

An exploratory study of consumers' attitudes toward advertising of legal professionals in Hong Kong

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李英立律師事務所

專辦：—

離婚
破產

歡迎查詢

改名契
基本遺囑

\$400
(即日辦妥)

遺產、樓宇、分居紙

承辦一般法律事務

歡迎查詢，電話：2522 2531

旺角中心第一期 17 字樓 1704 室
(旺角地鐵站 D2 出口)

Debates concerning the use of mass media to promote legal services

• **Against**

- Ad diminish their professional image
- Uncertainty about the benefits of ad to the profession and to the consumer
- An increase of unnecessary or unmerited litigation

Pro

- provides information
- Allows consumers to make more informed decisions
- Encourages positive competition among legal service providers

Twin forces of legal professional advertising: Deregulation

- Relaxation in advertising rules in legal advertising
 - England abandoned their traditional rules prohibiting lawyer advertising in the late 1980s' (Love & Stephen, 1997)
 - In 1992, Hong Kong allows some form of publicity, but no ads on TV, radio and cinema as well as public places
 - In 1996, allow lawyers to advertise in mass media
 - Guideline:
 - Claims should be truthful, legal, honest, decent
 - The ad should not bring the profession into disrepute

Competitions

- In HK, there were 6,782 solicitors in 2010
- 5,303 of them were in private practice working in 764 firms
- The total ad spent on legal services in 2011 was US\$29.5 million (admanGo, 2011)
- On average, each practicing lawyer spent US\$5,600 on media ad

Significance of legal professional ads

- To increase the transparency of the firm
- Let the public know what sort of services are provided by the firm and how experienced they are in their areas of practice
- **NOT** to encourage solicitors to make more money through promotional activities
- **NOT** “Undignified advertising” or bad taste or aggressive

Breaching the principles in HK

- Self promotion of Mr. Paul Tse Wai Chun, a solicitor
- described lawyers as “vampire” in a media interview, and he dressed up as Superman in printed ads etc...
- Nine year battle between Solicitors Disciplinary Tribunals and him, documented in “A solicitor Vs Law Society of Hong Kong” in 2008



星展銀行 DBS

PUBLIC LIGHT BUS 18 SEATS 公共小巴士十八座

謝偉俊律師行
90888888



謝偉俊律師行
90888888

破產
離婚
信譽

律師
信譽昭著
取價公道

HZ 8981



Consumers' attitude towards legal professional ads

- Fairly positive (Au, 1997)
- Agreed that professional ad increased their awareness of professionals and informed them about the nature and availability of services, as well as qualifications of professionals
- HK lawyers enjoyed a high image

Some are suspicious

- 56% of interviewees did not agree that ad by legal professionals would improve the quality of services
- 55% of them worrying that prices would be increased because of the costs of advertising
- 57% disagreed that when professionals advertise, prices would be lowered due to more competition

cultural factors

- Chinese people tend to be less confrontational and more likely to employ a relatively indirect-inactive way of dealing with conflict
 - Like the old saying “in death avoid hell, in life avoid law courts” (e.g., Utter, 1990; Wong, 2010)

The west



- Low-context culture
- More likely to use confrontation and litigation to settle a dispute

The east



- Seek mediation in resolving a dispute
- Value harmony and face
- Obeying authority
- Litigation-averse nature

Research Objectives

- To examine perception of benefit and harm of legal professional ad among HK consumers
- To investigate what information items are perceived as desirable or undesirable in legal professional ads
- To examine perceived credibility of legal professional advertising in various advertising media

Methodology

- qualitative interviews
- 2 TV ads of lawyer ads were shown to the interviewees on a lap-top computer
- The interviewees were asked about
 - The perceived benefit and harm of lawyer ad to consumers and society
 - Types of information the ad should have or should not have, and why
 - A medium that they find legal ad most trustworthy

Profile of interviewees

- 36 Chinese adults aged 20 to 44
- 22 were females, 14 were males
- Undergraduate students of the HKBU served as the interviewers
- The study was conducted in Cantonese in Oct, 2010

Findings: perceived benefits

	F
Provide info about scope of services and fee structure	30
Help to find legal services more easily or to have more choices	26
Enhance the image of legal profession: more credible, more approachable, or more transparent	10
Enhance public legal knowledge	5
Lead to better and cheaper legal services	5
Total*	76
* Interviewees can give more than one answers	

“Consumers will be less panic, especially those who have never used such service before” (female, age 20-24).

“Consumers able to set their budget and expectation” (male, age 30)

“It saves time as well as effort” (female, age 20-24)

“Law firms with ads are stronger financially and should be more trustworthy”

Perceived harms

	f
Ads exaggerated, misleading or provide redundant information	19
Damage the image of legal profession: greedy, cunning, not-trustworthy, or unscrupulous	16
Encourage litigation	12
Increase the cost of legal services	6
Lead to oligopoly or poor service because of unhealthy competition	5
Total*	58

**Interviewees can give more than one answers*

I believe that there must be a lot of hidden costs (male, age 34)

It gave me a feeling that lawyers are encouraging people to take legal proceedings in order to earn more money. They were money-hungry and were therefore not trustworthy (female, age 30-34).

Sometime law ads advocated divorce cases. This would increase divorce rate. It educates people that divorce is easy and you may get a high alimony out of it”

Desirable and undesirable info

desirable	
contact information	29
scope of service	27
service fees	16
unique service/expertise	13
professional qualifications	6
total	91
undesirable	
exaggerated/misleading/inaccurate information	24
service fees	8
superlative claims	5
criticism on direct competitors	4
successful cases/portfolios	4
self-promotion	4
total	49

Most and least credible medium

High cost in production
+ scrutiny by the
government

Advertising Media	Most credible frequency	Least credible frequency
TV	24	10
Newspaper	11	8
Magazine	4	2
Out-of-home	2	6
Radio	2	2
Online/Internet	1	7
Direct mailing	0	4
Others/Not mentioned	4	3
Total*	48	42

* Interviewees can give more than one answer

too dramatic

size small and unappealing

Conclusion

- Interviewees appreciated the information values of legal professional ad
 - Due to insufficient knowledge
 - Legal profession out of touch with the general public
 - Legal professional ad can save consumers' time and searching cost
- They placed great emphasis on the accuracy and validity of the information provided
 - No exaggerated, misleading and false claims
 - Service fee is a controversial information item

Conclusion

- There were diverse views about the impact of legal professional ad on the image of the legal profession
 - Legal profession may suffer from a deterioration of image if ads are perceived as un acceptable
 - People are concerned that legal professional ads may encourage them to use litigation as problem solving
- Interviewees held strong belief in price-quality association for legal services
 - Quality legal services does not come with a rock bottom price
 - People would rather pay more to enjoy a quality service than a cheap one

Conclusion

- Specialization of legal services and team work
 - Wanted to see ads about the whole team
 - HK is a collective society. People believe in group success rather than individual success
 - Affected negatively by Paul Tse's self-promotion case

Recommendations

- Should contain key information, such as scope of service, expertise and contact information, and unique benefits
- Should be sensitive in presenting fee information
- Due to Chinese culture puts much emphasis on social harmony, might encourage potential consumers to seek other problem solving channels before they consider legal action as a kind of disclaimer
- Should communicate the expertise of the whole team of lawyers
- Should use a media mix

The End