Building a Predictable Process Management System

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Building a Predictable Process Management System

Session Title & Description: Building a Predictable Process Management System - The numbers don't lie: a process-driven practice is a successful, profitable practice. The trick is to make those processes consistent and repeatable. Our process development experts will discuss how you can map out predictable processes for client intake, work product creation and management, billing and client follow up, as well as evaluate and strengthen your current office processes.

Guidance On Your Topic: You can go wherever you want with this but the thought was to explain how identifying and documenting processes will create a more profitable practice. We would like to focus to some extent on helping lawyers understand how to identify and document processes to facilitate automation given the tendency for lawyers to sometimes buy software first without identifying clearly what they are trying to automate.

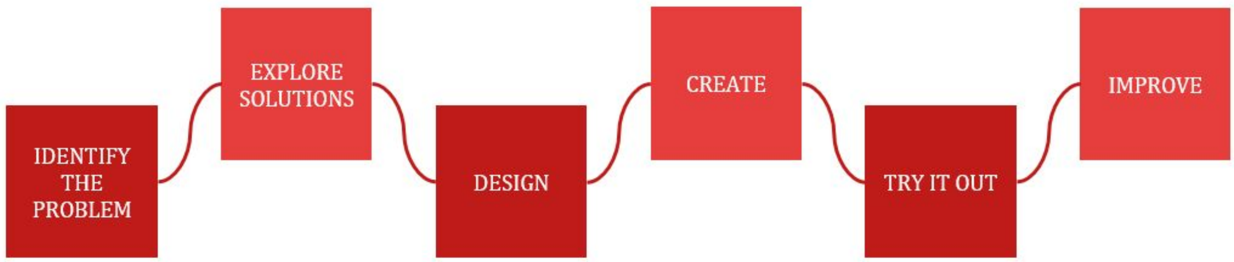
Introduction - The Questions We Want to Answer

Let's be honest, except for a precious few who received valuable and relevant law practice management training while in school, many of us are largely winging it. We borrow ideas from others, sign up for free trials of new software solutions, Google many pressing problems, and are plugging along just trying to make a living and avoid bar complaints and being sued.

Those firms that have devoted the time and energy to identifying and analyzing their processes are well-positioned to act on that crucial information and improve, both internally and externally, for the benefit of their team and their clients.

When many of us are waging war with opposing counsel while keeping a mounting email inbox at bay and managing employees and sometimes difficult clients, who has time to spend otherwise billable hours examining their processes? As important as it is to engage in this analysis, it often falls to the bottom, or drops completely off, the priority list. Hopefully, we can make a compelling case for taking the time to work ON your business, rather than spending all your time working IN the business.

What better way to discuss identifying and documenting processes than by using the most common approach to analyzing a situation - the who, what, where, when, why, and how, though maybe not in that order? To get started on the questions, have a look at the typical design process:



Why: Benefits of Identifying and Documenting Processes

There are both internal and external benefits to engaging in this exercise. Consider the possibility you've been toiling away in a dimly lit room. Sure, you *can* see what you're doing, but only the immediate task is illuminated, and not much else. Working to identify and document processes, when done properly, functions like a light switch connected to a thousand watt bulb - it reveals everything you've been ignoring and enables you to see everything in a new, bright light.

Chances are pretty good you either started a firm, or joined a firm, and established in a vacuum or learned existing processes without necessarily questioning why things are, or whether they should be, done that way. When we take a step back to identify the processes we use and document them for analysis, we reap benefits both internally and externally.

Internally, this exercise enables the firm to become more agile and efficient. It provides consistency in execution which minimizes mistakes, finger-pointing, dropped balls, and "creativity" among the team. It will enhance the team's ability to identify issues with processes, and, with an open-door policy, encourage team members to make constructive suggestions for improvement. Having these processes documented also helps immensely with simplification and streamlining training and development of future team members.

Now that you're convinced of the importance of engaging in this exercise, how do you get started?

