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

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李英立律师事務所

專辦：

離婚
破產

改名契
基本遺囑
$400
(即日辦理)

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
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

<table>
<thead>
<tr>
<th>Benefit</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide info about scope of services and fee structure</td>
<td>30</td>
</tr>
<tr>
<td>Help to find legal services more easily or to have more choices</td>
<td>26</td>
</tr>
<tr>
<td>Enhance the image of legal profession: more credible, more approachable, or more transparent</td>
<td>10</td>
</tr>
<tr>
<td>Enhance public legal knowledge</td>
<td>5</td>
</tr>
<tr>
<td>Lead to better and cheaper legal services</td>
<td>5</td>
</tr>
<tr>
<td>Total*</td>
<td>76</td>
</tr>
</tbody>
</table>

* Interviewees can give more than one answer

“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

<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ads exaggerated, misleading or provide redundant information</td>
<td>19</td>
</tr>
<tr>
<td>Damage the image of legal profession: greedy, cunning, not-trustworthy, or unscrupulous</td>
<td>16</td>
</tr>
<tr>
<td>Encourage litigation</td>
<td>12</td>
</tr>
<tr>
<td>Increase the cost of legal services</td>
<td>6</td>
</tr>
<tr>
<td>Lead to oligopoly or poor service because of unhealthy competition</td>
<td>5</td>
</tr>
<tr>
<td>Total*</td>
<td>58</td>
</tr>
</tbody>
</table>

*Interviewees can give more than one answers

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I believe that there must be a lot of hidden costs *(male, age 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”

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)*.
## Desirable and undesirable info

<table>
<thead>
<tr>
<th>Desirable</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>contact information</td>
<td>29</td>
</tr>
<tr>
<td>scope of service</td>
<td>27</td>
</tr>
<tr>
<td>service fees</td>
<td>16</td>
</tr>
<tr>
<td>unique service/expertise</td>
<td>13</td>
</tr>
<tr>
<td>professional qualifications</td>
<td>6</td>
</tr>
<tr>
<td>total</td>
<td>91</td>
</tr>
</tbody>
</table>

| 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

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

*Interviewees can give more than one answer

High cost in production + scrutiny by the government

- 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