How to Organise and Modernise your Legal Support Services

BigHand

Introduction

Law firms across the globe are under pressure from all fronts; whether it is customer demands, unrelenting drive on costs, requests for price transparency, growing demand for agile working or an increasing need to have operational insight into support costs.

As is always the case, there is no single solution to the collective issues.

There is, however, a developing trend when it comes to building the future shape of legal support services that are more organised, centralised and modernised. The shape is assembled more around cost, competency and tasks and less around department, relationship or location. This could also include a move to centralised business services teams for national firms or global service centres for the largest firms.

To service customers effectively there are a host of associated tasks that need actioning beyond the legal work itself. Doing that in the most practical and cost-effective manner (whilst maintaining or improving quality) is critical. And this is becoming more, not less, important.

The historical 'lawyer and legal secretary' relationship has been undergoing change for some years, but accelerating that in a sensible (but business-oriented) fashion can drive very real efficiency gains and service enhancements for law firms looking to get ahead.

This paper looks to synthesise the key benefits, outline best practice guidelines and provide some checklists to help you get there quickly, avoiding common pitfalls along the way.

Software is a critical enabler of change, but is only part of the solution.

"The driving force behind our restructure was that we recognised the need to improve the services traditionally delivered for internal stakeholders and clients by PAs whilst saving money."

- Osborne Clarke

James Kippenberger
Managing Director - Product Strategy & Innovation

13 Steps to Success:

1. Why? What's wrong with the status quo

Knowing why your firm would benefit from organising and modernising your support functions is the ideal starting line. The race against your competitors comes in many forms, but being leaner and sharper could make a difference at the finish line. What benefits can you expect? What benefits can your customers expect?

2. Visualise your Future State

Being able to outline clearly what your future support services look like and why it is happening is important for everyone involved. Objectives underpin collaboration to a shared goal. What needs considering to get that vision documented? How best should that be presented?

3. Speed, Cost and Competence

A restructure that delivers the most benefit means work can be done at the fastest speed, at the lowest cost (by the person most skilled to do it). Have you mapped what tasks need doing? Have you worked through what skill set people need to excel? And can you determine up front how many of each you need?

4. ROI – myth, legend or reality?

Writing a business case with return on investment is (comparatively) easy. Actually delivering the return is less so. Evidence is the single most important factor and without sufficient baseline data, evidence can be weak and anecdotal. When will you start to collect your data? How will you collect it? How will you measure a pre- and post- process meaningfully?

5. Who's got this?

Ensuring the overall transformation has an identified and extremely engaged owner from day one is critical. Is this an HR, Operations or IT project? Who knows most about what needs to happen? Who do we have who will own this? And who has the internal credibility? How will you partner with your supplier?

6. Push Me Pull You; bring staff along

The firm will have a list of reasons to centralise support. That does not mean lawyers or secretaries will automatically feel the same. How will you deal with the "what is in it for me" question? Have you identified where resistance will be most prevalent?

7. A service with internal customers (and purpose)

Setting up "pods of excellence" within your support services means people can feel proud of the specialist "service" they now offer to their internal customers (the lawyers). Rather than being the recipient of "work" they can deliver a service back. What will the services be called? Can you assign SLAs to them? How can you give the team ownership?

8. Communications Race

Bad news travels faster than good news, and informal networks are quicker than formal ones. How can you make sure that you pick not just the right positive messaging, but the right channels? Have you got a plan to deal with harmful rumours?

9. Either the Horse or the Cart go first (or both)

Undertaking the restructure and then introducing software to support - that is one approach. Implementing software first and then transitioning to the new model also works. Doing them together is a third way. How do you know which is the best for you? Will this be evolution or revolution?

10. Plan, Manage, Review and Refine

Planning a project and managing the process is well documented and well observed (mostly). Reviewing progress and admitting it was not quite right first time, less so. Are you ready for continuous improvement? What are the expectations of "success" first time?

11. Who goes first?

If your firm has multiple teams, departments, offices and processes then deciding which areas to focus on first will be imperative. How will you approach the transition? And in what order?

12. Adoption is King

If nobody uses a new system, no benefits can be generated. Whilst any adoption strategy starts with the early communications, an ongoing and dedicated adoption plan is useful. How will you ensure users adopt the solution? How will you monitor and track usage? What are your plans to see if usage is tailing off?

13. Celebrate Success

Being able to articulate the future means you know when you have arrived where you intended to. Whilst the temptation will be the next project on the list, don't forget to celebrate success. The firm gets its reward based on the initial business case, finding a way to thank staff will help get buy in for your next challenge. How best to say thanks?

