

# Ep #119: Making It Rain: How to Increase Client Flow in Your Law Firm with Robert Hartmann



## Full Episode Transcript

With Your Host

**John E. Grant**

[The Agile Attorney](#) with John E. Grant

## Ep #119: Making It Rain: How to Increase Client Flow in Your Law Firm with Robert Hartmann

John: You've probably heard me talk on this podcast about what I think of as the three main pipelines in a law practice: the getting the work pipeline, the doing the work pipeline, and the getting paid pipeline. And I tend to spend the vast majority of my time on that delivery pipeline in the middle.

But today, I'm stepping upstream into the getting the work pipeline with my guest, Robert Hartmann. Robert's a criminal defense attorney in Southern California, and he has an interesting theory about the bottlenecks that form in many law firms' business development pipeline.

He'd argue that the thing preventing a firm's marketing and sales system from being more effective is often not so much a process step, but a mindset limitation. And I like Robert's approach because he treats rainmaking the same way I treat practice management overall as a system, one that's built on relationships, consistency, and a predictable level of responsiveness. I think you'll be interested in what he has to say.

You're listening to *The Agile Attorney Podcast*, powered by GreenLine. I'm John Grant, and it is my mission to help legal professionals of all kinds build practices that are profitable, sustainable, and scalable for themselves and the communities they serve. Ready to become a more Agile Attorney? Let's go.

A quick note: The concepts from today's episode should be useful to you no matter what kind of practice you have or what tools you use. If you'd like, stay tuned at the very end where I will briefly talk about how my software tool GreenLine supports the principles and practices from today's show.

All right everyone, welcome back. So this week I'm excited to be joined by attorney Robert Hartmann, and Robert has a white collar criminal defense practice down in Southern California, and he's also the author of a new book called *Making It Rain*. And I'm excited to talk with Bob today about his

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practice and his book and kind of his unique lens on this world of law practice.

Robert: Thanks, John, and thanks again for having me. I appreciate it.

John: Yeah. Well, so let's actually start with your book, if you don't mind. Tell me a little bit, because I think this is something that a lot of lawyers think about doing and you have done it. You've written the book. Tell me a little bit about the book. What's your sort of key thesis? And I might even ask you a little bit about your process for getting it written.

Robert: Well, the book is really about how to build a successful law practice. I mean, at the end of the day, that's what it's about. And so it's designed, what it started off, John, with is during the pandemic, I got so many emails from lawyers who were being fired, laid off from big firms, whatever it is.

And it struck me that you have these eight to 10 year lawyers who have no idea how to bring in business. And it just got me thinking a little bit. And then when I thought about my own story, it's, you know, maybe there's some good and some people I can help out here, and at the same time, it, you know, hopefully will help my business a little bit.

So basically, what the book does is it says, if you are in a job where you're unhappy and you're staying there because you don't think you can bring in the business, you're not right about that. You can bring in the business. It's not nearly as hard as you think it is. And the only reason you think it's hard is because no one's ever explained it to you. You didn't learn it in law school. And that's the point of the book, is I think what it does is it explains from A to Z how to start a practice, how to network, and how to build a practice that consistently brings in business for as long as you want it.

John: Well, so let me back up just all the way to the title of your book and say, when you say making it rain, what do you mean by that? And you

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hinted at it, right, which is I think for a lot of people, they know the practice of law part of it, or at least they feel reasonably comfortable in the practice of law part. And the unknown unknown is how the heck are people going to want to hire me to begin with?

Robert: John, you've got it exactly right. That's exactly what it is. You know, so many people are in jobs and they're comfortable, but they're not happy. And it's because they're afraid they don't know how to bring in business. If they were confident they could do that, they could start their own firm. They could make a lateral move and be more demanding of a higher salary because they can bring in business. But people don't learn this in law school. Law school is not business school. Law school is about teaching you contracts and torts and property. It's not about how to run a business.

And so I think that the term making it rain literally applies to making it rain with clients, making it rain with referrals, making it rain with referral sources such that at the end of the day, when you do go out on your own, you are confident that you can make it work over time.

John: Yeah, I love that. There's a Shakespeare line that I only recently discovered, but I've fallen in love with it. It's from *Measure for Measure* and it says, "Our doubts are traitors and make us lose the good we oft might win by fearing to attempt." And I think part of what you're getting at is if our doubt about our ability to generate business is the thing that is causing us to not attempt, we're missing out on so much potential upside.

