Productivity expert David Allen has observed that productivity boils down to determining how best to deal with all of the things you have to manage and learning how to focus. But first you need to know what to focus on. Too often, lawyers fall into the trap of expending time and energy on the wrong things because they seem urgent or simply because something happens to be in front of them: the telephone rings, the e-mail arrives, or a colleague or staff member knocks on the door. But if those are the wrong things, what are the “right things”?

SET GOALS

It’s hard to decide what the “right things” are when you haven’t determined what your goals are. The first step toward becoming more productive is to decide what you need to accomplish; only then can you determine how you are going to get there. Even if you have no control over your firm’s goals, you can (and should) set your own short- and long-term business goals.

The central theme of this book is personal productivity, which means we’ll be concentrating mostly on individual short-term and microlevel goals and actions to improve your day-to-day efficiency and effectiveness. Long-term and firm-wide goals are also extremely important, but they are not the main focus of this book. It does, however, bear mentioning that all of your short-term goals should align with your long-term, big-picture goals, and preferably with your firm’s goals as well.
Goal-Setting Guidelines

If you’re going to bother setting goals at all, they should mean something to you—you’re not likely to stay on track with goals you don’t think are important. They should be tied to the core values and principles of your practice and the services you provide to your clients.

If you are new to goal setting, begin with something that is attainable but isn’t too easy to reach. Taking on too many goals at once, or setting unrealistic goals, will overwhelm you and may slow—or even halt—your progress. Although you don’t want to make your goals too easy, you can always add more if you reach them sooner than you expect. Or go home for the day, recharge, and enjoy some time away from work.

Goals need to be realistic and achievable within a specific time frame. They should be measurable so you can see if you are making progress and can identify what else needs to be done to meet them.

Some experts call these “SMART” goals. SMART is an acronym:

S: Specific—You should be able to state the goal clearly and concisely; vague statements about “improving” or “increasing” are not enough.
M: Measurable—The best goals are those that make it easy to tell whether they’ve been reached, and if not, how far off you were.
A: Actionable/Achievable—Goals only work if you can do something to achieve them; they cannot be dependent on the actions of others, on market forces, or on anything you cannot control.
R: Relevant—The relevance component will help to ensure that the goal is tied to something important for you personally or professionally. You can set goals that meet the other criteria, but they won’t do much to improve your bottom line, advance your career, or improve your clients’ lives. Make sure your goals, if achieved, will make a real difference. Focus on the benefits. The relevance component should answer the question “Why am I doing this?”
T: Timed—The element of time is important; a measurable goal is no good if you don’t know when to measure or how long it will take to reach the goal. Set deadlines or benchmarks you must meet. Without deadlines or time expectations, it’s too easy to put goals on the back burner, as we will see in Chapter 6.
Here are some examples of vague goals and SMART goals:

**Vague goal:** Get more clients.

**SMART goal:** Add three new estate planning clients within the next three months.

**Vague goal:** Improve the firm’s website.

**SMART goal:** Update all lawyer bios and practice area pages on the firm’s website to reduce legalese and incorporate keywords by October 1.

**Vague goal:** Improve client service.

**SMART goal:** Obtain client feedback on every engagement using the firm’s client feedback questionnaire.

In addition to performance-based goals, you may want to set goals that focus more on learning and mastery than on performance, particularly if you are a new lawyer or are taking on new practice areas or initiatives.

Some experts claim that setting goals can actually be harmful, asserting that the process can lead to “unethical behavior, over-focus on one area while neglecting other parts of the business, distorted risk preferences, corrosion of organizational culture, and reduced intrinsic motivation.” When goals are set without reference to firm values, culture, ethics, and overall objectives, this can occur. But at the same time, goals are necessary to articulate the direction for a law firm or individual lawyer and to help to measure performance and progress. Even the naysayers concede that incentives and goals are useful.

Done right, goal setting should take into account the firm’s and individual lawyer’s culture and values. Review of goals and the progress made toward them should always be done with the understanding that there may be competing values or activities that need to be considered.

**Make Goals Concrete**

Setting a goal in your mind won’t improve your productivity on its own. It is important to write down your goals. Writing down your goals will clarify them, make them more concrete, and reinforce them. You may also want to share your goals with others.

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A study performed by Dr. Gail Matthews at Dominican University of California found that participants who wrote down their goals accomplished significantly more than those who did not.10 Those who sent commitments to a third person accomplished significantly more than those who did not. Results were further improved when participants sent weekly reports about their progress in addition to writing down and sharing their goals.

The study showed that overall, people and businesses that simply write down goals are 50.4 percent more likely to achieve their goals than those that don’t. The success rate increases when people have regular progress reports to measure how they are doing against their goals. People are 77.6 percent more likely to achieve their goals when they complete planned progress reports.

Goals mean nothing without execution; they need to be paired with actions. Once you have your SMART goals in place, documented and shared, it’s time to choose the right activities to pursue to reach those goals. Begin by setting priorities to determine what is most important.

**IDENTIFY PRIORITIES**

**The Jar of Rocks**

There are many different versions of the story of the jar of rocks (just enter “jar of rocks” on Google and you’ll come across several text versions, as well as YouTube demonstrations and more), but the elements are all essentially the same:

A professor stands in front of his class and pulls out a big glass jar, which he proceeds to fill with large rocks. When he can no longer fit any more rocks in the jar, he asks the class if the jar is full. The class responds in the affirmative.