Why? What's wrong with the status quo

Knowing why your firm would benefit from organising and modernising your support functions is the ideal starting line. The race against your competitors comes in many forms, but being leaner and sharper could make a difference at the finish line. What benefits can you expect? What benefits can your customers expect?

Fixed fee in. Billable hour out. This is a trend that has been building (and continues to do so). Commoditisation of (some) legal services evolves in a similar vein. The growth of in-house counsel, and certainly the growth in their demands, brings additional pressure. Throwing more billable hours at a problem is no longer an option and understanding the true profitability of matters is under the microscope like never before.

These are not new insights, but what is new is that firms are tackling the issue from both sides. Yes, there is a critical need to expand BD operations, deeply embed your client relationships and to experiment with artificial lawyers, but the overall service delivery needs to be lean and it needs to be quick. In a competitive world, examining all the aspects of the value chain can generate very real benefits. "Marginal gains" is not a new phrase, but it is a helpful one and something an increasing number of "non-legal" hires are bringing to the operational side of legal services.

By looking at, understanding and modernising your legal support there are realistic and achievable benefits available for your firm today. If you are not currently doing it in some way, it is worth noting that many of your competitors already have.

The basic view would be that the more a piece of work is valued by your customer, the more valuable resource you should place on that work. If customers don't value scanning and photocopying, spend as little (money and time) as possible getting those tasks done (or get them removed entirely from the process).

Use the following to highlight your chosen (realistic) goals:

- Understand what your support costs are, what they do and what value they bring
- Shorten turnaround times for client work by giving visibility and effort estimates on work
- Maximise utilisation of all staff by getting them focused on the things they are best suited to
- Engage senior EA/PAs in client facing work by reducing / reallocating their routine admin tasks
- Encourage and allow paralegals to easily delegate so they can focus on chargeable work
- Improve your cash collection/flow by training senior support staff to build client relationships directly and help chase outstanding payments
- Offer a career path to younger admin assistants, so they can see where they can progress to more clearly
- Open agile working for admin staff in due course, saving significantly on office space and bolster your armoury in the war for talent
- Give yourself access to more data on the support services to make future sensible decisions about resource management
- Share work among teams (or offices) more readily, removing peaks and troughs of work
- Give a unified list (for the first time) of admin tasks across the group so you can hit deadlines all the time
- Cut hours of wasted time by secretarial services managers who live in spreadsheets trying to track people's time
- Pull out data to see what true cost is associated with a matter in a world where work is delegated than ever before
- Remove constant interruptions as work has to be clarified, is not completed properly or is re-worked entirely
- Set up pockets of excellence to deliver superbly presented documents every time, on time
- Examine the data to see which component parts you need to retain, or which you could outsource to a third party where financially sensible
- Remove the need for a lawyer to decide what to do with each piece of work by having it intelligently routed to the best destination
- Improve the overall quality of work by adding specialisms and focused areas of working
- Empower your support staff to deliver a service back to the lawyers, not just act as the recipient of work
- Remove any unnecessary paper from current processes by making it electronic (and traceable)
- Give lawyers visibility of workloads to better set expectations with customers for returning key documentation
- Set achievable but visible internal SLAs for the completion of certain critical tasks
- Predict resourcing requirements before it's too late, by accessing real time capacity.

“We recognised that there were better ways of working; that we could open up our resource pool beyond their physical office location; and that with the right data and insight we could understand our internal processes far better to make them leaner and more effective.”

Karen Walker, Head of Business Operations, Browne Jacobson LLP

Visualise your Future State

Being able to outline clearly what your future support services look like and why it is happening is important for everyone involved. Objectives underpin collaboration to a shared goal. What needs considering to get that vision documented? How best should that be presented?

Organisational change brings uncertainty and rarely do those within law firms welcome it. There will be (or should be) strong business reasons for undertaking any organisational change and being able to clearly articulate that for your staff will be imperative. This communication and dissemination of information needs to start early but it also needs to consider the impact on the individuals within the firm (more of this later).

Visualisation is a technique used for the achievement of increasing number of objectives. Sports stars are well known to use it to great effect as they proactively visualise success (imagining serving an ace for the match at Wimbledon, mentally rehearsing making a long-distance putt to win the Masters or dreaming of clearing the posts with a last-minute drop goal in extra time of a rugby world cup final ever since being a kid!).

Visualisation consists of three components: what does it look like, how does it sound and what does it feel like?

