



Marketing *by* Differentiation

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By David Gage

Many mediators want to help people resolve their disputes and are willing and able to mediate a wide range of conflicts. Mediating a wide range of conflicts, however, creates a marketing challenge right out of the starting gate: a lack of differentiation among mediators. No one, including mediators, wants to market plain vanilla. By specializing, mediators eliminate half of the marketing problems because they (1) set themselves apart from the crowd, (2) demonstrate a higher level of expertise and concern for a certain subset of people with conflict, and (3) make it easier for those people to find them.

One way to differentiate yourself or your firm is to serve a target market. A target market is a narrowly defined group of potential clients. Having grown up in a family business, I found it easy to discover a target market for conflict resolution services. Even as a youngster, I had no trouble seeing the

strange dynamics of people in a family business trying to blend home and office, generations and genders, and at some level, I was aware of the significant potential for conflict. Observing my maternal grandparents, their sons and the “outsider” son-in-law, my father, all working together, was a major impetus for me to become a psychologist, to specialize in working with families, and, finally, to start a firm that specializes in resolving family business and business partner disputes.

Twenty-five years ago, when I told a few psychologist colleagues of my interest in mediating business partner disputes, some of them who were consultants to businesses told me I was thinking too narrowly and that I should start by offering mediation for all types of workplace conflicts. Their advice: cast a wide net initially and get selective later, if and when you are successful. At that time, partners routinely called their accountants and attorneys for assistance with conflict and, predictably, landed in front of a judge or arbitrator. Business owners were just beginning to routinely include arbitra-

tion clauses in their contracts and they fancied themselves on the cutting edge of alternative dispute resolution (ADR). Mediation, unfortunately, was still mostly confined to divorce, baseball and shuttle diplomacy in international conflicts. Few business co-owners ever considered a stepwise ADR approach that included mediation prior to arbitration.

The advice from my colleagues to market business mediation services broadly was sound from an immediate-income perspective, but my passion was mediating within the confines of intimate co-owner teams. Additionally, there was nothing that felt unique to me about mediation for workplace conflicts. Although I was not a marketing person, I thought that being unique would help when trying to spread the word. Therefore, while offering our services in all kinds of workplace-conflict situations could produce more business in the short term, I thought that our business would grow faster over the long term if we specialized.

Being one of the few mediation firms in the country dedicated to resolving conflicts among owners of private businesses proved advantageous in certain ways. It made it easier for editors and reporters from the major publications to find our practice when stories about family business and partner feuds became public. That meant free ink. Stories appeared in *The Wall Street Journal*, *The New York Times*, *Fortune*, *Inc.*, *The Washington Post*, etc. Being the experts in a specific area also meant getting paid to write articles.

More exposure in the print media makes marketing easier for two reasons. First, the ability to showcase newspaper and magazine stories on a firm's Web site helps potential clients see that you are credible. Second, the exposure raises your standings with online search engines, making it easier for your target audience to find you.

People looking for mediators typically begin by searching the Web for "mediation" and something about their specific situation or needs. They will type phrases such as "mediation and business partners," or, "conflict, siblings and business" into search boxes. Mediators who write content-specific articles or who are interviewed about their expertise greatly improve their chances of having search engines display them higher on their lists.

Of course, nothing makes you an expert like a book. Despite knowing that everyone, especially nowadays, can write a book, I still consider somebody who is published as an expert. Obviously a well-known publisher adds credibility, but even a self-published book greatly enhances one's credibility and visibility when creating a niche business. There are many possibilities for becoming an expert in specialized areas. For

example, we have colleagues carving out spaces for themselves in mediation involving aviation, trusts, seniors, congregations, and more. These and other areas need professionals skilled in mediation and experts in those specific areas.

In addition to working in a niche market and publishing articles, a book and a workbook, we have differentiated our firm by having a multidisciplinary team approach. We use co-mediators in 90 percent of our cases. Not all types of mediation require a team approach, but because every business partner conflict is a tangled mix of interpersonal and either business or legal issues, they lend themselves to co-mediation. Co-mediated engagements are conducted by a team of two mediators, one with a background in psychology and the other with a background in law, business or finance. The specific combination depends on the clients' needs.

Mediators often worry that charging for the services of a team will hurt their marketing efforts and cause potential clients to look elsewhere. It is true that some people flinch at the cost, question the necessity and ask for a solo mediator. Interestingly, though, that has not often been the case for our firm. Most potential clients seem to recognize the inherent logic of a multidisciplinary team approach and appreciate that it is probably more efficient and may actually save them time and money. Most importantly, they understand that it gives them a better chance of success and, therefore, is worth every extra penny.

Co-mediation adds value in cases involving many other types of conflict. Siblings with inheritance issues have called for help. Families involved in real estate (e.g., vacation homes) appreciate a co-mediation approach. We have received numerous requests to do co-mediation in non-owner and non-family situations. These often involve broader workplace and business issues (e.g., health care, boards of directors and organizational issues).

It appears to me that the differentiation marketing strategy has worked well. We do the kind of work we love to do – with business owners – and we have a broad base of mediation work for a small team. Or, perhaps our firm just arrived where my psychologist colleagues suggested we start many years ago! ☺



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