<td>4</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,065</td>
<td>100</td>
</tr>
</tbody>
</table>

Media Age Category is "30 to 35" years.
TABLE XVII
FREQUENCIES FOR "PLEASE INDICATE YOUR SEX"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>964</td>
<td>91</td>
</tr>
<tr>
<td>Female</td>
<td>92</td>
<td>9</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,058</td>
<td>100</td>
</tr>
</tbody>
</table>

TABLE XVIII
FREQUENCIES FOR "PLEASE INDICATE YOUR ETHNIC BACKGROUND"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Indian</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Asian American</td>
<td>1</td>
<td>*</td>
</tr>
<tr>
<td>Black</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>Hispanic</td>
<td>24</td>
<td>2</td>
</tr>
<tr>
<td>White</td>
<td>1,010</td>
<td>95</td>
</tr>
<tr>
<td>Other</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,048</td>
<td>100</td>
</tr>
</tbody>
</table>

* Less than 1%. 
TABLE XIX
FREQUENCIES FOR "HOW LONG HAVE YOU BEEN ADMITTED TO ANY BAR?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 1 year</td>
<td>73</td>
<td>7</td>
</tr>
<tr>
<td>1 to 4 years</td>
<td>224</td>
<td>21</td>
</tr>
<tr>
<td>5 to 9 years</td>
<td>286</td>
<td>27</td>
</tr>
<tr>
<td>10 to 15 years</td>
<td>176</td>
<td>16</td>
</tr>
<tr>
<td>16 to 20 years</td>
<td>85</td>
<td>8</td>
</tr>
<tr>
<td>21 to 25 years</td>
<td>69</td>
<td>6</td>
</tr>
<tr>
<td>26 to 30 years</td>
<td>45</td>
<td>4</td>
</tr>
<tr>
<td>Over 30 years</td>
<td>112</td>
<td>10</td>
</tr>
<tr>
<td>Never admitted to any bar</td>
<td>5</td>
<td>*</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,075</td>
<td>100</td>
</tr>
</tbody>
</table>

Median Category is "5 to 9" years.

* Less than 1%.
### TABLE XX

FREQUENCIES FOR "DO YOU HAVE A DEGREE FROM A SCHOOL OF LAW?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>1,027</td>
<td>97</td>
</tr>
<tr>
<td>No</td>
<td>27</td>
<td>3</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,054</td>
<td>100</td>
</tr>
</tbody>
</table>

### TABLE XXI

FREQUENCIES FOR "AT WHICH OF THE FOLLOWING DID YOU RECEIVE YOUR LEGAL EDUCATION?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baylor</td>
<td>93</td>
<td>9</td>
</tr>
<tr>
<td>St. Mary's</td>
<td>79</td>
<td>8</td>
</tr>
<tr>
<td>South Texas College of Law</td>
<td>83</td>
<td>8</td>
</tr>
<tr>
<td>Southern Methodist</td>
<td>126</td>
<td>12</td>
</tr>
<tr>
<td>Texas Southern</td>
<td>4</td>
<td>*</td>
</tr>
<tr>
<td>Texas Tech</td>
<td>40</td>
<td>4</td>
</tr>
<tr>
<td>Houston</td>
<td>111</td>
<td>11</td>
</tr>
<tr>
<td>Texas</td>
<td>353</td>
<td>34</td>
</tr>
<tr>
<td>Other</td>
<td>159</td>
<td>15</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,048</td>
<td>100</td>
</tr>
</tbody>
</table>

* Less than 1%.
### TABLE XXII

FREQUENCIES FOR "DOES YOUR CURRENT OCCUPATION INVOLVE YOU IN THE PRACTICE OF LAW OR OTHERWISE IN THE LEGAL PROFESSION ON AT LEAST A PART-TIME BASIS?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>1,026</td>
<td>95</td>
</tr>
<tr>
<td>No</td>
<td>31</td>
<td>3</td>
</tr>
<tr>
<td>Retired</td>
<td>20</td>
<td>2</td>
</tr>
</tbody>
</table>

### TABLE XXIII

FREQUENCIES FOR "WHAT PERCENTAGE OF YOUR WORK WEEK IS INVOLVED IN THE PRACTICE OF LAW OR OTHERWISE IN THE LEGAL PROFESSION?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0%</td>
<td>32</td>
<td>3</td>
</tr>
<tr>
<td>1% to 25%</td>
<td>58</td>
<td>6</td>
</tr>
<tr>
<td>26% to 50%</td>
<td>30</td>
<td>3</td>
</tr>
<tr>
<td>51% to 75%</td>
<td>57</td>
<td>5</td>
</tr>
<tr>
<td>76% to 100%</td>
<td>874</td>
<td>83</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,051</td>
<td>100</td>
</tr>
</tbody>
</table>

Median Category is "76% to 100%".
### TABLE XXIV

FREQUENCIES FOR "WHAT IS YOUR PRIMARY LEGAL OCCUPATION?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sole Practitioner</td>
<td>244</td>
<td>24</td>
</tr>
<tr>
<td>Firm partner or associate</td>
<td>494</td>
<td>47</td>
</tr>
<tr>
<td>Corporation Lawyer</td>
<td>123</td>
<td>12</td>
</tr>
<tr>
<td>Bank (Trust Officer)</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Law School Faculty</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Federal Government Salaried Lawyer</td>
<td>23</td>
<td>2</td>
</tr>
<tr>
<td>Judge</td>
<td>18</td>
<td>2</td>
</tr>
<tr>
<td>Military Lawyer</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>State Government Salaried Lawyer</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td>County Government Salaried Lawyer</td>
<td>33</td>
<td>3</td>
</tr>
<tr>
<td>City Government Salaried Lawyer</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>52</td>
<td>5</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,041</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>
TABLE XXV

FREQUENCIES FOR "HOW MANY HOURS, BOTH CHARGEABLE AND NON-CHARGEABLE, DO YOU DEVOTE TO THE PRACTICE OF LAW IN AN AVERAGE MONTH?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 80</td>
<td>97</td>
<td>10</td>
</tr>
<tr>
<td>80 to 120</td>
<td>65</td>
<td>7</td>
</tr>
<tr>
<td>121 to 150</td>
<td>92</td>
<td>9</td>
</tr>
<tr>
<td>151 to 175</td>
<td>269</td>
<td>28</td>
</tr>
<tr>
<td>176 to 225</td>
<td>330</td>
<td>34</td>
</tr>
<tr>
<td>Over 225</td>
<td>117</td>
<td>12</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>970</td>
<td>100</td>
</tr>
</tbody>
</table>

Median Category is "151 to 175" hours.
**TABLE XXVI**

FREQUENCIES FOR "ON THE AVERAGE, HOW MANY CHARGEABLE HOURS DO YOU PRODUCE PER MONTH?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 80</td>
<td>181</td>
<td>20</td>
</tr>
<tr>
<td>80 to 120</td>
<td>202</td>
<td>22</td>
</tr>
<tr>
<td>121 to 150</td>
<td>213</td>
<td>23</td>
</tr>
<tr>
<td>151 to 175</td>
<td>179</td>
<td>19</td>
</tr>
<tr>
<td>176 to 225</td>
<td>110</td>
<td>12</td>
</tr>
<tr>
<td>Over 225</td>
<td>38</td>
<td>4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>923</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Median Category is "121 to 150" hours.
TABLE XXVII