Using the same technique for managing organisational change is useful for two reasons; 1) you can paint a picture for your staff that is positive and clear whilst also 2) ensuring that you too have considered the final state and how it will actually work in reality (and not just on paper).
How this state is then communicated is also key. Resisting the temptation to just use email, Word and umpteen PowerPoint slides can make a difference.

Thinking how people will best digest this information will be critical – and where the information comes from is also important. Is this something that the Managing Partner should deliver personally (via a professionally filmed video), is there an interactive brochure that people can click through or something else innovative and original?

Bear in mind that people are more likely to embrace change if it is focused (correctly) on making their employment prospects better, or generating a better experience for your customers, much more than generating more profit for partners.

Making sure this fits with one (or more) of the firm’s stated strategic goals and company vision is also key. It needs to flow.

In summary; the visualisation process is important for why, what and how. It’s a good place to start.

Speed, Cost and Competence

A restructure that delivers the most benefit means work can be done at the fastest speed, at the lowest cost (by the person most skilled to do it). Have you mapped what tasks need doing? Have you worked through what skill set people need to excel? And can you determine up front how many of each you need?

Legal support services are in the business of actioning tasks on behalf of lawyers (on behalf of clients). To improve those services, the following is a useful set of questions to build up a picture of the status quo (and to feed into the baselining referred to in the following Chapter):

Current structure: How are your support teams currently structured?

- Traditional Fee Earner to Secretary?
- PAs and Team Assistants / Admin Assistants?
- PAs and central admin teams?
- 3rd party Outsource partners?
- Another hybrid?

Current allocation: Who is responsible for doing which tasks?

- Do lawyers do some of their own admin tasks? (if so which)
- Do the PAs do all tasks?
- Are the tasks tiered across both PAs and more Team Assistant roles? (what is the breakdown)

Current responsibility: Who is responsible for the following specific tasks?

- Document Management (creation, amends, formatting, conversions, PowerPoint, Excel, copy typing, dictation)
- Paper Management (printing, scanning, photocopying, expense admin, scheduling, indexing, archiving)
- Personal / Client Management (diary / inbox management, travel, general client correspondence, billing, business development notes)

Current delegation: How do your fee earners currently send tasks?

- Dictation
- Paper based forms
- Email direct to Secretary
- Email to shared mailbox
- SharePoint or other workflow tool
- Walk over to EA/PA's desk
- Phone call

Current management: How do you manage and track your support team's time?

- Excel spreadsheets
- Whiteboards
- Reporting through other systems
- BigHand Reports
- We don't currently measure this

Current service data: Do you know how long PAs / Secretaries / Central Admin Teams are spending on specific tasks?

- Yes – the information is easy to access so we can make decisions
- Yes – the information is difficult to access so
- decisions are less easy
- No – but we want to have this data...!

Current service delivery: How are individual tasks prioritised and ordered?

- Fee earner needs to flag an item as urgent verbally
- Email is used, so we use that priority in Outlook
- We cannot easily prioritise individual items

Current interruptions and clarifications: Are you aware of how much time is wasted with interruptions?

- How many times are PAs interrupted from their work?
  - With a non-urgent request
  - Being chased for progress updates on previous tasks
  - With a change to an existing request
- How many times are lawyers interrupted from their work?
  - To clarify a poorly delegated task
  - To renegotiate an unreasonable deadline
- What is the cost of an interruption or clarification?
  - A delay because lawyer is busy
  - Actual time lost
- How often are tasks needed to be re-worked or reassigned?
  - Poor delegation / not enough information
  - Sent to the wrong resource initially to do the job
- How often is work done twice mistakenly due to shared inboxes being used?

ROI: myth, legend or reality?

Writing a business case with return on investment is (comparatively) easy. Actually delivering the return is less so. Evidence is the single most important factor and without sufficient baseline data, evidence can be weak and anecdotal. When will you start to collect your data? How will you collect it? How will you measure a pre- and post- process meaningfully?

Forecasting what will happen in the future is often an extrapolation of what has happened in the past, taking into account any likely environmental changes. What has happened in the past will provide some of your baseline data. Using the lists in the previous section offers a guide of sensible things to investigate.

Beyond that, it is important to take into account likely external changes:

What might happen over the next few years?:

- Do we anticipate fixed fee means the number of tasks being delegated will go up or down?
- Are we anticipating any M&A activity that might trigger a need to change?
- Do we envisage the cost of our support staff going up or down?
- Do we predict (or want) our PAs to be more focused on more value adding tasks?
- Do we think that recruiting legal support staff will be more or less easy in the future?
- Do we think Agile Working will include admin staff who need work that can be done remotely?