So let's unpack sort of what's your formula in your particular practice, right? And like I said at the top, you're a white collar criminal defense. And so there are going to be some parts that are very specific to that, but I think a lot of what you have to offer applies generally to law practice more broadly. What are the keys for you?

Robert: I think probably the number one thing is empathy. And that may sound weird for a lawyer to say that because we're not associated with that.

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We're a-holes. We don't treat people very nicely, right? Empathy for me relates to clients. When a client calls me, this is not a small matter to them. They know they're going to spend thousands and thousands of dollars on a lawyer. This is important to them. And in my world, criminal, it's important to their freedom. It's important to their family. It's important to their professional license. It's important to everything.

So I need to give those people respect because this is really important to them. And they're scared, they're anxious, they've never gone through anything like this in their lives, and I perceive part of my job is to talk them down the ledge. It's to reassure them.

Remember, lawyers can't make guarantees, of course, but we can reassure them with our experience, they're going to be okay. We can do certain things as the case goes along so they can sleep at night, so they're okay with their family, so not everybody's so worried. So I think that's number one for me, is I have empathy towards every client.

Secondly, I have empathy towards referral sources. And this is sort of the business side of it, right? Is John, if you refer me a client, you're putting your name on the line when you send that client to me. And can you imagine what you would think if the client called me 17 times and I never answered, or you know what, they hired me, and I took their money and didn't do a good job for them?

So I think that treating referral sources like gold, like what putting your name on the line for me means, treating them like that helps you treat the client better, but it also enhances that relationship with the referral source so they stay with you for a long time and refer over and over.

And John, what's really interesting is I've had cases where we didn't get the best result. You know, we tried, we just didn't get the best result. You know what? I've had clients tell me, you know what? We didn't get no jail. I got to wear a bracelet around my ankle for six months. I know you tried your best,

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Bob. I so appreciate everything you did. I saw your mitigation brief. I saw what you did in court with the judge and the DA. Nobody could have got it. I appreciate it. That's so great for a client to say that.

And then they tell everything to the referral source, right? They just tell everything to them, right? Then you get a note from the referral source saying, "Hey, Bob, great result." And even when that happens on not the greatest result, it makes you feel good and from a business perspective, perfect.

John: Well, it's interesting because it overlaps with a few different things that I talk about a lot on this podcast and with my own clients. One of them is I fundamentally see lawyering as a caregiving profession. Your framing of things as being an empathy based is exactly that. And I think to some extent, the care that you're giving and the empathy is around understanding that what's at risk for the client, yes, it's their freedom, and yes, it's their professional stature and all the rest, but it at its core is a loss of identity, right?

They are not the person who they have believed themselves to be or have positioned themselves in society as being. And so part of what you're, I think, doing in your specific caseload is helping them either retain as much of that previous identity as they possibly can or step as confidently into their new normal in a way that feels okay to them, that the process at least was fair, and maybe they did make a mistake. Maybe they are suffering some consequences for it, but it isn't tearing their entire life apart.

Robert: Well, you're talking about dignity. And you know what's really interesting, probably true in civil cases as well as criminal, I'm the only one giving them dignity, right? The prosecutor's not. The judge, not really. I'm giving them the dignity. And so what you said right there, John, is so important. It may become their new normal, but it also may be just a temporary thing.

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So for example, in California, we have a law that says for most offenses, if you're good for three years for the period of your probation, you can have your record expunged, meaning your crime comes off your record and you are, you have no record. And so you allow a person, not only do you treat them with dignity, you allow a person to restore their dignity. And I love the way you said that, John. That's exactly what we're doing. It's such a service-based, experienced-based situation that we're in. And I don't think most lawyers understand that, quite frankly.

John: Yeah. Well, and I think the same thing is also true to a different extent with your referral sources or your referral partners, which is, you know, we all like to pride ourselves on helping people solve problems.

And regardless of who those referral sources are, they might be, you know, I'm going to make some up because I don't know who yours are specifically, but maybe it's financial planners, maybe it's other attorneys, maybe it's clergy, whoever it happens to be, but by offering a clear path, a consistent way of addressing the types of problems that people run into, you're doing that referral source a favor, right? You're solving a problem that they have by being able to help them solve a problem for the people that they are connected with or care about.