FREQUENCIES FOR "WHAT PERCENT OF YOUR EARNED INCOME IN 1980 (EXCLUDING INVESTMENT INCOME) WAS DERIVED FROM THE LAW PROFESSION (INCLUDING JUDGES, LAW SCHOOL FACULTY, GOVERNMENT ATTORNEYS, AND CORPORATE ATTORNEYS)?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>80% or More</td>
<td>854</td>
<td>83</td>
</tr>
<tr>
<td>60% to 79%</td>
<td>75</td>
<td>7</td>
</tr>
<tr>
<td>50% to 59%</td>
<td>47</td>
<td>5</td>
</tr>
<tr>
<td>Less than 50%</td>
<td>56</td>
<td>5</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,032</td>
<td>100</td>
</tr>
</tbody>
</table>

Median Category is "80% or More".
TABLE XXVIII

FREQUENCIES FOR "(FOR PRACTICING ATTORNEYS ONLY)
WITH RESPECT TO YOUR VOLUME OF PRACTICE,
DO YOU NORMALLY HAVE?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Much more practice than you can handle</td>
<td>203</td>
<td>23</td>
</tr>
<tr>
<td>Slightly more practice than you can handle</td>
<td>254</td>
<td>29</td>
</tr>
<tr>
<td>All the practice you can handle</td>
<td>221</td>
<td>25</td>
</tr>
<tr>
<td>Slightly less practice than you can handle</td>
<td>163</td>
<td>19</td>
</tr>
<tr>
<td>Much less practice than you can handle</td>
<td>32</td>
<td>4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>873</td>
<td>100</td>
</tr>
</tbody>
</table>

Median Category is "Slightly more practice than you can handle."
TABLE XXIX
FREQUENCIES FOR "DO YOU HAVE AN UNDERGRADUATE DEGREE FROM A COLLEGE OR UNIVERSITY?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>968</td>
<td>93</td>
</tr>
<tr>
<td>No</td>
<td>71</td>
<td>7</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>1,034</td>
<td>100</td>
</tr>
</tbody>
</table>

TABLE XXX
FREQUENCIES FOR HOLDERS OF UNDERGRADUATE DEGREE IN BUSINESS*

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>281</td>
<td>24</td>
</tr>
<tr>
<td>No</td>
<td>695</td>
<td>71</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>984</td>
<td>100</td>
</tr>
</tbody>
</table>

* Data was derived from question 19a. "If yes please specify".
TABLE XXXI
FREQUENCIES FOR "DO YOU HAVE A GRADUATE DEGREE OTHER THAN A JURIS DOCTORATE?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>125</td>
<td>12</td>
</tr>
<tr>
<td>No</td>
<td>887</td>
<td>88</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,012</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

TABLE XXXII
FREQUENCIES FOR HOLDERS OF GRADUATE DEGREE IN BUSINESS*

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>39</td>
<td>31</td>
</tr>
<tr>
<td>No</td>
<td>86</td>
<td>69</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>125</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

* Data was derived from question 20a. "If yes please specify."
<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $25</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>$25 to $30</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>$31 to $40</td>
<td>19</td>
<td>2</td>
</tr>
<tr>
<td>$41 to $50</td>
<td>69</td>
<td>7</td>
</tr>
<tr>
<td>$51 to $60</td>
<td>124</td>
<td>12</td>
</tr>
<tr>
<td>$61 to $75</td>
<td>253</td>
<td>25</td>
</tr>
<tr>
<td>$76 to $99</td>
<td>193</td>
<td>19</td>
</tr>
<tr>
<td>$100 to $124</td>
<td>106</td>
<td>11</td>
</tr>
<tr>
<td>$125 or More</td>
<td>213</td>
<td>21</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>997</td>
<td>100</td>
</tr>
</tbody>
</table>

Median Category is "$61 to $75".
TABLE XXXIV

FREQUENCIES FOR "WHAT WAS YOUR PERSONAL NET INCOME BEFORE TAXES IN 1980 FROM YOUR WORK AS A MEMBER OF THE LEGAL PROFESSION? DEDUCT ALL BUSINESS, BUT NOT PERSONAL EXPENSES"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under $10,000</td>
<td>94</td>
<td>9</td>
</tr>
<tr>
<td>$10,000 to $19,999</td>
<td>104</td>
<td>11</td>
</tr>
<tr>
<td>$20,000 to $29,999</td>
<td>181</td>
<td>18</td>
</tr>
<tr>
<td>$30,000 to $39,999</td>
<td>169</td>
<td>17</td>
</tr>
<tr>
<td>$40,000 to $49,999</td>
<td>113</td>
<td>12</td>
</tr>
<tr>
<td>$50,000 to $74,999</td>
<td>161</td>
<td>16</td>
</tr>
<tr>
<td>$75,000 to $99,999</td>
<td>64</td>
<td>7</td>
</tr>
<tr>
<td>$100,000 to $124,999</td>
<td>42</td>
<td>4</td>
</tr>
<tr>
<td>$125,000 to $149,999</td>
<td>23</td>
<td>2</td>
</tr>
<tr>
<td>$150,000 to $199,999</td>
<td>18</td>
<td>2</td>
</tr>
<tr>
<td>$200,000 to $250,000</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>Over $250,000</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>982</td>
<td>100</td>
</tr>
</tbody>
</table>