How to Start

First, we need to gather information. This part can feel quite tedious, but it's important to collect as much information as possible to create a complete picture. For two straight weeks, keep a pad next to your desk and write down everything you do, from answering the phone to checking email, doing your bookkeeping, entering business cards you collected from a networking mixer, reviewing a contract, writing a motion - EVERYTHING. Remember, garbage in = garbage out, so be patient and diligent with this step.

Next, add four columns to the right of the list, and identify which list items require YOU, which ones are not immediately revenue-generating, which ones you enjoy, and which ones you don't.

Those that you don't enjoy and are not immediately revenue-generating need to be delegated. Conversely, those that are, and that you do enjoy, you can keep. All the tasks you've noted but not retained can form the foundation of a job description (or multiple job descriptions) for current staff or new hires. The benefit of being specific from the start is that your team member knows exactly what the job entails and what your expectations are.

If you have a larger team, it may be helpful to aggregate the information in a collaborative document tool like Google Docs, so that processes can be isolated and each team member that touches a particular process can contribute information.

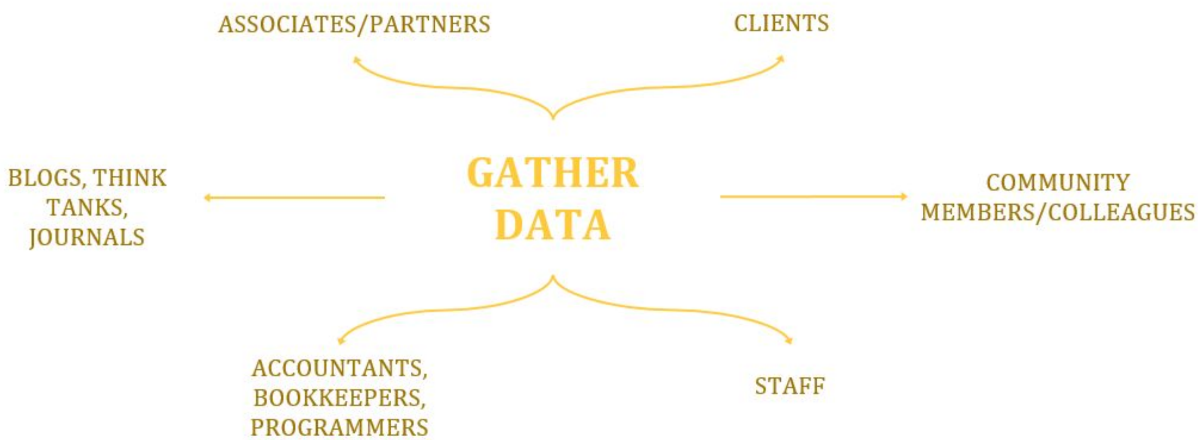
Start with the most frequently followed process, or any processes that put the firm at high risk for bar complaints or missed deadlines. Drill down into each step to identify whether the person in charge is the right person for the job, or whether too many cooks occupy that particular kitchen.

The next session in the track will more thoroughly address the incorporation of technology and automation into processes, but try to avoid falling victim to the "technology can solve it all" pitfall. True, there are myriad technological solutions made just for lawyers that promise to make our lives easier. However, many are more trouble than they're worth, or create more problems than they solve. Having clear, documented processes will help you more quickly and easily vet these solutions for applicability to your firm.

Whom to Involve

Unless you have a socially awkward staff member relegated to the basement with a red stapler as his only company, the entire team should be involved. Not only does this ensure all information is captured, it also helps staff feel empowered and valued and increases empathy toward staff from attorneys. It's easy to forget that each team member is facing a unique set of challenges within the firm model; bringing everyone together to discuss those challenges increases harmony and can improve morale.