The professor then brings out a container of pebbles, which he empties into the jar of rocks. The pebbles fill the spaces between the rocks. Again he asks the class if the jar is full. Again the class responds affirmatively.

Next, the professor empties sand into the jar, which settles between the pebbles. Once more, he asks the class whether the jar is full. Now the class is not so sure.

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Finally, the professor brings out a pitcher of water, which he pours into the jar until some begins to overflow. This is when he tells the class that the jar is full.

The jar represents your available time, and each item put in the jar represents a task or project that takes up part of your time. The large rocks represent the most important items in your life or practice; they are things you most need to accomplish—and often the things that are most neglected.

The small stuff (pebbles, sand, and water) will manage to find its way in between the larger rocks, but you have to put the large rocks in first, or you’ll never get them in. To fit the larger rocks into your day, you first need to identify what they are; you need to define the activities that are of highest value to you so that you can focus on those tasks first. In short, you need to prioritize.

This is a skill that is especially critical for lawyers to learn because they are so often working under deadlines imposed by others, whether by a court, by statute, or by the circumstances of a particular deal or matter. In addition, clients are often anxious or highly emotional—the outcome of their legal matters will likely have a significant impact on their lives, families, or businesses. These circumstances place pressure on lawyers, which often results in a failure to prioritize effectively.

**Purpose + Result = Priority**

Prioritizing tasks helps you get out of the “reactive mode” by determining in advance where to focus the majority of your time and energy. Ensuring that each task has a legitimate purpose (i.e., it helps to advance your goals or your clients’ goals) is one way to prioritize. Another is focusing on the outcome or anticipated result of the task rather than on the task itself.

You probably have tasks on your list that are “priorities” that you avoid because you don’t like to do them. For example, you may not enjoy creating billing entries or sending out bills, but billing is a priority—you can’t get paid without it. Sometimes the tasks you want to avoid can be delegated, but sometimes they can’t because you’re the only one who can do them. (We’ll talk more about delegation in Chapter 4.) When unpalatable tasks cannot be delegated, focusing on the outcome can be all the motivation you need to get them done.

If the task has an important purpose and a high-value result, make it a priority.
Stephen Covey’s “Importance vs. Urgency” Matrix

Readers of Stephen Covey’s *The 7 Habits of Highly Effective People* know that “urgent” tasks tend to get done. For example, when you have a scheduled meeting with a client or a hearing date for a motion, somehow the preparation work gets finished on time. Those deadlines create urgency and provide a framework within which to structure your activities.

But the tasks that Stephen Covey calls “important but not urgent” are the ones that often get carried on a never-ending to-do list. (See Figure 1.1 for Covey’s matrix of importance vs. urgency.) They usually do not have built-in deadlines. And even though they are the activities that will make the biggest difference to your practice—they’ll save you time and money or generate more revenue in the long run—they are often neglected.

**Figure 1.1 Importance vs. Urgency Matrix**

<table>
<thead>
<tr>
<th>Importance</th>
<th>Urgency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Important but Not Urgent</td>
<td>Urgent and Important</td>
</tr>
<tr>
<td>Not Important and Not Urgent</td>
<td>Urgent but Not Important</td>
</tr>
</tbody>
</table>

**FOCUS ON THE ACTIVITIES THAT BRING THE HIGHEST RETURN**

High-value activities are those that make the biggest impact, often while using the fewest resources. Many times, these are the same “important but not urgent” tasks that are ignored because you’re too wrapped up in the day-to-day work of the practice or putting out fires to make them a priority. Other times, you just don’t know how to identify which activities are high value.

Here are some questions to help you identify your high-value (and thus priority) activities or tasks:

- What is the purpose of this task?
- How important is this task for my practice or career?
• How important is this task to my client?
• Is this task related to one of my goals? How?
• Is this task directly related to my personal or firm values?
• How will I feel when this task is done?
• What will be the result of this activity emotionally, productively, financially, or organizationally?
• What will the impact of this task be?
• Is the impact short-term or long-term?
• Is this a “need” or a “want”?
• Is this task more or less important than the other things I need to accomplish?
• How will my firm/practice/clients/employees be affected by this task or its outcome?
• Is this activity something I get paid for?
• Am I truly the only one who can perform this task?
• Does this project require my unique skills and expertise?
• Will this activity further my business goals?
• Can this activity help strengthen my relationship with an existing client?
• Will this task help me to gain a larger share of my client’s business?
• Is this endeavor likely to introduce me to new prospects?

These questions can help you balance your activities. If the task isn’t high value, consider whether it should take precedence over other tasks because of impending deadlines, its age, or the amount of time and energy you have available to devote to it. You may also want to ask yourself whether a task can be delegated to someone else—especially someone who may be able to accomplish it better, cheaper, or faster than you can.

Using this method can help you more easily determine which activities and clients to take on and which to pass by—at least for now. It will help you stay on track and avoid what some call “Bright Shiny Object Syndrome”: Rather than being distracted by every new idea or opportunity that comes your way, you can decide quickly and easily what deserves your attention.