Median = 4.16

Media Category is "$30,000 to $39,999".
TABLE XXXV

FREQUENCIES FOR "WHICH OF THE FOLLOWING AREAS OF THE LAW CONSTITUTE AT LEAST 10% OF YOUR PRACTICE (CHECK ALL THAT APPLY)?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admiralty</td>
<td>27</td>
<td>3</td>
</tr>
<tr>
<td>Administrative</td>
<td>130</td>
<td>12</td>
</tr>
<tr>
<td>Anti-Trust</td>
<td>44</td>
<td>4</td>
</tr>
<tr>
<td>Appellate</td>
<td>100</td>
<td>10</td>
</tr>
<tr>
<td>Aviation</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>Banking</td>
<td>99</td>
<td>9</td>
</tr>
<tr>
<td>Bankruptcy</td>
<td>75</td>
<td>7</td>
</tr>
<tr>
<td>Business</td>
<td>384</td>
<td>36</td>
</tr>
<tr>
<td>Commercial</td>
<td>268</td>
<td>25</td>
</tr>
<tr>
<td>Consumer</td>
<td>136</td>
<td>13</td>
</tr>
<tr>
<td>Corporation</td>
<td>373</td>
<td>35</td>
</tr>
<tr>
<td>Criminal</td>
<td>235</td>
<td>22</td>
</tr>
<tr>
<td>Environmental</td>
<td>38</td>
<td>4</td>
</tr>
<tr>
<td>Estate Planning</td>
<td>178</td>
<td>17</td>
</tr>
<tr>
<td>Family Law (inc. divorce)</td>
<td>382</td>
<td>36</td>
</tr>
<tr>
<td>General Practice</td>
<td>363</td>
<td>34</td>
</tr>
<tr>
<td>Health Law</td>
<td>16</td>
<td>2</td>
</tr>
<tr>
<td>Immigration</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td>Response Category</td>
<td>Count</td>
<td>%</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-------</td>
<td>----</td>
</tr>
<tr>
<td>International</td>
<td>35</td>
<td>3</td>
</tr>
<tr>
<td>Labor</td>
<td>43</td>
<td>4</td>
</tr>
<tr>
<td>Military</td>
<td>17</td>
<td>2</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>128</td>
<td>12</td>
</tr>
<tr>
<td>Patent, Trademark</td>
<td>32</td>
<td>3</td>
</tr>
<tr>
<td>Personal Injury (Plain.)</td>
<td>206</td>
<td>20</td>
</tr>
<tr>
<td>Personal Injury (Def.)</td>
<td>104</td>
<td>10</td>
</tr>
<tr>
<td>Public Law</td>
<td>49</td>
<td>5</td>
</tr>
<tr>
<td>Public Utility Law</td>
<td>24</td>
<td>2</td>
</tr>
<tr>
<td>Probate &amp; Trust</td>
<td>263</td>
<td>25</td>
</tr>
<tr>
<td>Real Estate</td>
<td>392</td>
<td>37</td>
</tr>
<tr>
<td>School Law</td>
<td>23</td>
<td>2</td>
</tr>
<tr>
<td>Securities</td>
<td>65</td>
<td>6</td>
</tr>
<tr>
<td>Taxation</td>
<td>125</td>
<td>12</td>
</tr>
<tr>
<td>Trial</td>
<td>343</td>
<td>33</td>
</tr>
<tr>
<td>Other</td>
<td>70</td>
<td>7</td>
</tr>
</tbody>
</table>

* Respondents were asked to "check all that apply", therefore column total will not equal 100%.
TABLE XXXVI

FREQUENCIES FOR "ARE YOU CERTIFIED BY THE TEXAS BOARD OF LEGAL SPECIALIZATION IN (CHECK ALL THAT APPLY)?"

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>% **</th>
</tr>
</thead>
<tbody>
<tr>
<td>No, not certified</td>
<td>938</td>
<td>93</td>
</tr>
<tr>
<td>Civil Trial</td>
<td>26</td>
<td>3</td>
</tr>
<tr>
<td>Criminal</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Estate Planning and Probate</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>Family</td>
<td>13</td>
<td>1</td>
</tr>
<tr>
<td>Immigration and Nationality</td>
<td>3</td>
<td>*</td>
</tr>
<tr>
<td>Personal Injury Trial</td>
<td>17</td>
<td>2</td>
</tr>
<tr>
<td>Labor</td>
<td>8</td>
<td>*</td>
</tr>
</tbody>
</table>

* Less than 1%.
** Respondents were asked to "check all that apply", therefore the column will not total 100%.
<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%**</th>
</tr>
</thead>
<tbody>
<tr>
<td>No, do not plan to seek</td>
<td>863</td>
<td>87</td>
</tr>
<tr>
<td>Civil Trial</td>
<td>59</td>
<td>6</td>
</tr>
<tr>
<td>Criminal</td>
<td>25</td>
<td>3</td>
</tr>
<tr>
<td>Estate Planning and Probate</td>
<td>20</td>
<td>2</td>
</tr>
<tr>
<td>Family</td>
<td>34</td>
<td>3</td>
</tr>
<tr>
<td>Immigration and Nationality</td>
<td>5</td>
<td>*</td>
</tr>
<tr>
<td>Personal Injury Trial</td>
<td>29</td>
<td>3</td>
</tr>
<tr>
<td>Labor</td>
<td>3</td>
<td>*</td>
</tr>
</tbody>
</table>

* Less than 1%.
** Respondents were asked to "check all that apply", therefore the column will not total 100%.
TABLE XXXVIII
CROSS TABULATION OF COMPOSITE ORIENTATION AND SUMMATED PROMOTIONAL APPEALS*

<table>
<thead>
<tr>
<th>Summated Promotional Score</th>
<th>Orientation Categories</th>
<th>Row Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Production</td>
<td>Sales</td>
</tr>
<tr>
<td>0 to 20</td>
<td>Count</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Row %</td>
<td>40.0</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>6.5</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>0.0</td>
</tr>
<tr>
<td>21 to 30</td>
<td>Count</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Row %</td>
<td>13.8</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>3.2</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>0.5</td>
</tr>
<tr>
<td>31 to 40</td>
<td>Count</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Row %</td>
<td>18.5</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>16.1</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>2.3</td>
</tr>
<tr>
<td>41 to 50</td>
<td>Count</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td>Row %</td>
<td>17.9</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>45.2</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>6.5</td>
</tr>
<tr>
<td>51 to 60</td>
<td>Count</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Row %</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>21.8</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>3.2</td>
</tr>
<tr>
<td>61 to 70</td>
<td>Count</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Row %</td>
<td>7.7</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>7.3</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>1.1</td>
</tr>
<tr>
<td></td>
<td>Column</td>
<td>124</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>14.5</td>
</tr>
</tbody>
</table>

* $x^2 = 27.96 \quad p = .0018$
<table>
<thead>
<tr>
<th>Points Assigned to General Public</th>
<th>Orientation Categories</th>
<th>Row Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Production</td>
<td>Sales</td>
</tr>
<tr>
<td>0 to 5</td>
<td>47</td>
<td>33</td>
</tr>
<tr>
<td>Count</td>
<td>Row %</td>
<td></td>
</tr>
<tr>
<td></td>
<td>13.4</td>
<td>9.4</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td></td>
</tr>
<tr>
<td></td>
<td>37.0</td>
<td>57.9</td>
</tr>
<tr>
<td></td>
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* $x^2 = 23.41$  \hspace{1cm} $p = .0093$
TABLE XL
CROSS TABULATION OF COMPOSITE ORIENTATION
AND USE OF FORMAL WRITTEN
BUSINESS PLAN*

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* $x^2 = 147.11 \quad p < .001$
TABLE XLII
CROSS TABULATION OF COMPOSITE ORIENTATION AND SUMMATED SALES SCORE*

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\* \( x^2 = 247.86 \) \quad p. < .0001
# TABLE XLIII

CROSS TABULATION OF COMPOSITE ORIENTATION AND SUMMATED CONSUMER SCORE*

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* $x^2 = 337.38$ p. < .0001
TABLE XLIV

CROSS TABULATION OF CONSUMER ORIENTED AND DEGREE OF IMPORTANCE ATTACHED TO SERVING THE INTEREST OR WELFARE OF THE CLIENT*

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Column Total               | 343         | 649      | 992      |

* $\chi^2 = 22.38$  \hspace{1cm} p. $\leq .0001$
### TABLE XLV

CROSS TABULATION OF CONSUMER-ORIENTED AND USE OF FORMAL WRITTEN BUSINESS PLAN*

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* $\chi^2 = 29.54$  \hspace{1cm} p. < .0001
TABLE XLVI