"Having data you can rely on to make sensible decisions is paramount. The amount of research and investigative graft done upfront dramatically reduces the downstream risk and ensures you make the right decisions first time."

Dawn Turner, Head of Legal Support, Taylor Wessing LLP

With the data around **quantity of work** and the **time spent** on that work, the all-important cost layer can be put across it to form a financial baseline:

Layering on the cost:

- What is the average salary of our lawyers (by seniority)?
- What is the average billable fee of those same lawyers?
- What is the average salary of our senior PAs?
- What is the average salary of a document production specialist?
- What is the average salary of a team assistant?
- What is the total add-on cost for each of the above (office space, management, equipment etc)

Easy to gather

This can be where baselining gets overlooked. The key is to choose metrics that are relatively easy to collect, but those that will materially affect the outcome. If the single most important task delegated is, for example, document amendments because it takes longest and is directly related to client service then it should warrant more attention than, say, how many times a meeting room for an internal discussion needs to be re-booked.

Two types of data

Once the optimum data set needed is identified, collection can take a number of forms. Remember that both quantitative and qualitative data is useful. Quantitative data provides the more indisputable of the two, but the qualitative data can provide context for future communications and articulating the future state outlined above. The former gives you reality and the latter gives you perception. When dealing with organisational change, don't underestimate the power of perception!

Options for collecting data:

1) Other IT systems used currently for the delegation of admin work

- Sometimes this information is already being tracked in an excel spreadsheet – if so, you will have some solid historical data you can use
- Trawling emails and shared inboxes will give you a subset of data around the number and type of tasks delegated at least (if not actually the time taken to action)
- If another workflow platform is used for generating tasks, again, historical information will be easier to access

2) Questionnaires for completion by lawyers and admin support

- Draw up a list of key questions for both parties, using the list provided above as a steer
- Make the questionnaire succinct (keep questions to those that make a material difference)
- Offering something as a reward for completion works
- Think about making responses anonymous so people are free to comment honestly
- The comments will add more value than scores. Read them.
- Inter-team competition can be useful to get response rates (publish % completion rates openly to all team heads)

3) Spreadsheets for manual entry during a specific period to capture number of tasks or interruptions

- Getting people to log what they do is difficult. Don't underestimate it
- Be specific about what information you want to capture (and why)
- Reward them in some way for taking part
- Make the documenting of the data really easy otherwise people will not do it
- Ensure you run it for long enough to get sufficient data
- Be prepared for (and accept) the impact on productivity when you do this (even if just perception)

4) Monitoring people work to capture information on their behalf

- Nobody likes to be watched while they work. Acknowledge that
- Explain this is to save them having to document their own work as they do it
- Objective / independent monitors are preferable
- Ensure that the monitors are given authority to be where they need to be

- Ensure that those being monitored are explicitly told what information is being captured
- Introduce both parties as being on the same side, not different teams!
- Ensure you run it for long enough to get sufficient data

" Gathering data is time consuming, but critical. We spent 9 months overall doing time and motion studies of the various roles to really inform our decision making. Firms get that wrong at their peril."

Louise McCarthy-Teague, HR Director, BLM

Who's got this?

Ensuring the overall transformation has an identified and extremely engaged owner from day one is critical. Is this an HR, Operations or IT project? Who knows most about what needs to happen? Who do we have who will own this? And who has the internal credibility? How will you partner with your supplier?

Don't judge a book by its cover

Just because something looks like an IT project on the outside does not mean it is an IT project on the inside. Addressing organisational change that is underpinned by technology is often where the confusion comes in. IT are a critical stakeholder and enabler of the change outlined in this document. They are often not, however, the ideal candidates to take the whole piece. The overarching programme of change might have a sub-project related to the testing, configuration and implementation of the software. But it is a subset.

"Once we were clear that this needed to be driven from a people, not a technology, perspective that made a difference. We realised that it was neither fair nor sensible to leave IT to try and deliver the whole piece. As a direct result, we are now getting much better traction."

Louise McCarthy-Teague, HR Director, BLM

Whilst it is well known that projects need to have a sponsor it is interesting how rarely the sponsors themselves know what is required of them. **Choosing the right sponsor is really, really important.** Defining "right" is a useful first exercise.

Taking a list of the perfect criteria and then prioritising them means you can make an objective decision about the best person for the job.

All too often the sponsor is the person who backed the idea initially and then the project forms around that person and it is not challenged again. **Someone who thinks something is a good idea is not necessarily the right person to deliver that good idea**. If they are, then great. But don't assume that. And changing sponsor even part way into a project's lifecycle can critically damage the reputation (and therefore) success of a project – particularly one that is potentially rife with politics and varied interpretations of why this is happening.

