



The Buying Waterfall: Influencing Accident Victims' Behavior

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Executive Summary

One of the key challenges for law firms is the need to differentiate themselves from the competition and reach potential clients who may not immediately recognize the need for legal representation. Many law firms struggle to differentiate themselves in a meaningful way that leads to actual case acquisition. Traditional marketing strategies, which rely on audience segmentation and messaging differentiation, can fall short in a high-competition, low-differentiation market like personal injury law. This white paper explores an alternative approach: activating common and high-yield behaviors of accident victims to achieve outsized results in legal marketing.

In a quest to understand the journey victims take after an accident but before hiring an attorney, PracticeMadePerfect (PMP) analyzed the conventional marketing approaches and compared them to the recommended approaches from the American Marketing Association's "The Organic Growth Playbook."

Through comprehensive market research, PMP also analyzed the decision-making processes of over 1,000 accident victims across diverse geographies, demographics, and income levels. The findings revealed that one of the most significant barriers to

accident victims engaging with law firms is not just competition from other law firms, but rather inaction as victims often delay or fail to contact a lawyer entirely. The reason for this is the presence of key behavioral blockers which includes misconceptions about needing legal help, affordability concerns, and feelings of guilt about suing a seemingly apologetic individual.

This white paper outlines how law firms can influence accident victim behavior at various stages of their decision-making process. By tailoring content to different demographics, engaging with local influencers like doctors and therapists, and focusing on educational messaging that reassures victims about the importance and affordability of legal representation, law firms can increase the likelihood of being contacted by potential clients, which will ultimately increase their case count.

PMP advocates for a holistic, behavior-centered marketing strategy—one that prioritizes long-term relationship-building and client education to improve a law firm's chances of client acquisition. Firms that adopt this approach will be better positioned to acquire more cases and sustain growth in an increasingly competitive market.

The Challenge

Accident victims often delay or avoid contacting a lawyer, despite experiencing significant injuries or financial damages. Traditional marketing methods, which rely on segmentation and differentiation, may not be sufficient to effectively reach and influence these potential clients. So, we explored the behaviors and decision-making patterns of accident victims so we can learn how law firms can effectively adjust their marketing strategies to increase the likelihood of these victims contacting them.

Traditional Marketing vs. Behavior-Centered Marketing

Historically, law firms have relied on segmentation strategies to target specific demographics and highlight their differentiators. These methods work well in markets with clear distinctions between products or services but can fall short in highly competitive fields like personal injury law. Since accident victims often delay or avoid contacting a lawyer, despite experiencing significant injuries or financial damages, traditional marketing methods, which rely on segmentation and differentiation, may not be sufficient to effectively reach and influence these potential clients.

We believe that rather than just taking a conventional approach, it is wise to turn to the Playbook Approach from the American Marketing Association's book "The Organic Growth Playbook."

Conventional Approach	Playbook Approach
Focus on differentiating products in the minds of target customers.	Focus on changing customer behavior in their buying process that provides the most leverage.
Segment based on benefits, demographics, or attitudes .	Segment based on likelihood of engaging in the key behavior .
Spread marketing investment across 4Ps in product messaging.	Focus investment on behavior change – not product messaging.

Case Study

The Playbook draws light to a case study to prove that their recommended approach is effective. They studied a pharmaceutical company and saw sales for their drug (named Terrafix for the purposes of the case) plateau despite a good reputation and ample brand awareness. It is important to note that there were two competitors with alternative therapies that were investing heavily in marketing efforts. To investigate what was going on, they conducted a study and mapped the various ways that patients and doctors interacted before, during, and after their annual physical exam. It was found that doctors most often performed qualitative assessment of patients and that patients that took an objective diagnostic test were 4 times more likely to receive a prescription to Terrafix. So, to get more Terrafix prescribed it would be wise to convince more physicians to order the test

and persuade more patients to request the test. By focusing marketing efforts on those two key insights, there was a 60% increase in tests which resulted in a 9% growth in revenue and a \$15 million decrease in marketing spend for Year 1. In Year 3, the company saw a 50% growth in revenue.

The evidence points to the importance of focusing on behaviors when creating marketing strategies. At PMP, we argue that understanding and influencing the behaviors of accident victims — rather than just focusing on differentiating legal services — is more effective. This is in part due to the fact that in high-competition, low-differentiation industries, consumers often choose based on behaviors, emotional triggers, and timing rather than just specific features or differences.