CROSS TABULATION OF CONSUMER-ORIENTED AND USE OF INFORMAL NONWRITTEN BUSINESS PLAN*

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* $X^2 = 23.30$  \( p < 0.0001 \)
TABLE XLVII
CROSS TABULATION OF CONSUMER-ORIENTED AND SUMMATED PROMOTIONAL APPEAL SCORES*

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* $x^2 = 68.33 \quad p \leq .0001$
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* $x^2 = 106.56$  \( p < .0001 \)
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* $x^2 = 16.64$  
  p. = .01
TABLE L

PEARSON PRODUCT MOMENT CORRELATIONS FOR SUMMATED CONSUMER VARIABLE WITH PROMOTIONAL ISSUES

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<thead>
<tr>
<th>Promotional Issues</th>
<th>R</th>
<th>Significance (less than or equal to)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours of Operation</td>
<td>.12</td>
<td>.000</td>
</tr>
<tr>
<td>Pricing of Specific Services</td>
<td>.21</td>
<td>.000</td>
</tr>
<tr>
<td>Flat Hourly Rates</td>
<td>.17</td>
<td>.000</td>
</tr>
<tr>
<td>Quality of Service</td>
<td>.15</td>
<td>.000</td>
</tr>
<tr>
<td>Location of Offices</td>
<td>.10</td>
<td>.000</td>
</tr>
<tr>
<td>Certification/Specialization Areas</td>
<td>.18</td>
<td>.000</td>
</tr>
<tr>
<td>Telephone Numbers</td>
<td>.11</td>
<td>.000</td>
</tr>
<tr>
<td>Types of Cases You Want to Handle</td>
<td>.20</td>
<td>.000</td>
</tr>
<tr>
<td>Law School(s) Attended</td>
<td>.12</td>
<td>.000</td>
</tr>
<tr>
<td>Years of Practice</td>
<td>.17</td>
<td>.000</td>
</tr>
<tr>
<td>Professional Affiliations</td>
<td>.14</td>
<td>.000</td>
</tr>
<tr>
<td>Past Legal Experience</td>
<td>.19</td>
<td>.000</td>
</tr>
<tr>
<td>Promptness of Service</td>
<td>.20</td>
<td>.000</td>
</tr>
<tr>
<td>Consumer Need for Specific Legal Services</td>
<td>.25</td>
<td>.000</td>
</tr>
<tr>
<td>Media Issues</td>
<td>R</td>
<td>Significance (less than or equal to)</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Yellow Pages</td>
<td>.14</td>
<td>.000</td>
</tr>
<tr>
<td>Newspaper</td>
<td>.23</td>
<td>.000</td>
</tr>
<tr>
<td>Professional/Academic Journal</td>
<td>.13</td>
<td>.000</td>
</tr>
<tr>
<td>Popular News Magazines</td>
<td>.27</td>
<td>.000</td>
</tr>
<tr>
<td>Television</td>
<td>.23</td>
<td>.000</td>
</tr>
<tr>
<td>Radio</td>
<td>.23</td>
<td>.000</td>
</tr>
<tr>
<td>Billboards</td>
<td>.17</td>
<td>.000</td>
</tr>
<tr>
<td>Direct Mail</td>
<td>.27</td>
<td>.000</td>
</tr>
<tr>
<td>Handbills</td>
<td>.18</td>
<td>.000</td>
</tr>
<tr>
<td>Transit</td>
<td>.16</td>
<td>.000</td>
</tr>
<tr>
<td>Circular/Shopping Guides</td>
<td>.21</td>
<td>.000</td>
</tr>
<tr>
<td>Trade Association Magazines</td>
<td>.25</td>
<td>.000</td>
</tr>
</tbody>
</table>
### TABLE LII

**PEARSON PRODUCT MOMENT CORRELATIONS FOR SUMMATED CONSUMER VARIABLE WITH USE OF BUSINESS PLAN**

<table>
<thead>
<tr>
<th>Type of Business Plan</th>
<th>R</th>
<th>Significance (less than or equal to)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formal Written</td>
<td>.14</td>
<td>.000</td>
</tr>
<tr>
<td>Informal Nonwritten</td>
<td>.16</td>
<td>.000</td>
</tr>
</tbody>
</table>

### TABLE LIII

**PEARSON PRODUCT MOMENT CORRELATIONS FOR SUMMATED CONSUMER ORIENTED VARIABLES WITH THE FIVE PUBLICS**

<table>
<thead>
<tr>
<th>Group</th>
<th>R</th>
<th>Significance (less than or equal to)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Courts</td>
<td>.01</td>
<td>.323*</td>
</tr>
<tr>
<td>The Client</td>
<td>-.08</td>
<td>.007</td>
</tr>
<tr>
<td>The General Public</td>
<td>.04</td>
<td>.129*</td>
</tr>
<tr>
<td>The State Bar</td>
<td>-.02</td>
<td>.305*</td>
</tr>
<tr>
<td>The Firm or Your Private Practice</td>
<td>.01</td>
<td>.351*</td>
</tr>
</tbody>
</table>

* Not significant at the .01 level.
### Table LIV

**One-Way Analysis of Variance for the Consumer-Oriented Variable and the Promotional Issues**

<table>
<thead>
<tr>
<th>Promotional Issue</th>
<th>Nonconsumer Mean</th>
<th>Consumer Mean</th>
<th>F Ratio</th>
<th>F Probability (Less than or equal to)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Hours of operation</td>
<td>-0.1510</td>
<td>0.0924</td>
<td>13.358</td>
<td>0.000</td>
</tr>
<tr>
<td>2. Pricing of specific services</td>
<td>-0.2766</td>
<td>0.1646</td>
<td>45.705</td>
<td>0.000</td>
</tr>
<tr>
<td>3. Fixed hourly rates</td>
<td>-0.2421</td>
<td>0.1419</td>
<td>34.054</td>
<td>0.000</td>
</tr>
<tr>
<td>4. Statements concerning quality of service</td>
<td>-0.1984</td>
<td>0.1146</td>
<td>22.317</td>
<td>0.000</td>
</tr>
<tr>
<td>5. Location of office(s)</td>
<td>-0.1175</td>
<td>0.0727</td>
<td>8.187</td>
<td>0.004</td>
</tr>
<tr>
<td>6. Statement of certification in specialization area(s)</td>
<td>-0.2286</td>
<td>0.1265</td>
<td>29.743</td>
<td>0.000</td>
</tr>
<tr>
<td>7. Telephone number(s)</td>
<td>-0.1301</td>
<td>0.0790</td>
<td>10.068</td>
<td>0.002</td>
</tr>
<tr>
<td>8. Types of cases you want to handle</td>
<td>-0.2648</td>
<td>0.1477</td>
<td>39.192</td>
<td>0.000</td>
</tr>
<tr>
<td>9. Law school(s) attended</td>
<td>-0.1554</td>
<td>0.0883</td>
<td>13.328</td>
<td>0.000</td>
</tr>
<tr>
<td>10. Years of practice</td>
<td>-0.2199</td>
<td>0.1122</td>
<td>25.315</td>
<td>0.000</td>
</tr>
<tr>
<td>11. Professional affiliations (State Bar, American Bar, etc.)</td>
<td>-0.1928</td>
<td>0.0960</td>
<td>18.887</td>
<td>0.000</td>
</tr>
<tr>
<td>12. Statements of past legal experience</td>
<td>-0.2580</td>
<td>0.1465</td>
<td>37.586</td>
<td>0.000</td>
</tr>
<tr>
<td>13. Statements concerning promptness of service</td>
<td>-0.2782</td>
<td>0.1453</td>
<td>41.797</td>
<td>0.000</td>
</tr>
<tr>
<td>14. Statements of consumers need for specific legal service</td>
<td>-0.3473</td>
<td>0.1930</td>
<td>69.078</td>
<td>0.000</td>
</tr>
<tr>
<td>15. Summated promotional score variable</td>
<td>44.1758</td>
<td>49.9236</td>
<td>71.547</td>
<td>0.000</td>
</tr>
</tbody>
</table>
### TABLE LV