Robert: And you're even going one step further than that. Not only are you taking care of the referral source's problem, hopefully you're making it better. So the referral source, maybe they're a lawyer, like a bankruptcy lawyer or something, and they've got a client with a criminal problem. And, "Bob, I don't know what to do to help this person." Blah, blah, blah.

And so then you get back to the bankruptcy attorney and said, "You know what? We were able to get their case dismissed, or we got the felony reduced to a misdemeanor with no jail and nothing else to do, and then he'll get his record..." You know, and now you make the referral source out to be a bit of a hero because now the referral source and their client who they

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referred to you, their client thinks the world of the referral source because they gave them the right referral.

And that's what I mean by empathy. That's what I mean by if you treat people well and do a good job for them, you cannot fail. You literally cannot fail in bringing in your own business.

John: So starting with empathy then, which I think is more of a mindset piece than anything, what are the nuts and bolts? So how would you walk someone through the process of building a business pipeline or referral pipeline if they're stepping into a new practice for the first time?

Robert: So I'll tell you what our process is. First of all, is I give everybody my cell phone. My cell phone, I have one cell phone, it's on my card. A lot of people look at me funny. Like, why do you do that? You know why? I never have people bother me on weekends. They don't need to. Anyway, everybody starts with my cell phone. I get a phone call, and let's say I'm able to pick up, I talk to them right now. I don't ask them to call back.

I talk to them right now because it's important to them right now. They're taking time out of their day to call me, maybe to give money to me. I need to talk to them right now. If I'm in court and they call me and I get a, you know, a text or something, I text them back in a minute. I'll call you back. I'm in court. I will call you back on my first break, looking forward to speaking with you.

John: And it's fascinating to me just because, and I'm sure you get all these messages too, there are so many different products, services, AI products that are focused on that first contact with the client.

And in fact, a lot of lawyers are maybe thinking or of, I often see a mindset, I should say, where there's a feeling that we need to offload or outsource that first contact, those initial conversations because I need to be doing my highest and best work, which is practicing law for the clients that I already

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have. You're taking a very different approach and saying, "No, this is a significant part and establishing the relationship, the responsiveness, the human connection with me personally is what's important from the jump."

Robert: You are 100% right about that. Now, now, what I will say though, John, is not every person who calls is going to be a great client or even would be a great client for me. But again, it's one of those things where I've been around long enough that I can generally tell within five minutes, literally, if this is a client that either is going to want to hire me or I'm going to want to take their case.

So here's what I do. If it's a case where I know that I'm not going to want to really take their case, you know what I'm going to do? I'm not going to hang up on them. I'm not going to get them off the phone quickly. Whoever referred them is going to appreciate any help I can give this person, even if I don't take the case.

So, for example, the person calls me and they'll go, "Well, you know, money is really an issue. I don't know how much I have, but so-and-so said to call you." Okay, great. If it doesn't work with me, let me explain to you how to get the public defender. This is what you do. This is who you talk to when you get to the courtroom. This is what the judge is going to, the form they're going to want you to fill out. Here's what you need to bring with you from home. If you do that, then the judge is going to give you the public defender right away and you'll be good to go.

That's just an example. I had a person call me a couple of days ago about a restraining order. And I do domestic violence restraining orders, but not other kinds. And so they're talking to me, and it was from a good referral source. And I said, "You know, I'm not the right person for you, but I'm not going to leave you in a lurch. I know so-and-so, and here's her phone number. I think if you talk to her, she can help you." And they're like, "Thank you so much."

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And so, you know, that gets back to the referral source, Bob couldn't help me, but he referred me to Elizabeth, who can help me, and she was great, too. So those little things, John, really good.

John: So what would your response be then to someone that's thinking, "Well, I can't build a practice around that. That doesn't scale." And that's a word we hear a lot in law. I use it sometimes too in my own work, and I'm all for, and you'll hear it when you listen back to the podcast, right, my intro says, "I'm interested in helping people build practices that are profitable, sustainable, and scalable."

And I roughly mean in that order. You have to be profitable before you're sustainable, you have to be sustainable before you can scale. But your approach is a challenging one because it isn't inherently scalable, but it's working for you. So what would your response be to someone that says, "Well, I can't possibly do that because then I can't scale the way that I want to scale."