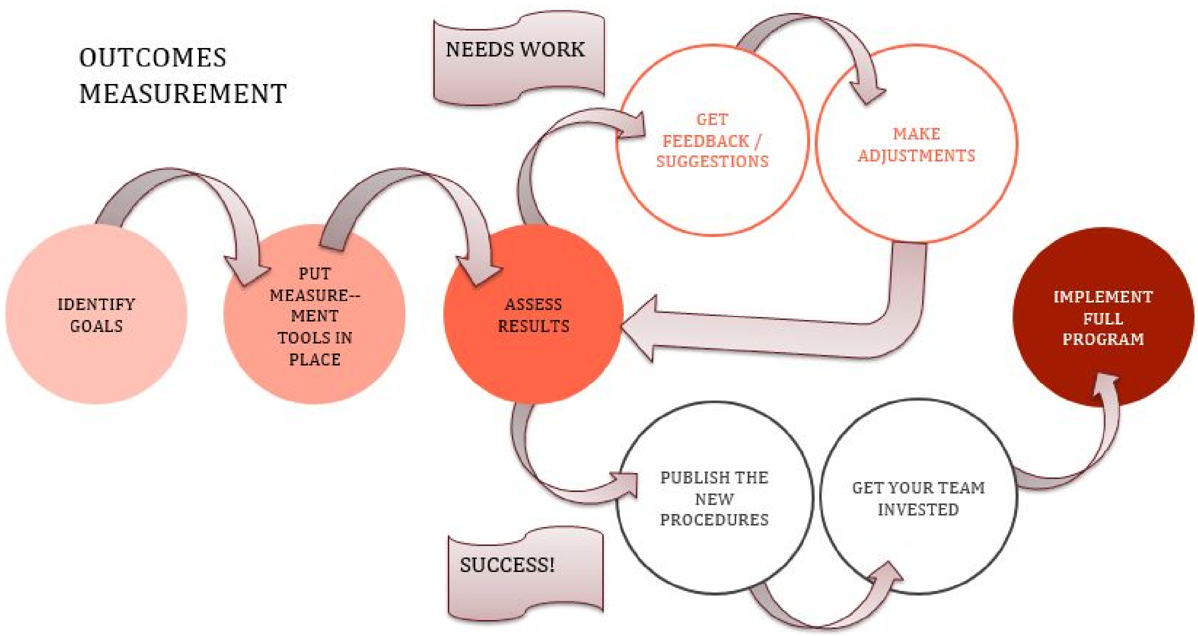
You may also enlist the help of other lawyers in different firms to explore how they might approach similar challenges. Even professionals in other disciplines can provide fresh perspectives on ways to improve processes. In law school we are constantly told not to "reinvent the wheel", and this is even more important when building processes. If the nonprofit down the block has a streamlined intake process, ask the executive director if you could sit down and discuss it. If your accountant seems to have a great document-gathering system, ask if they might be willing to recommend some tools. Surprisingly, lawyers don't know everything.



What to do with the Information

Once you've identified your processes, determine whether any crossover, duplication, disharmony, or disparate approaches exist within the team. Maybe one team member completes steps in a different order than another; determine whether this is a problem or whether it's an opportunity to examine the difference and declare one method to be superior. That superior method then gets documented for that process and is shared across the team.

Engaging in discussion around different approaches to processes inevitably brings inefficiencies and inconsistencies to the surface. This provides a chance for leadership to dig deeper into the reasoning behind each approach, allowing team members to be heard, and facilitating the progress of the entire team toward processes that make sense.



Outcomes Measurement

The beauty of developing your own processes is you are in control - not just of the way you do business, but of determining what is important and how to get it. Since you've already decided there is a process you need to put in place, probably based on a problem you have encountered, identifying your goals should be a snap. Just be sure to do it BEFORE you snap. A big mistake in implementation is diving in head-first and trying something, failing, and then giving up. Another mistake is starting a new procedure and then getting so busy you never pause to take a look at how well it's working and if it was worth the effort. To that end, here are some tips to make sure you look before AND after you leap. Consider: <u>Once you have a process, do you implement fully or use a pilot program?</u>

Most would love to just get started, putting everyone in the office on the new system and calling it a day. We get anxious about change, then anxious TO change, then wonder why it doesn't work flawlessly the first time. Important factors to think about are:

- How big is your operation? If it's large, a new system could be very disruptive, especially if the bugs have not yet been worked out. If it's small, the whole team could be put on hold when a problem pops up.
- How savvy are the members of your team? If those who struggle with technology or whatever tools get frustrated, they will be slow to adopt or perhaps never adopt the new system. If you have a mixture of savvy and less-savvy team members, consider starting with the former and letting them help you train the latter.
- Are you willing to be the guinea pig? If you and your other developers are willing to start the pilot program, it will inform your future adjustments as well as inspire your team to adopt in the future. You can both develop and proselytize the new system to get your team excited about it. How efficient!

After you have implemented either a full or pilot program, you need to consider how to test its success. Here are a few ways to get feedback on your new process.

- Send surveys to clients/staff/attorneys asking if they have noticed a positive or negative change, and get their thoughts on how to improve.
- Check your performance data - have billable hours increased? Have phone calls gotten shorter? Has paper use been reduced? Pool all departments that are affected by the procedure.
- Offer an open-door policy to those impacted, and encourage feedback in meetings.
- Revisit your initial goals frequently - did you see expected results? What surprised you?

If this sounds like a lot of work, that's because it is. However, putting the up-front work in will pay off big in the future. After you have collected feedback, go through these questions and then make a plan for changing the program as needed.

- Look for patterns - if everyone hates the online intake process, drill down into why that might be.
    - Is it too time-consuming?
    - Are there too many clicks?
    - Is the color annoying? (Yes, this is a real criticism from a real project.)
    - Does the language match the audience? (E.g., too much legalese.)
- Consider accessibility.
    - Can everyone get to the tool? (Digital v. paper, mobile v. PC)
    - Do they use it the way you expected them to? (Always on their phone, always on their computer, printing out the digital forms and writing in)
- Circle back to your goals.
    - How close are you to meeting them?
    - Do you need to start from square one or could you make a few tweaks to get you there?

After you've determined where the weak spots are, brainstorm possible solutions with your team. Develop a new plan, and start the process again. With each iteration, you should get closer and closer to meeting your goals.

<u>Where to Keep the Information</u>

Once your processes are ironed out and established, it's best to keep them in a centralized, easily accessible location, like a Google Doc that each team member has bookmarked in a browser. Ideally, each team member has permission to comment on the document as these processes are implemented, providing feedback on challenges which can inform the next go-round of analysis.

Keep other media channels in mind when documenting your processes - maybe a video would be more effective and help avoid training burnout. Videos can provide a fresh way to introduce new team members to the existing team. Plus, those videos can be re-watched, sparing a supervisor the frustration of answering the same question multiple times.

A consistent complaint of young associates is their mentors do not have enough time to train them on procedure. No one wants to sit and read a manual all day, but if you have one and your mentor is unavailable when you have a question, it can be a life-saver. See Appendix A for an example of an employee training tool used at Open Legal Services. Without an IT person, having instructions written down for common technical procedures means an employee doesn't get stuck waiting for help and can continue working and being productive.

When to Engage in the Exercise

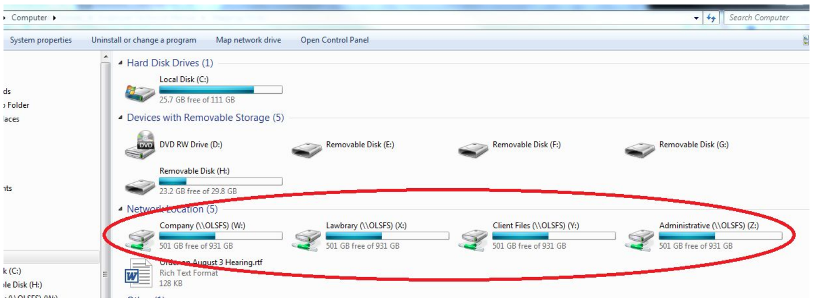
The first go-round is the most intense, from the time spent gathering the information to the time devoted to analyzing it and documenting the best processes. Every quarter or at least twice a year, run through the exercise again. This can be an abbreviated version - maybe you track your activities for one week instead of two. Or, if your team has been diligent about adding comments and suggestions to existing process documents, a review of those documents is sufficient to get the ship back on course.