**ONE-WAY ANALYSIS OF VARIANCE FOR THE CONSUMER-ORIENTED VARIABLE AND THE MEDIA ISSUES**

<table>
<thead>
<tr>
<th>Media Issues</th>
<th>Nonconsumer Mean</th>
<th>Consumer Mean</th>
<th>F Ratio</th>
<th>F Probability (Less than or equal to)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yellow Pages</td>
<td>-0.2100</td>
<td>0.1001</td>
<td>22.867</td>
<td>.000</td>
</tr>
<tr>
<td>Newspaper</td>
<td>-0.3309</td>
<td>0.1651</td>
<td>61.442</td>
<td>.000</td>
</tr>
<tr>
<td>Professional/Academic Journals (i.e., State Bar Journal)</td>
<td>-0.1786</td>
<td>1.0000</td>
<td>18.570</td>
<td>.000</td>
</tr>
<tr>
<td>Popular/News Magazines</td>
<td>-0.3786</td>
<td>0.1994</td>
<td>84.671</td>
<td>.000</td>
</tr>
<tr>
<td>Television</td>
<td>-0.3173</td>
<td>0.1587</td>
<td>56.057</td>
<td>.000</td>
</tr>
<tr>
<td>Radio</td>
<td>-0.3237</td>
<td>0.1610</td>
<td>58.397</td>
<td>.000</td>
</tr>
<tr>
<td>Billboard</td>
<td>-0.2302</td>
<td>0.1196</td>
<td>29.154</td>
<td>.000</td>
</tr>
<tr>
<td>Direct Mail</td>
<td>-0.3688</td>
<td>0.1907</td>
<td>78.956</td>
<td>.000</td>
</tr>
<tr>
<td>Handbills</td>
<td>-0.2584</td>
<td>0.1288</td>
<td>36.369</td>
<td>.000</td>
</tr>
<tr>
<td>Transit (bus, cab, etc.)</td>
<td>-0.2279</td>
<td>0.1007</td>
<td>26.612</td>
<td>.000</td>
</tr>
<tr>
<td>Circulars/Shopping Guides</td>
<td>-0.2973</td>
<td>0.1444</td>
<td>48.400</td>
<td>.000</td>
</tr>
<tr>
<td>Trade/Association Magazines</td>
<td>-0.3580</td>
<td>0.1835</td>
<td>73.556</td>
<td>.000</td>
</tr>
<tr>
<td>(i.e., Women's Wear Daily For Women's Apparel industry)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Summated Media Score Variable</td>
<td>23.8611</td>
<td>29.8588</td>
<td>88.576</td>
<td>.000</td>
</tr>
</tbody>
</table>
TABLE LVI
ONE-WAY ANALYSIS OF VARIANCE FOR CONSUMER-ORIENTED VARIABLE
WITH THE CLIENT GROUP OF SECTION IV AND USE OF A
FORMAL WRITTEN BUSINESS PLAN FROM SECTION V

<table>
<thead>
<tr>
<th>Statement</th>
<th>Nonconsumer Mean</th>
<th>Consumer Mean</th>
<th>F Ratio</th>
<th>F Probability (Less than or equal to)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of points assigned to the client group</td>
<td>56.4593</td>
<td>50.5943</td>
<td>8.485</td>
<td>.004</td>
</tr>
<tr>
<td>Use of formal written business plan</td>
<td>0.0000</td>
<td>0.0602</td>
<td>10.279</td>
<td>.001</td>
</tr>
</tbody>
</table>
### TABLE LVII

One-Way Analysis of Variance for Composite Orientation with Promotional Issues

<table>
<thead>
<tr>
<th>Appeal</th>
<th>Orientation Group Means</th>
<th>F Probability (less than or equal to)</th>
<th>Duncan Test*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Production</td>
<td>Sale</td>
<td>Consumer</td>
</tr>
<tr>
<td>Hours of Operation</td>
<td>-0.2595</td>
<td>0.1616</td>
<td>0.0375</td>
</tr>
<tr>
<td>Fixed Hourly Rates</td>
<td>-0.3027</td>
<td>0.2023</td>
<td>0.0462</td>
</tr>
<tr>
<td>Statements Concerning Quality of Service</td>
<td>-0.2093</td>
<td>0.1915</td>
<td>0.0515</td>
</tr>
<tr>
<td>Location of Office(s)</td>
<td>-0.3231</td>
<td>0.2305</td>
<td>0.0294</td>
</tr>
<tr>
<td>Statement of Certification in Specializations Area(s)</td>
<td>-0.3729</td>
<td>0.0928</td>
<td>0.0901</td>
</tr>
<tr>
<td>Telephone Numbers</td>
<td>-0.2232</td>
<td>0.1782</td>
<td>0.0296</td>
</tr>
<tr>
<td>Professional Affiliations</td>
<td>-0.2397</td>
<td>0.0230</td>
<td>0.0473</td>
</tr>
<tr>
<td>Statements of Consumer Needs for Specific Legal Service</td>
<td>-0.3370</td>
<td>0.2294</td>
<td>0.0595</td>
</tr>
<tr>
<td>Summated Promotional Score</td>
<td>44.2017</td>
<td>50.4528</td>
<td>48.5371</td>
</tr>
</tbody>
</table>

* This test shows the direction of difference. (P = production; S = sales; C = consumer). For example, "P/C,S" would be read as the production group mean being significantly different (and less) than the consumer and sales group means, while the consumer and sales means were not significantly different from each other.
### TABLE LVIII

