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Low-Tech Optimizers for High-Tech

By **Nina Cunningham**

In the world of teaching people what they already know is a new consulting practice that is called *Law Firm Optimization*. In May 2011, law firm marketing consultant Mark Halberstram referred to this with the acronym *LPO,* giving the impression it is an industry standard. He defined it as "the process of improving the services provided by the Legal Industry to their clients." It might come as a surprise to all of those in the *legal industry* that they have not been doing that for the entire length of their careers.

"In today's modern world," Halberstram says, "always being connected to your office and your clients is no longer just a luxury[,] it is an absolute requirement." Having worked with lawyers for more than 40 years, I still argue that it is difficult to make broad statements about what each firm needs without understanding its *culture*. Connectivity, whether electronic or increased through face time, cannot alone improve legal services.

It takes several people to make sure that connections with colleagues, employees and clients are seamless while not also being intrusive. It is also common in large law firms to hear complaints about the power wielded by the IT department or that the IT department fails to understand what lawyers do. Therefore, they may not be able to standardize the kind of connectivity each lawyer needs.

What if this arena called *law firm optimization* could be handled by the IT department? There might be fewer complaints and better results. All law firm management — as well as the IT department — is charged with improving the firm's services. The best IT departments know the core business units they represent and can deliver the services in a way that addresses a firm's unique needs. By getting close to the business of the firm and the businesses it serves, a CIO or IT Director can judge the need to expand or contract and, with other departments, can get to work at process improvement.

Halberstram goes on to say that "LPO can refer to *legal practice*

optimization synonymous with *law practice optimization*[,] which is a term adopted by an industry of consultants who carry out optimization projects on behalf of individual Law Firms. These consultants or *Legal Practice Optimizers* or *Law Practice Optimizers*, perform an in depth evaluation of the current practices of the Law Firm and then provide recommendations as to the lack of efficiency being used within the managerial sector of the Firm." I am skeptical. Some of the inefficiencies he cites refer to the use of particular software or the implementation of technological solutions generally, or the general complacency of the firm resulting from too heavy a stress on cost containment.

According to Wikipedia, LPO includes business analysis, software implementation and marketing. But these areas need to be addressed by all law firms and in the competitive sector that they represent, the best firm wins. As part of law firm management in general, these services are in the firm to continue its operation, sell its services, and record its revenues. In today's environment, unless the optimization is a process of continuous improvement with measurable results, there will be no future for the firm. And in order to show measurable results, the recommendations have to be implemented, a measurement tool selected and applied, and successful changes implemented long enough to become part of the fabric of the firm's everyday practice.

Business analysis is a very broad term. I have done it for many years. Wikipedia includes inefficiencies in its items that business analysis addresses, but inefficiencies can be hidden or obvious. If users are inefficient in the use of software, it may be the wrong software to apply to everyone. And if the problem is marketing, it may be a matter of Internet presence as LPO implies, or the Internet presence may falsely reflect the firm's offerings because no one has been charged with manning the presence online, despite with the best intentions.

Large firms all have enough people to address the questions that law practice optimizers address. They may even be overstaffed, but generally they are wrongly staffed with respect to their needs. Good administrators and managers inform their ideas from past experience, often failing to consider the nuances of each firm. This information — or lack of it — breeds through to their hiring policies as well as their business analytics and recommendations.

I have learned over time that most people want to do a good job; however, they do not easily adapt to change. With new information or marching orders, time and again they will return to their old behavior.

Because good analysis may take time, and outside recommendations are hard to absorb by all, it is easy to believe that one size fits all. To learn what is really unique about a firm and its culture requires a lot of time and effort freely given if a consultant is going to offer the right recommendations. He or she has to be responsible for the implementation of the recommendations as well. In other words, they more or less have to move in. This is an excellent direction when the firm administrators have exhausted their resources.

The IT department is a natural resource for business analysis. The firm's website and the search engine optimization of the firm are easy enough to do for a Web professional. The difficult things are those that appear easy on the surface. These are the areas I consider of greatest importance in conducting a business analysis task and ultimately understanding the client. The IT department has the best tools for engagement.

Here are some low-tech optimizers for the IT department that will work almost every time they are tried.

Use best practices in hiring

Take initiative in building a wish list of support needed in the department. Translate the wish list into job descriptions and introduce them to your HR and other firm executives. You may have an opportunity to increase the number, but more significantly, the nature of the personnel within your team. As an example, if the IT department manages the library, an IT team member who is a librarian with IT expertise might better accomplish a new strategic direction than would a new librarian or a new IT staffer, even one with library exposure. For additional best practices in HR, *see*, www.SHRM.org, which produces a book entitled, *Ten Effective Steps for Successful Hiring*.

Learn to communicate with difficult people

Give them courtesy, recognition, time, patience and encouragement, of course. But most of all, give them alternatives. Use the 80/20 rule in understanding that 80% of your problems will come from 20% of your clients, whether they are inside or outside the firm. Take time to understand what your clients do and how they do it. Learn the language of their specialty and speak that language, not your own. Be fair to yourself in submitting to deadlines and delegate what you can't handle. Delight your clients with early delivery by not promising too

much.

Work from within

Don't hire a consultant to do what your department is charged with doing. Bring them on for what you don't have the expertise to accomplish. Whether this is business analysis or search engine optimization, you should have a firm grasp of what is included in these areas and not buy into something that will drain resources without a serious value proposition. To get to the value proposition, you will have to work with the consultant.

Don't experiment with strategy

Once entrenched in a law firm for a few years, it is easy to lose sight of opportunity in demand for IT and legal services alike. Talk with practice groups about their interests and needs. Clearly understand what they want and develop concrete responses to requests. Give appropriate deference to each lawyer's expertise as well as the firm's available resources. Avoid conflict and pressure by having the facts. Conflicts undoubtedly will occur on occasion, but preparation is a risk management technique that can bolster your credibility when trying something new.

Give change a chance

Ask for volunteers to try something new rather than merely argue for a change. Some ideas can be shown to have good results elsewhere, but they may not work for you. If you can get the attention of some of your lawyers, ask for a brainstorming session to get feedback. If there are questions, follow up with another meeting where you might get buy-in. If the firm is large, make sure one person in each practice group can participate.

Solidify your culture

Work to solidify the culture of your team and its appreciation of the culture of the firm. Both exist and both are significant in getting projects completed. In getting to know your team, make sure people are assigned to their core competence, even if they have paper credentials for a very different task. Some people in IT, for example, are just not well suited to jobs that require extended face time.

Conclusion

There is no magic in these recommendations, but they are clear *optimizers* when applied. As leaders, these practices should be part of continuous improvement.

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