Though it can feel like a time-consuming, cumbersome exercise, identifying and documenting your processes will help you maximize efficiencies, increase profitability, and enhance client service, all of which lead to a more streamlined, more successful practice.

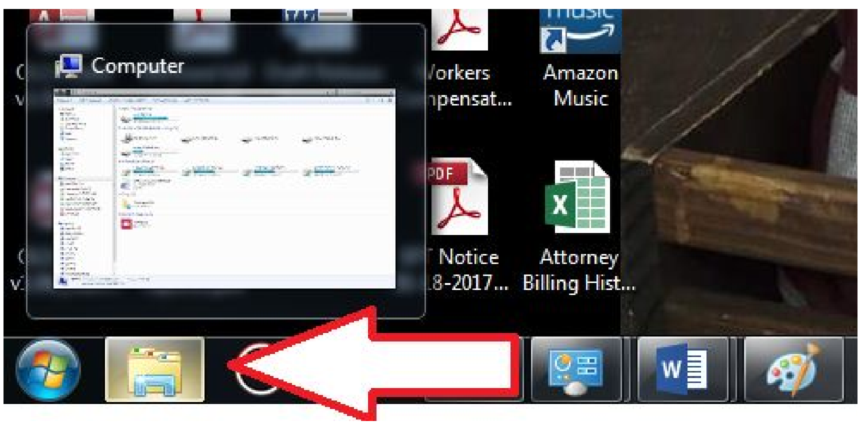
APPENDIX A: OLS Employee Training Tool

Mapping a Network Drive

A network drive is a quick way to get to a network folder you use frequently, such as Lawbrary or Templates. It creates a new “Letter Drive” when you click on Libraries or “Computer”. See examples below.

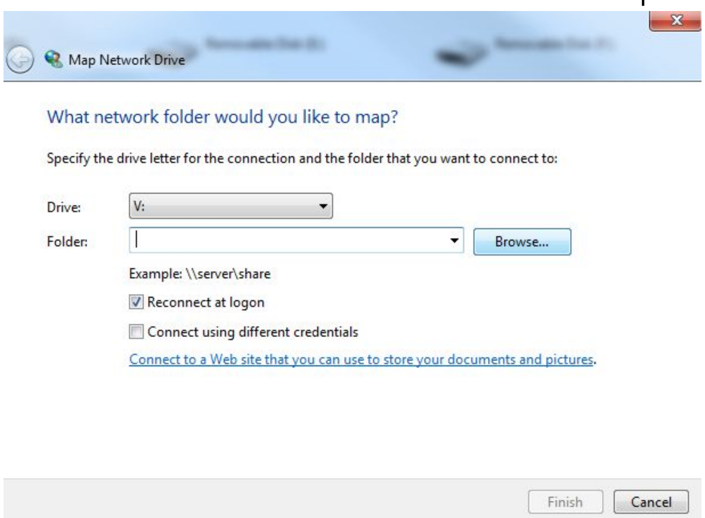


1. To create your own Network Drives, start by clicking on Libraries > Computer down by your Start/Windows button.



2. Click on “Map network drive” in the blue ribbon across the top.

3. Choose which letter you want for this drive, we recommend the next available letter closest to Z. (Letters close to A are related to physical drives on your computer, letters close to Z are related to drives on a different computer such as a server.) Click "Browse".



4. Look for the server, its name is ZZZZZZ. Click on it and expand the items beneath it by clicking the Triangle.
5. Choose which folder you would like to be assigned to this drive (the folder you want a quick shortcut to). In this example, I chose Company. Click Ok. Then click Finish.
6. You should now see your new drive in Libraries > Computer. We recommend you have each of the four drives set up below, including Company, Lawbrary, Client Files, and Administrative.