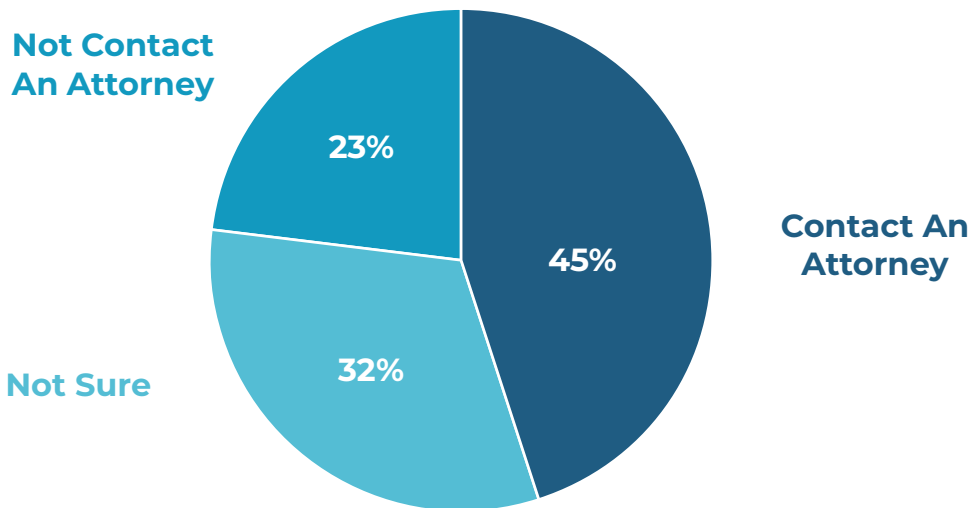
Understanding Accident Victim Behavior

Market Research

To click deeper, PMP conducted a comprehensive survey of over 1,000 respondents across various states, income brackets, genders, and ethnicities. This research was designed to uncover the typical behaviors and decision-making processes of accident victims after an incident.

The most significant finding was that in the 2 weeks

following an accident, 32% of respondents said they weren't sure if they would contact an attorney, 45% would contact an attorney, and 23% of people would not contact an attorney. The Playbook Approach would suggest that, instead of duking it out over the same 45%, law firms should target the other 55% and focus on tactics that influence the high-yielding behavior of contacting an attorney.



Interestingly, one of the largest barriers to client acquisition for personal injury law firms is not only other law firms, but rather inaction — as potential clients simply do not think to contact a lawyer. Our research found that certain demographics are less

likely to contact a lawyer, including older individuals, women, and those in lower-income brackets. Our research reveals several key reasons why accident victims choose not to seek legal help:

60%

believe they do not need an attorney.

22%

don't think to contact a lawyer at all.

20%

cite affordability concerns.