Robert: You said something interesting there though, you know, when you talk about scaling. If I'm going to be a sole practitioner, I may not be able to take every case that comes in through the door. And I can really fine-tune what I want to take and nicely help other people. But if I have an associate working for me, and I, there have been periods of time in my career when I've had associate attorneys who worked for me for a little while, you know what that does?

It allows me to take in more cases because I don't have to work on them. There's somebody I trust who I oversee who can work on those cases. So for me, like, for example, a couple of years ago, I brought in an attorney who was very experienced, and I was probably able to bring in 50, 60, 70% more business in that one year because I knew I had someone very reliable to work on those cases.

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So I think that my theory actually can be scalable. It's just I've chosen to be on my own, one reason is because I work in California and employing people in California is its own topic. But what I would say though is for me, it works. I love my practice. I can take what I want to do and do what I want to do. For me, that means everything.

John: Well, there's the takeaway for me, right, is that scalability isn't always a useful goal. And I think that's another place where in the milieu of messaging we get as attorneys, both from marketing agencies, from technology companies, from consultants like me, is often beating a growth drum or a scale drum.

But I think it is very possible, in fact, maybe one of the surest paths to a very comfortable, successful life in the law is to really build a small practice that is targeted and that you are able to operate yourself in a sustainable way, knowing that you've got this sort of drumbeat of new work coming in because you're doing the things that you're talking about doing in terms of having the new business coming at your door.

Robert: And not only that, but you know, I can go away for two weeks on a vacation, and I know so many people in the world who will help me. You know, let's say I'm gone. I have my phone with me while I'm gone, right? No matter where I'm at, my phone still works. So I've been in Europe, I've been in South America, I've been in amazing places before and I've gotten hired on cases, believe it or not.

But I'm, let's say I'm gone for two weeks and the person just got arrested and they got to go to court tomorrow. Well, you know, I've got enough friends, enough colleagues in the business where I can get people to make special appearances for me and cover the client's initial court appearance.

And you know, when I tell the client, "You know what? You got me, I'm on vacation. I'm 8,000 miles away, but if you're okay with it, just for the first court appearance where we plead not guilty, Joe is going to appear for you.

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Is that going to be okay?" And then nothing big will happen, I'll be back right after that. And a hundred out of a hundred, they're fine with that.

John: And another thing that I'm hearing in terms of the sustainability and ultimately success of your practice is that you're extremely clear on what you do and what you don't do. What are the types of cases, maybe even who are the kinds of people that you'll work for? I'm sure there's situations where it's like, "Oh, yeah, that is the type of offense that I'm way comfortable in handling, but there's something I'm getting in the feedback in this phone call that tells me, "danger, stay away."

Robert: You are, again, John, so right about that. So here's a good example. I've had clients tell me on the phone, the first question out of their mouth is, "Hey, what do you charge for a DUI?" As soon as I hear that, it's like, I'll talk to him, happy to talk to him, but this isn't going to work out, right? When I was younger, I did so many trials. I did gang trials, I did murder trials, I did any kind of trial, right?

Now as I'm a little bit older, I can still handle any case, but I much prefer white collar cases because it's more about money than other things. And those types of individuals, when they call, again, you can tell pretty quickly if you want to work with them or not. I think it ties back to what you said a little bit earlier, you know fairly quickly that you want to work with them or not. If not, you can get them to someone who will help them. That makes everybody happy.

John: I love that. I want to ask you about the process of writing your book, but there's one other piece that you hit on that hits an important topic that I like to reiterate, which is a lot of times, clients aren't necessarily in a very good place to judge the quality of your legal work, meaning they don't know whether the motion you wrote or whether the thing that you did, right? They didn't go to law school, they don't have the years and years of experience that you have. But what they are good judges of is the quality of their experience in working with you.

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Robert: I think that to some extent, part of my job is a little bit to educate them. So I'll give you an example. Let's say we have a case where the police obtained a client's confession without reading them the Miranda rights. Miranda's a law school case, not everybody, some people have heard of it, but not everybody knows about it, right? So the thing is, is let's say I write a motion and I'll say, you know, "Hey, this person wasn't given the Miranda rights, the confession must stay out and if the confession stays out, the case is not going to go anywhere. The DA's going to lose."