**ONE-WAY ANALYSIS OF VARIANCE FOR COMPOSITE ORIENTATION WITH MEDIA ISSUES**

<table>
<thead>
<tr>
<th>Media</th>
<th>Orientation Group Means</th>
<th>P Probability (less than or equal to)</th>
<th>Duncan Test*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Production</td>
<td>Sale</td>
<td>Consumer</td>
</tr>
<tr>
<td>Yellow Pages</td>
<td>-9.2988</td>
<td>0.0875</td>
<td>0.0224</td>
</tr>
<tr>
<td>Newspapers</td>
<td>-0.2802</td>
<td>0.1372</td>
<td>0.0447</td>
</tr>
<tr>
<td>Professional/Academic Journals</td>
<td>-0.2651</td>
<td>-0.0229</td>
<td>0.0784</td>
</tr>
<tr>
<td>Popular/News Magazines</td>
<td>-0.2606</td>
<td>0.2159</td>
<td>0.0674</td>
</tr>
<tr>
<td>Summated Media Score</td>
<td>25.1405</td>
<td>29.4909</td>
<td>28.3456</td>
</tr>
</tbody>
</table>

* This shows the direction of difference. (P = production; S = sales, C = consumer)

See Table LVII for example.
<table>
<thead>
<tr>
<th>Orientation Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Production</td>
<td>124</td>
<td>14.5</td>
</tr>
<tr>
<td>Sales</td>
<td>57</td>
<td>6.7</td>
</tr>
<tr>
<td>Consumer</td>
<td>676</td>
<td>78.9</td>
</tr>
<tr>
<td>Unclassified</td>
<td>220</td>
<td>Missing*</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,077</td>
<td>100.0</td>
</tr>
</tbody>
</table>

* The "unclassified" respondents were not included in the classified percentage base.
<table>
<thead>
<tr>
<th>Function</th>
<th>Eigenvalue</th>
<th>Percent of Variance</th>
<th>Cumulative Percent</th>
<th>Canonical Correlation</th>
<th>After Function</th>
<th>Wilk's Lambda</th>
<th>Chi Square</th>
<th>Degrees Freedom</th>
<th>Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0.18453</td>
<td>88.47</td>
<td>88.47</td>
<td>0.3947</td>
<td>0</td>
<td>0.8243</td>
<td>15.641</td>
<td>6</td>
<td>0.0158</td>
</tr>
<tr>
<td>2</td>
<td>0.02404</td>
<td>11.53</td>
<td>100.00</td>
<td>0.1532</td>
<td>1</td>
<td>0.0765</td>
<td>1.924</td>
<td>2</td>
<td>0.3821</td>
</tr>
</tbody>
</table>
TABLE LXI
CLASSIFICATION RESULTS FOR CASES SELECTED FOR USE IN THE DISCRIMINANT ANALYSIS*

<table>
<thead>
<tr>
<th>Actual Group</th>
<th>Number of Cases</th>
<th>Predicted Group Membership</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Production</td>
<td>Sales</td>
</tr>
<tr>
<td>Production</td>
<td>29 (29%)</td>
<td>10 (34.5)</td>
</tr>
<tr>
<td>Sales</td>
<td>26 (26%)</td>
<td>2 (7.7)</td>
</tr>
<tr>
<td>Consumer</td>
<td>30 (30%)</td>
<td>2 (6.7)</td>
</tr>
<tr>
<td>Ungrouped</td>
<td>449</td>
<td>51</td>
</tr>
</tbody>
</table>

* Percent of "grouped" cases correctly classified: 49.41%
TABLE LXII

CLASSIFICATION RESULTS FOR CASES NOT SELECTED FOR USE IN THE DISCRIMINANT ANALYSIS*

<table>
<thead>
<tr>
<th>Actual Group</th>
<th>Number of Cases</th>
<th>Predicted Group Membership</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Production</td>
</tr>
<tr>
<td>Production (Count) (%)</td>
<td>33</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>(%)</td>
<td>9.1</td>
</tr>
<tr>
<td>Sales (Count) (%)</td>
<td>31</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>(%)</td>
<td>19.4</td>
</tr>
<tr>
<td>Consumer (Count) (%)</td>
<td>29</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>(%)</td>
<td>3.4</td>
</tr>
<tr>
<td>Ungrouped (Count) (%)</td>
<td>450</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>(%)</td>
<td>13.3</td>
</tr>
</tbody>
</table>

* Percent of "ungrouped" cases correctly classified: 33.33%
# TABLE LXIII

CROSS TABULATION COMPARISON FOR ZIP CODE GROUPS BY SAMPLES*

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Metro</td>
<td>1,185</td>
<td>635</td>
</tr>
<tr>
<td></td>
<td>(57.5)</td>
<td>(64.5)</td>
</tr>
<tr>
<td>Urban</td>
<td>260</td>
<td>189</td>
</tr>
<tr>
<td></td>
<td>(12.9)</td>
<td>(19.2)</td>
</tr>
<tr>
<td>Rural</td>
<td>275</td>
<td>83</td>
</tr>
<tr>
<td></td>
<td>(13.3)</td>
<td>(8.4)</td>
</tr>
<tr>
<td>Outside Texas</td>
<td>146</td>
<td>76</td>
</tr>
<tr>
<td></td>
<td>(7.1)</td>
<td>(7.7)</td>
</tr>
<tr>
<td>Total</td>
<td>1,866</td>
<td>983</td>
</tr>
</tbody>
</table>

* $X^2 = 39.19$  $p. = .001$
### TABLE LXIV

**CROSS TABULATION COMPARISON FOR AGE BY SAMPLE***

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Study</td>
<td>Study</td>
</tr>
<tr>
<td>Under 36</td>
<td>956</td>
<td>509</td>
</tr>
<tr>
<td></td>
<td>(46.3)</td>
<td>(48.0)</td>
</tr>
<tr>
<td>36 to 45</td>
<td>475</td>
<td>274</td>
</tr>
<tr>
<td></td>
<td>(23.0)</td>
<td>(26.0)</td>
</tr>
<tr>
<td>46 to 55</td>
<td>288</td>
<td>132</td>
</tr>
<tr>
<td></td>
<td>(13.3)</td>
<td>(12.0)</td>
</tr>
<tr>
<td>56 to 65</td>
<td>202</td>
<td>107</td>
</tr>
<tr>
<td></td>
<td>(9.8)</td>
<td>(10.0)</td>
</tr>
<tr>
<td>Over 65</td>
<td>151</td>
<td>43</td>
</tr>
<tr>
<td></td>
<td>(7.3)</td>
<td>(4.0)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,072</td>
<td>1,065</td>
</tr>
</tbody>
</table>

* $X^2 = 16.38 \quad p. = .01$
TABLE LXV
CROSS TABULATION COMPARISON FOR SEX BY SAMPLES*

<table>
<thead>
<tr>
<th>Sex</th>
<th>Jan. 1981 Study</th>
<th>July 1981 Study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>213 (10.3)</td>
<td>92 (9.0)</td>
</tr>
<tr>
<td>Males</td>
<td>1823 (88.3)</td>
<td>964 (91.0)</td>
</tr>
<tr>
<td>Total</td>
<td>2,036</td>
<td>1,056</td>
</tr>
</tbody>
</table>