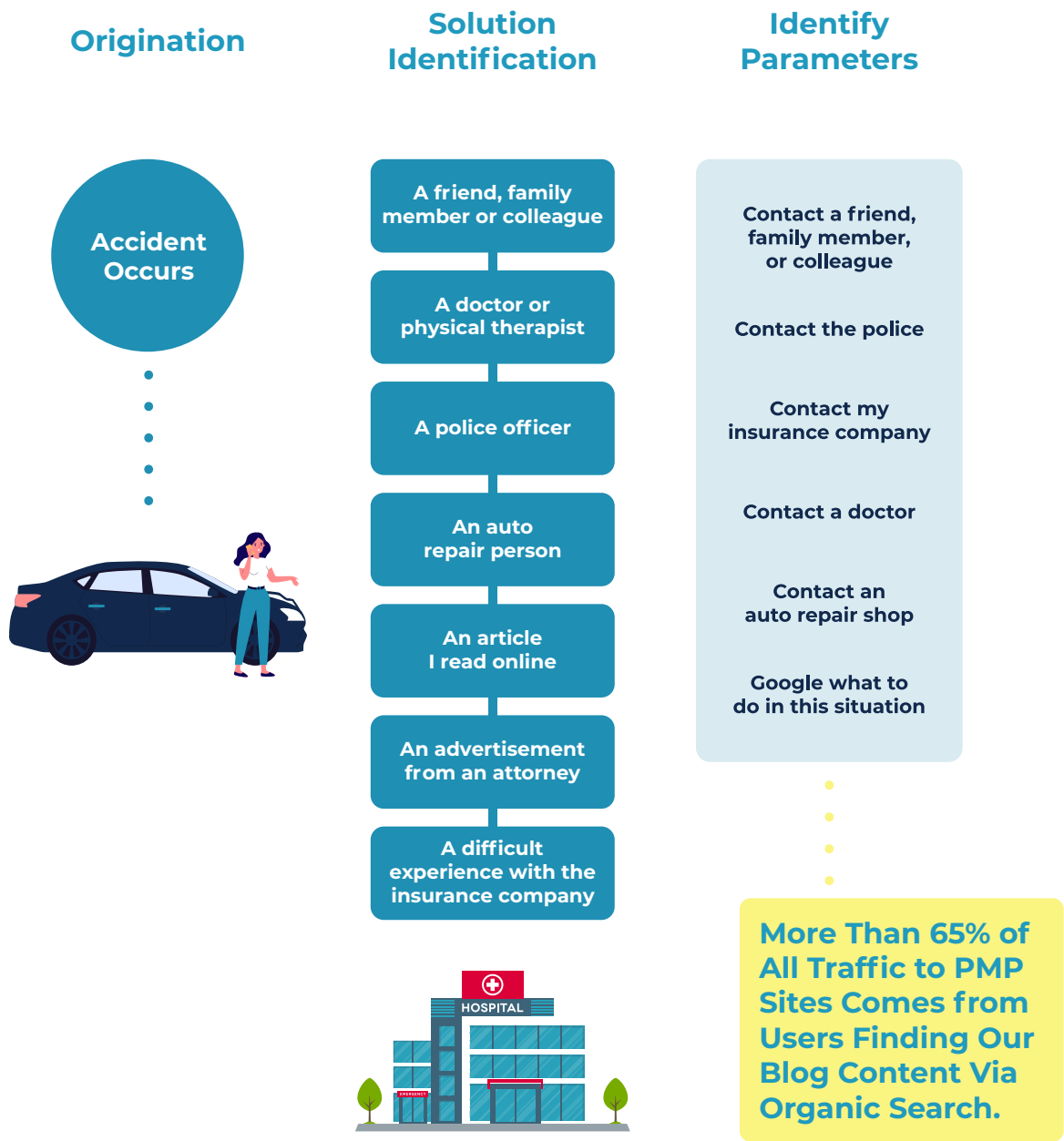
12%

feel uncomfortable suing someone who has been apologetic or nice.

This research proves that there is an unaddressed market that law firms should focus on addressing, but it is important to identify the timeline of the journey victims go through.

Buying Process Waterfall

We identified a clear sequence of stages that accident victims go through when considering legal help. Understanding this “waterfall” is critical for developing targeted marketing strategies that address specific behaviors at each stage.



People Are 80% More Likely to Choose a Familiar Brand Over an Unfamiliar Brand.



Non-Channel Research

I know an attorney

Ask a friend, family member, or colleague

Reach out to a firm I saw through an ad (e.g., TV, radio, billboard)

I would search online



Channel Research & Selection

An attorney I've already heard of

Attorneys, in general

Resources on how to find the right attorney

Resources about car accidents, insurance companies, neck injuries or other related topics

Reviews of attorneys

Validation

Read Google (or similar) reviews

Look at law firm websites

Look at social media pages

Look for independent third-parties for guidance



Visit/Contact

Call the firm for an appointment

Text the firm

Fill out an online form on the law firm's website

Use the live chat box on the law firm's website.

Drive to the law firm's office

I know the attorney or would be introduced to the attorney

Origination

An unexpected event like a car accident disrupts normal life, creating an immediate need for legal assistance. This stage is characterized by the victim experiencing physical, emotional, or financial pain and realizing that professional help is necessary to resolve their situation effectively. The need is rooted in a sense of urgency, as consequences stemming from the event (medical bills, loss of income, insurance disputes) often require immediate action.

Key Insight: At this stage, awareness of legal representation as a solution is often low.

Solution Identification

The victim turns to trusted personal connections—family, friends, or colleagues—for advice and guidance. They might also speak with professionals who intersect with their situation, such as doctors, physical therapists, or police officers. These conversations help the victim clarify their needs and reinforce the idea that legal assistance might be critical to achieving resolution.

Key Insight: Recommendations and word-of-mouth play a pivotal role in establishing the initial perception of legal support as a solution.

Identify Parameters

Armed with initial information, the victim begins defining their criteria for selecting an attorney. This typically includes the type of attorney needed (e.g., personal injury, wrongful death) and an understanding of key attributes like experience, reputation, and success rates. They now start considering what matters most to them—compassion, communication, or assertiveness in court.

Key Insight: This stage is about narrowing focus and setting benchmarks for evaluation.

Non-Channel Research

The victim begins informal research. They might ask additional questions within their personal network or search online for general advice on hiring an attorney. At this point, they are exploring available options, learning about potential firms, and understanding the services provided. Online searches may include general terms like “best personal injury attorney near me” or “how do I hire a lawyer after an accident?”

