

About This Book

This book is dedicated to every lawyer who has ever needed help getting the job done.

In only ten television seasons, Murphy Brown went through some 93 secretaries. *L.A. Law*'s McKenzie, Brackman, Chaney and Kuzak had Benny Stulwitz, the mentally challenged office worker. Real-life California lawyer Edward L. Masry had Erin Brockovich. And, of course, Perry Mason had Della Street. So, who is helping you get the work done?

Every lawyer in a solo or small firm likes to think that only those who've taken the oath and been admitted to the bar are at the helm, but the reality is that the engine driving the office is the staff. The first point of contact many clients have with a lawyer can be the voice on the telephone or the receptionist—the face of the law office. The back-office toilers are who make it all happen. And then there are the invisible souls, the outsourced ghostwriter and researcher, the hired-for-the-job transcriptionist, and the virtual staff. In many firms, one employee may wear several hats at the same time.

Lawyers are practicing with more staff than ever—and with less. Say goodbye to the days when a solo or small firm's staff amounted to a secretary. Della Street's role as Gal Friday has met up with specialists in finance, marketing, human resources, information technology, word processing, library services, records management, office management, mailroom, and practice support. Legal assistants now perform many tasks that once were solely within a lawyer's domain. Say hello, at the other extreme, to a new

era of prosperous and respected lawyers who do it all by themselves without a single employee.

We have gone from the times when it was just assumed that the supporting roles in law offices staff were held by women to wondering whether secretaries should be asked to make coffee, tidy up the office, and pick up the dry cleaning. There was a time when only a rare lawyer would publicly admit to typing: women lawyers who typed risked being mistaken for secretaries, and male lawyers risked their manhood. Those times are now history.

The quaint art of typing slowly grew into word processing. Before long, the siren call of computers lured many a lawyer into keyboarding. Then, lawyers used to face-to-face dictation to legal secretaries trained in ancient and secret languages like Gregg shorthand moved up to Dictaphones, which were supplanted by voice-recognition technologies that rendered contacts between lawyer and staff superfluous. Refined programs for document and case management, coupled with lawyers' growing skills at using them, put the role of support staff in further jeopardy—as did a new player in the law office: the paralegal or legal assistant. The crossover is ironic: Lawyers adopted the roles previously relegated to support staff, while paralegals and legal assistants took over many of the labor-intensive chores in the lawyer's domain.

Good law office staff is harder to find (and keep) than clients (and sometimes spouses). Not a mere receptionist, typist, and filing clerk, good support staff can be the lawyer's alter ego, right arm, custodian, den mother, rabbi, and guardian angel. Could you manage if your staff did not show up tomorrow morning?

The average solo or small firm lawyer may spend more waking hours each day with staff than with a spouse or significant other. And in some cases, even years longer. They will devote all kinds of time and money searching for that significant other, courting the person, learning how to live with that person, being trained by that person—but when it comes to staff, an “Oh, that one will do” more frequently than not seems to be the way it is all approached.

The office staff often know the intimate secrets of their employers, know all about the clients' secrets and things that cannot be

discussed with lawyers' spouses, know more than a spouse about a lawyer's finances, and, if they have access to a lawyer's trust account, can do more damage financially and professionally than a spouse ever could.

Why do solo and small firm lawyers hire staff? Getting the work done is only part of the equation. We hire staff to do:

- The work we cannot or do not know how to do. Staff can supply skills lawyers do not have and do not want to cultivate.
- The chores lawyers do not want to do, like filing, accounting, and even straightening out that messy desk.
- Tasks lawyers can do, but which can be more effectively done by others. A lawyer who's billing \$200 an hour can be wasting time performing tasks that could be done even better by someone at \$15 an hour.
- Work that does not require a law license.
- Reality checks, security, and a buffer from the rest of the world. Every lawyer could benefit from an extra pair of eyes on every document that leaves the office. Who hasn't heard "Are you sure you really want that letter to go out the way you've written it?"
- Marketing and making connections with a broader world. Each staff person comes with a constellation of friends, family, and relationships, which cast out the net of potential clients even wider.

The lawyers and law office staff who contributed to this book come from a broad range of practice settings and styles in big cities and small towns. Some are nearly old enough to be recently retired from the active practice of law, some teach and consult, and some are still toiling in the fields of the law. Each has had hands-on, practical experience owning and operating a solo or small law firm, and each has shared their expertise generously in the development of this book.

This second edition of *Effectively Staffing Your Law Firm* is a book inspired by lessons I have learned from law office staff,

both my own and those employed by others. I would like to thank more people than I'll ever be able to in this space, but this book never would have been possible without the friendship, guidance, and leadership of Michael P. Hurley, David H. Lefton, John Macy, Joe DeWoskin, Bob Zupkus, Melanie Bragg, Jeff Allen, Vicki Levy Eskin, and David Leffler. Special thanks go to Kimberly Kocian and Shannon Lessman. And, of course, nothing would be possible without the constant presence of Morgen Rose.