Well, I'm going to explain that motion in 10 or 15 minutes to a client. And there's two reasons to do that. Number one is it's good for the client's soul. It reduces their stress, it makes them show that my lawyer is fighting for me. But what it also does is he tells the referral source that. And then again, if we don't win the Miranda motion, at least the client kind of kind of understands what happened. And if you win the motion, even better. So I think there's some value in trying to educate the clients we work with on what we're doing. It makes them appreciate our effort even more.

John: I love it. Well, so tell me then, what was your why for writing this book?

Robert: For me personally, as a sole practitioner, I think I'm pretty good at what I do, and I have found that for a lot of really high-profile cases that I'd like to get, where I'm down to the final two, they're going to hire one of two people, me and or a big firm. Even though I have the same resources as the big firm, the investigator, the financial people, the gunshot residue, whatever it may be. I have all those people, too. They just don't all work in my building.

So what I have found is I started losing some of those cases I was hoping to get. And the reason is, "Bob, we loved you the most, but we want the big firm. We think that's just going to be better." And so my feeling is the book and the things that I teach in the book will enhance my credibility to the point where it might help me start to get some of those cases.

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John: I think it makes sense. I think it's probably too early. Your book is only just out from what I understand, so we don't yet have the feedback loop yet to know whether it's working, but I like the hypothesis. Well, Robert, thank you so much for coming on. This has been great. It's great to hear your process. I wish you all the success with the book. I'll, I'll put a link in the show notes.

If there were one thing that you could leave, you know, that we haven't talked about already, but someone that's either maybe just made the jump to their own practice and maybe feels like they're struggling a little bit, or someone that's thinking about making that jump, what words of encouragement or words of advice do you have for them?

Robert: I think what I would say to them is that they should have confidence in their ability to rainmake. I would say absolutely if you put in the effort to learn what it takes to get referral sources and then to hang on to them, if you can just do that, you will be successful.

John: I love it. I'll reframe that slightly, which is if you're smart enough to have made it through law school and all of the teachable skills we have to learn as a lawyer, rainmaking too is a teachable skill and you certainly have the capability of picking it up.

Robert: Said much better than me, but yes, I agree with you.

John: Okay. Well, great. Well, thank you again for coming on, and I look forward to the success of your book.

Robert: John, thank you very much. And again, much thanks for having me today. Appreciate it.

John: Today, I want to talk about a really cool feature in GreenLine that lets you connect your delivery pipeline and your business development pipeline to get them to sync up with each other. You already know I love a good WIP limit, and I also love a feedback loop. And in a well-designed system, the

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ideal state we're shooting for is a marketing pipeline that delivers the right work at the right time, exactly when capacity on your delivery system comes available.

And to help with that, GreenLine has a cool feature called a minimum WIP limit. And for teams that have gotten a little more advanced in their maturity with Agile thinking, we'll often put this minimum WIP limit somewhere towards the front of their delivery workflow. And that column can act as a signal that the delivery system is actually looking for more work.

For example, if we have fewer than three new matters in the intake process, a minimum WIP limit of three, then we want to push that information upstream to the sales or marketing team or whoever is running the rainmaking function to let them know that your delivery pipeline is running a little dry and that they should do whatever they need to do to fill it up again.

Now, like I said, it's a bit of an advanced feature, but I bring it up to illustrate how much deeper GreenLine goes in support of Lean and Agile process improvement methodologies. You're not necessarily going to use all of our capabilities right out of the box. In fact, as part of our onboarding process, we'll work with you to keep things simple at first to get you up and running on the tool as quickly as possible.

But as your needs evolve, GreenLine is going to support you along your journey. I'd love to show you how it works for any kind of legal team. So if you're interested, head on over to [greenline.legal](https://greenline.legal) and hit the book a demo button, or just email me at [john.grant@greenline.legal](mailto:john.grant@greenline.legal), and we'll set up a time to talk.

All right, that's it for today. Thanks again to Robert Hartmann for joining me, and I've put a link to Robert's book in the show notes if you're interested in picking it up. If you found today's episode useful or interesting, please forward it to a friend or colleague who you think could benefit from a more

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Agile approach to their legal practice. And if you have any questions or topics you'd like to hear me discuss, please don't hesitate to reach out at [john.grant@greenline.legal](mailto:john.grant@greenline.legal).

As always, this podcast gets production support from the fantastic team at Digital Freedom Productions, and our theme music is "Hello" by Lunareh. Thanks for listening, and I will catch you again next week.