* $x^2 = 2.37$  p. = 15
### TABLE LXVI

CROSS TABULATION COMPARISON FOR ETHNIC BACKGROUND BY SAMPLE*

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Count</td>
<td>%</td>
<td>Count</td>
<td>%</td>
</tr>
<tr>
<td>American Indian</td>
<td>4</td>
<td>(0.2)</td>
<td>6</td>
<td>(0.5)</td>
</tr>
<tr>
<td>Asian American</td>
<td>2</td>
<td>(0.1)</td>
<td>1</td>
<td>(0.1)</td>
</tr>
<tr>
<td>Black</td>
<td>43</td>
<td>(2.1)</td>
<td>7</td>
<td>(0.6)</td>
</tr>
<tr>
<td>Hispanic</td>
<td>62</td>
<td>(3.0)</td>
<td>24</td>
<td>(2.3)</td>
</tr>
<tr>
<td>White</td>
<td>1,098</td>
<td>(92.4)</td>
<td>1,010</td>
<td>(95.6)</td>
</tr>
<tr>
<td>Other</td>
<td>27</td>
<td>(1.3)</td>
<td>8</td>
<td>(0.8)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,046</strong></td>
<td></td>
<td><strong>1,056</strong></td>
<td></td>
</tr>
</tbody>
</table>

* $X^2 = 12.71$  \[p = .05\]
TABLE LXVII
CROSS TABULATION COMPARISON FOR YEARS ADMITTED TO ANY BAR BY SAMPLE*

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Count</td>
<td>%</td>
</tr>
<tr>
<td>Less than 1 year</td>
<td>157</td>
<td>(7.6)</td>
</tr>
<tr>
<td>1 to 4 years</td>
<td>493</td>
<td>(23.9)</td>
</tr>
<tr>
<td>5 to 9 years</td>
<td>446</td>
<td>(21.6)</td>
</tr>
<tr>
<td>10 to 15 years</td>
<td>283</td>
<td>(13.7)</td>
</tr>
<tr>
<td>16 to 20 years</td>
<td>153</td>
<td>(7.4)</td>
</tr>
<tr>
<td>21 to 25 years</td>
<td>146</td>
<td>(6.8)</td>
</tr>
<tr>
<td>26 to 30 years</td>
<td>120</td>
<td>(5.8)</td>
</tr>
<tr>
<td>Over 30 years</td>
<td>268</td>
<td>(13.0)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,060</strong></td>
<td></td>
</tr>
</tbody>
</table>

* $\chi^2 = 16.49 \quad p. .02$
### TABLE LXVIII

CROSS TABULATION COMPARISON FOR CURRENT OCCUPATION IN PRACTICE OF LAW, AT LEAST ON PART-TIME BASIS BY SAMPLES*

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>1,982</td>
<td>1,026</td>
</tr>
<tr>
<td></td>
<td>(91.6)</td>
<td>(95.2)</td>
</tr>
<tr>
<td>No</td>
<td>118</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>(5.6)</td>
<td>(2.9)</td>
</tr>
<tr>
<td>Retired</td>
<td>41</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>(2.0)</td>
<td>(1.9)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,014</strong></td>
<td><strong>1,077</strong></td>
</tr>
</tbody>
</table>

* $\chi^2 = 37.9$  \hspace{1cm} p. = .001
TABLE LXIX

CROSS TABULATION COMPARISON FOR CHARGEABLE AND NONCHARGEABLE HOURS PER MONTH BY SAMPLES*

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count Jan. 1981 Study</th>
<th>Count July 1981 Study</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 80</td>
<td>165 (2.0)</td>
<td>97 (10.0)</td>
<td></td>
</tr>
<tr>
<td>80 to 120</td>
<td>145 (7.0)</td>
<td>65 (7.0)</td>
<td></td>
</tr>
<tr>
<td>121 to 150</td>
<td>186 (9.0)</td>
<td>92 (9.0)</td>
<td></td>
</tr>
<tr>
<td>151 to 175</td>
<td>620 (30.0)</td>
<td>269 (28.0)</td>
<td></td>
</tr>
<tr>
<td>176 to 225</td>
<td>661 (32.0)</td>
<td>330 (34.0)</td>
<td></td>
</tr>
<tr>
<td>Over 225</td>
<td>165 (8.0)</td>
<td>117 (12.0)</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,942</td>
<td>970</td>
<td></td>
</tr>
</tbody>
</table>

* $\chi^2 = .1437$  \hspace{1cm} p. = .015
# TABLE LXX

CROSS TABULATION COMPARISON FOR CHARGEABLE HOURS PER MONTH BY SAMPLE*

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 80</td>
<td>351</td>
<td>181</td>
</tr>
<tr>
<td></td>
<td>(17.0)</td>
<td>(20.0)</td>
</tr>
<tr>
<td>80 to 120</td>
<td>434</td>
<td>202</td>
</tr>
<tr>
<td></td>
<td>(21.0)</td>
<td>(22.0)</td>
</tr>
<tr>
<td>121 to 150</td>
<td>372</td>
<td>213</td>
</tr>
<tr>
<td></td>
<td>(18.0)</td>
<td>(23.0)</td>
</tr>
<tr>
<td>151 to 175</td>
<td>413</td>
<td>179</td>
</tr>
<tr>
<td></td>
<td>(20.0)</td>
<td>(19.0)</td>
</tr>
<tr>
<td>176 to 225</td>
<td>186</td>
<td>120</td>
</tr>
<tr>
<td></td>
<td>(9.0)</td>
<td>(12.0)</td>
</tr>
<tr>
<td>Over 225</td>
<td>41</td>
<td>38</td>
</tr>
<tr>
<td></td>
<td>(2.0)</td>
<td>(4.0)</td>
</tr>
<tr>
<td>Total</td>
<td>1,797</td>
<td>923</td>
</tr>
</tbody>
</table>

* \( x^2 = 25.31 \) \( p = .001 \)
**TABLE LXXI**  
CROSS TABULATION COMPARISON FOR PERCENTAGE OF INCOME FROM LEGAL PROFESSION BY SAMPLE*  

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Count</th>
<th>Study</th>
<th>Study</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>80% or more</td>
<td>1,714</td>
<td>(83.0)</td>
<td>854</td>
</tr>
<tr>
<td>60% to 79%</td>
<td>103</td>
<td>(5.0)</td>
<td>75</td>
</tr>
<tr>
<td>50% to 59%</td>
<td>62</td>
<td>(3.0)</td>
<td>47</td>
</tr>
<tr>
<td>Less than 50%</td>
<td>165</td>
<td>(8.0)</td>
<td>56</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,044</td>
<td></td>
<td>1,032</td>
</tr>
</tbody>
</table>

* $x^2 = 14.70$  
  p. .01
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $25</td>
<td>41 (2.0)</td>
<td>10 (1.0)</td>
</tr>
<tr>
<td>$25 to $30</td>
<td>41 (2.0)</td>
<td>10 (1.0)</td>
</tr>
<tr>
<td>$31 to $40</td>
<td>41 (2.0)</td>
<td>19 (2.0)</td>
</tr>
<tr>
<td>$41 to $50</td>
<td>186 (9.0)</td>
<td>69 (7.0)</td>
</tr>
<tr>
<td>$51 to $60</td>
<td>268 (13.0)</td>
<td>124 (12.0)</td>
</tr>
<tr>
<td>$61 to $75</td>
<td>454 (22.0)</td>
<td>253 (25.0)</td>
</tr>
<tr>
<td>$76 to $99</td>
<td>248 (12.0)</td>
<td>193 (19.0)</td>
</tr>
<tr>
<td>$100 to $124</td>
<td>165 (8.0)</td>
<td>106 (11.0)</td>
</tr>
<tr>
<td>Over $124</td>
<td>82 (4.0)</td>
<td>213 (21.0)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,526</td>
<td>997</td>
</tr>
</tbody>
</table>

