

Firm builds its brand on compassionate divorce law

By Kevin Oklobzija

They began the practice with the premise of providing a personalized touch for any client with a legal need, whether it was a criminal case, a personal injury claim or representation in a divorce.

Wesley, Clark & Peshkin LLP wasn't out to become the biggest law firm in Rochester, just one that truly cared about clients.

"Our aspiration was to be the big firm for the small individual," managing partner Kevin Clark said. "We wanted the old-school, small-town feel of a law firm."

That's how they began to brand themselves as well, spreading that message through what could be considered a casual marketing campaign on the airwaves of iHeart Radio.

"When we started our marketing, we kind of dabbled," said Clark, who left the Monroe County District Attorney's office in 2014 to join the private practice. "That's how everybody does it when they start out."

Everybody but Cellino & Barnes, that is. That firm attacked the markets they served and over the previous 25 years became famous for million-dollar personal injury verdicts.

Wesley, Clark & Peshkin is taking the same approach to divorce representation. They've narrowed the focus of their practice, letting other firms handle criminal, personal injury and probate matters. They've chosen to concentrate on matrimonial disillusion and are making sure the target demographic of mid-30s to mid-50s is hearing their message on iHeart's many local stations.

The pivot to a practice focused on divorce — along with reliance on a strategic marketing plan — has led to serious growth. The firm has expanded to Syracuse, Albany and Buffalo and handles 500 divorce cases a year.

"The marketing campaign has been the lifeblood of what we've become," Clark said.

He credits their advertising representative at iHeart, Jennifer Rissone, with guiding them in the right direction. After touting their expertise as DWI and then personal injury attorneys, she convinced them to go where no other firm had gone.

"I told them divorce would work because nobody else owns that hill," Rissone said. "DWI, personal injury, they all had a branded name in that area. With divorce, there was nobody who was branding in that field."

Clark listened and said, "What's it going to take to go all in?" He didn't even give her a budget, he just told her to create a plan.

While Clark is licensed to practice law, he also has an MBA. He originally went to college to study business, and has taken a very businesslike approach to guiding the firm.

The marketing campaign would cost well into the six figures, but they believed it would work, especially since they're not just selling what they



Sarah Wesley, Amber Peshkin and Kevin Clark are the heart of Wesley Clark & Peshkin. (Photo by Captivate Media)

do, but how they do it. The lawyers at Wesley, Clark & Peshkin bring compassion to the bargaining table. They trumpet the values of collaborative law, eschewing confrontation and testy litigation when possible.

"Less than 2 percent of divorce cases go to trial and a trial can cost 10, 20, 30 thousand," Clark said. "But we're very good in the trenches when we need to go there."

Thanks to the marketing blitz over the past year, the firm's name has become synonymous with divorce. Before you hear the traffic update on an iHeart station, you first hear, "Thinking about divorce, call Wesley, Clark & Peshkin."

"Whoever hits that advertising space first claims that hill," Clark said. "I think there's something like 425 mentions with traffic a week. There's up to 600 to 700 total mentions on the iHeart stations. In Syracuse it's around 500. In Albany, it's around 500."



The firm doesn't necessarily expect people to call them while they're driving. This usually isn't an instant-need decision for a client.

"Our clients have maybe been thinking about divorce and aren't sure; there's about a three-month window," he said. "Today they aren't our clients but come Jan. 1, they're prime candidates."

Clark said there are three phases of divorce: the decision to end the marriage, choosing the means by which the negotiations will take place, and then finally dividing assets.

The case begins with a free consultation, or maybe even three, and those take place with one of the three partners in the firm.

"From a business standpoint it doesn't make sense but we've found it's the best approach,"

Clark said. "If they're in that first stage and they're not really sure, then we may recommend they go to counseling and therapy. Those people are a lot less expensive per hour and they're good at what they do."

When divorce is unavoidable, the firm tries to lessen the pain.

"We have to help people reduce the conflict and look at their futures," Clark said. "We want to minimize the emotional harm and reduce the conflict. Those nasty divorces take a toll on everybody. That's why the burnout rate for divorce attorneys is incredibly high. When you're fighting about nonsense, it hurts."

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—Kevin Clark, Esq. – Partner, Wesley Clark & Peshkin

Civil discussions and consultations with the court often produce an amicable solution. The money-hungry pit bull lawyer is not an image the firm appreciates.

"Our philosophy is to do no harm to the families involved in the divorce," Clark said. "We also want them spending the least on us and keeping what they have for themselves. We focus on mediation."

"Most lawyers are not business people but collaborative law takes divorce back into a business setting. We want to keep the emotions set aside. What's most important is what does three years down the road look like for you? What does five years look like? Every divorce is a dip in a person's life but we have to get you on the upside."

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