Key Insight: Building trust and educating consumers through content marketing (e.g., blog posts, FAQs, or testimonials) is critical in this phase.

Channel Research And Selection

After conducting broad research, the victim evaluates specific attorneys or law firms. This involves visiting websites, reviewing online testimonials, reading case studies, and checking attorney ratings or social media profiles. The victim compares options against their identified parameters and develops a shortlist. They may also download resources, such as guides or free consultations, to make a more informed decision.

Key Insight: This stage is where differentiation in branding, online presence, and client reviews can make or break a firm’s chances of selection.

Validation

Having narrowed their options, the victim seeks final confirmation. They may revisit testimonials, ask for second opinions from their network, or read more about the shortlisted attorney’s expertise and past success stories. The victim’s confidence in their choice is solidified by positive reinforcement, such as detailed case results or clear communication during initial contact with the firm.

Key Insight: Reassurance through strong client validation and consistent messaging plays a vital role in securing the victim’s commitment.

Visit/Contact

The victim reaches out to the selected attorney to schedule a consultation or discuss their case. This may involve filling out an online form, calling the office, or walking in. At this stage, the victim is ready to engage, but their first impression of the firm’s responsiveness and empathy is crucial.

Key Insight: A seamless and welcoming experience during initial contact can set the tone for a positive attorney-client relationship.

Strategies for Influencing Accident Victim Behavior

Now that you understand the concept of the buying waterfall and the stages accident victims go through, we recommend:

1. Creating Targeted, Tailored Content

- *Platform-Specific Content:* To capture attention at each stage of the buying process, law firms should develop tailored content for specific demographics and platforms.
- *Example:* For women, Facebook ad campaigns with informative checklists (e.g., “Steps to Take After an Accident”) could provide valuable information while fostering trust. This content can include branded or unbranded ads, depending on the firm’s strategy.
- *Message Focus:* Emphasize practical advice like, “Call the police first, then contact a lawyer” to guide potential clients and increase awareness of the importance of legal counsel.

2. Building Community and Local Networks

- *Leverage Local Influencers:* Establishing relationships with local doctors, chiropractors, and therapists can significantly impact client acquisition. These professionals often encounter injured individuals who may benefit from contacting a personal injury lawyer.
- *Community Engagement:* Law firms should focus on educating local professionals about the benefits of seeking legal representation and encouraging referrals from trusted community figures.

3. Overcoming Behavioral Blockers

- Addressing common misconceptions (e.g., “You don’t need a lawyer” or “It’s too expensive”) can help break down barriers to contact.
- Messaging campaigns could include testimonials or educational content that reassure victims about the affordability and importance of hiring a lawyer early.

Conclusion

In a fast-moving and competitive market, law firms must avoid getting overly fixated on short-term metrics like cost-per-click or keyword rankings. It is integral to think long-term and take advantage of the parts of the market that haven't been appropriately or effectively addressed. At PMP, we stand by the fact that a successful marketing strategy goes beyond just tactical optimization and focuses on long-term, strategic growth. This involves aligning all marketing efforts (digital ads, social media, content creation) with the broader objectives of client education and relationship-building. It is important to position your law firm as a trusted source of guidance, rather than just another service provider. Law firms that take a holistic, behavior-driven approach will be better equipped to attract and retain clients.

By understanding and influencing accident victim behavior, law firms can better position themselves as the go-to resource for legal help. Tailoring marketing content to the specific stages of the consumer journey and addressing behavioral blockers will significantly increase the likelihood of clients contacting an attorney.

Actionable Takeaways:

- Create platform-specific, targeted content that speaks to accident victims at each stage of their decision-making process.
- Build relationships with local professionals to foster referrals.
- Take a strategic, holistic approach to marketing that prioritizes long-term relationship building over short-term metrics.



About PracticeMadePerfect (PMP)

For more than 20 years, PracticeMadePerfect has been a leading, full-service legal marketing agency specializing in innovative and results-driven strategies for law firms. With a deep understanding of the legal industry and a commitment to excellence, we empower our clients to stand out in competitive markets, drive measurable growth, and achieve their business goals. Our expertise spans digital advertising, traditional advertising, website services, SEO, traditional advertising, and more, ensuring our clients stay ahead in an ever-evolving landscape.

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Sources

The Organic Growth Playbook: Activate High-Yield Behaviors To Achieve Extraordinary Results – Every Time
Bernard J. Jaworski and Robert S. Lurie – American Marketing Association

PracticeMadePerfect Proprietary Research and Data



PracticeMadePerfect

As Seen In:

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