* $X^2 = 25.11 \quad p = .001$
TABLE LXXIII
CROSS TABULATION COMPARISON FOR PERSONAL NET INCOME
BY SAMPLE*

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $10,000</td>
<td>186 (9.0)</td>
<td>94 (9.0)</td>
</tr>
<tr>
<td>$10,000 to $19,999</td>
<td>207 (10.0)</td>
<td>104 (11.0)</td>
</tr>
<tr>
<td>$20,000 to $29,999</td>
<td>372 (18.0)</td>
<td>181 (18.0)</td>
</tr>
<tr>
<td>$30,000 to $39,999</td>
<td>289 (14.0)</td>
<td>169 (17.0)</td>
</tr>
<tr>
<td>$40,000 to $49,999</td>
<td>207 (10.0)</td>
<td>113 (12.0)</td>
</tr>
<tr>
<td>$50,000 to $74,999</td>
<td>268 (13.0)</td>
<td>161 (16.0)</td>
</tr>
<tr>
<td>$75,000 to $99,999</td>
<td>103 (5.0)</td>
<td>64 (7.0)</td>
</tr>
<tr>
<td>$100,000 to $124,000</td>
<td>83 (4.0)</td>
<td>42 (4.0)</td>
</tr>
<tr>
<td>$125,000 to $149,999</td>
<td>41 (2.0)</td>
<td>23 (2.0)</td>
</tr>
<tr>
<td>$150,000 to $199,999</td>
<td>41 (2.0)</td>
<td>18 (2.0)</td>
</tr>
<tr>
<td>$200,000 to $250,000</td>
<td>21 (1.0)</td>
<td>7 (1.0)</td>
</tr>
<tr>
<td>Over $250,000</td>
<td>21 (2.0)</td>
<td>6 (1.0)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,839</strong></td>
<td><strong>982</strong></td>
</tr>
</tbody>
</table>

* $x^2 = 6.06$  p. = .80
TABLE LXXIV

ONE-WAY ANALYSIS OF VARIANCE FOR CONSUMER-ORIENTED ATTORNEYS HOLDING BUSINESS AND NONBUSINESS DEGREES WITH MEDIA ISSUES

<table>
<thead>
<tr>
<th>Media</th>
<th>Degree Group Means</th>
<th></th>
<th></th>
<th>F Ratio</th>
<th>F Probability (Less than or equal to)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Non-business</td>
<td>Business</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade Association Magazines</td>
<td>0.2682</td>
<td>0.0175</td>
<td>6.817</td>
<td>0.0093</td>
<td></td>
</tr>
<tr>
<td>Radio</td>
<td>0.2458</td>
<td>0.0017</td>
<td>5.886</td>
<td>0.0156</td>
<td></td>
</tr>
<tr>
<td>Television</td>
<td>0.2477</td>
<td>0.0114</td>
<td>5.470</td>
<td>0.0197</td>
<td></td>
</tr>
<tr>
<td>Newspapers</td>
<td>0.2225</td>
<td>0.0405</td>
<td>3.702</td>
<td>0.0549</td>
<td></td>
</tr>
</tbody>
</table>
## TABLE LXXV

CROSS TABULATION OF CONSUMER-ORIENTED VARIABLE AND CLIENT RANK VARIABLE*

<table>
<thead>
<tr>
<th>Response Categories</th>
<th>Orientation</th>
<th>Row Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nonconsumer</td>
<td>Consumer</td>
</tr>
<tr>
<td>The client score is less than all other group scores</td>
<td>Count</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Row %</td>
<td>35.1</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>5.8</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>2.0</td>
</tr>
<tr>
<td>The client score is equal to one or more group scores</td>
<td>Count</td>
<td>62</td>
</tr>
<tr>
<td>and greater than all other groups</td>
<td>Row %</td>
<td>34.1</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>18.1</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>1.3</td>
</tr>
<tr>
<td>The client score is greater than all other group scores</td>
<td>Count</td>
<td>261</td>
</tr>
<tr>
<td></td>
<td>Row %</td>
<td>35.1</td>
</tr>
<tr>
<td></td>
<td>Column %</td>
<td>76.1</td>
</tr>
<tr>
<td></td>
<td>Total %</td>
<td>26.6</td>
</tr>
<tr>
<td>Column</td>
<td>343</td>
<td>639</td>
</tr>
<tr>
<td>Total</td>
<td>34.9</td>
<td>65.1</td>
</tr>
</tbody>
</table>

* Chi Square was not significant at .01 level.
TABLE LXXVI
ONE-WAY ANALYSIS OF VARIANCE FOR COMPOSITE ORIENTATION VARIANCE AND ATTITUDINAL ORIENTATION STATEMENTS FROM SECTION I

<table>
<thead>
<tr>
<th>Statement Number</th>
<th>Orientation Group Mean</th>
<th>F Probability (less than or equal to)</th>
<th>Duncan Test</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Production</td>
<td>Sales</td>
<td>Consumer</td>
</tr>
<tr>
<td>1</td>
<td>0.3133</td>
<td>0.5509</td>
<td>-0.1333</td>
</tr>
<tr>
<td>2</td>
<td>-0.2732</td>
<td>1.3464</td>
<td>-0.0610</td>
</tr>
<tr>
<td>3</td>
<td>-0.5865</td>
<td>-0.4835</td>
<td>0.1841</td>
</tr>
<tr>
<td>4</td>
<td>0.5569</td>
<td>-0.2430</td>
<td>-0.1232</td>
</tr>
<tr>
<td>5</td>
<td>-0.2969</td>
<td>1.1165</td>
<td>-0.0701</td>
</tr>
<tr>
<td>6</td>
<td>-0.3458</td>
<td>-0.6590</td>
<td>0.1974</td>
</tr>
<tr>
<td>7</td>
<td>0.5609</td>
<td>-0.7596</td>
<td>-0.0537</td>
</tr>
<tr>
<td>8</td>
<td>-0.3918</td>
<td>0.7171</td>
<td>-0.0067</td>
</tr>
<tr>
<td>9</td>
<td>-0.7486</td>
<td>-0.4387</td>
<td>0.2823</td>
</tr>
<tr>
<td>10</td>
<td>0.3648</td>
<td>-0.5754</td>
<td>0.0156</td>
</tr>
<tr>
<td>11</td>
<td>-0.1478</td>
<td>0.6590</td>
<td>-0.0381</td>
</tr>
<tr>
<td>12</td>
<td>-0.7467</td>
<td>-0.5684</td>
<td>0.2330</td>
</tr>
</tbody>
</table>
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