Four characteristics:

- **Someone with authority.** This needs to be both organisational authority but also personal authority. Just because someone has a senior job title that does not automatically guarantee buy in. Who do people listen to? Who do people go to? Who has backed previously successful change projects within the firm (or another respected firm)? Who can get additional resources if needed? Who can make things happen?
- **Someone with time.** This might initially rule everyone out (!) but being able to afford sufficient time to this change will be key. Dipping in and out of a project or chairing a steering group once a month will not be enough. If the sponsor doesn't have time, others will respond by saying they don't either. Who can be involved on the ground? Who can travel to other offices when needed?
- **Someone with vision.** Having talked about the importance of being able to articulate the future state, there is nothing better than having someone who can naturally and instinctively describe that. When things go wrong, or obstacles are encountered – being able to readily refer back to the big picture is important. Who can see where the firm is going and how this plays into that?
- **Someone with knowledge.** If the project sponsor does not know some of the detail, they can quickly lack credibility. A dual view therefore is needed from the strategic (why are we doing this and where are we going) to the tactical (if we reallocate x tasks that will be faster than the current system). Who is involved in the support side of the business? Who understands the need to get lawyers to delegate effectively? Who has a keen interest in operations and cost savings?

Specific and explicit

As mentioned, the key is now being explicit about what is expected of the sponsor. Obviously, they need to be backed up and supported by the rest of the team involved but it is important the expectations of their role from beginning through to completion are documented.

Start with a list of the stages of the project or change programme. Then, for each stage, document what is required from the sponsor. The more specific this is the better. Avoid generic phrases like "communicate the change" to something tangible like "attend all offices for a 15min slot to present the future state vision". Any list will necessarily change over time, but having an initial clear draft up front will be key – the sponsor needs, above anything else, to be engaged in what they can do to make this a success.

Supplier or partner?

A slightly clichéd phrase is that law firms want their suppliers to be more like business partners. But just because the phrase is overused, does not mean it's not important. Bring your supplier into the process wherever you can. Allow them to experience and deeply embed themselves into your plans. Make sure they are aligned on any sensitive parts, but the more you share; the better the alignment of objectives. A good supplier wants great results. Let them help you. The supplier cannot run the project for you. It's your project, but they can support you and bring lessons from other implementations and experiences. And for a specific action, up front, agree (explicitly) who is responsible for what. This might be a written SoW initially – but it needs to be understood by both parties, not just documented. Assess each other's skills and where each can add the most value.

Push Me Pull You; bring staff along

The firm will have a list of reasons to centralise support. That does not mean lawyers or secretaries will automatically feel the same. How will you deal with the "what is in it for me" question? Have you identified where resistance will be most prevalent?

There are reams written on change management and how to ensure engagement from those being affected by the change. This is not an attempt to capture everything.

There are, however, some real considerations when modernising your support teams to a new way of working or using a new task allocation technology (or both).A key phrase is **WIIFM** (What's In It For Me) – which is basically a way of saying "why should I care?".

This is the (understandable) question that will probably be asked explicitly by those who are more vocal (you know who they are) but it will be something that everyone will ask themselves, even if not spoken out loud. You need answers. The key here is also to assume that over the years you have intentionally recruited bright and intelligent people for all the roles in your firm. Treat them as such.

The following chapter on communication is key, but as anyone in any sales situation (change process has a strong element of sales to it) is familiar with the term "objection handling". Time spent on this up front will deflect negativity before it becomes an issue you cannot control.

The Deal

One firm I spoke to had the concept of "the deal" for each group of people. In essence, this was a **"you do this for the firm, and this is what the firm will do for you".** They were able to clearly articulate the specific upside, or quid pro quo, for each set of affected staff. Some of this was around career progression, some of this was around giving them the tools to do the job and some of this was about ensuring that the firm they worked for could continue to compete effectively in a changing environment. The important thing here though is that it has to be written from the staff's perspective. The focus has to be on them.

Two way comms

One of the best ways to get involvement early on is a combination of "town hall presentations" mixed with interactive workshops. These can take many forms but steering clear of the awkward subjects does not help. Use these as an opportunity to communicate in the truest sense of the word – i.e. both sides of communication – talking AND listening. One firm we worked with used this as an opportunity for the individuals involved (particularly the administrative support) to voice (on the obligatory post-it notes) every concern they had. They spent time working through the room and identified all the areas where there were negative feelings or emotions. Whilst it was a useful cathartic exercise in its own right, they then collated all the comments into aligned groups.

At this point, work done on objection handling pays off. A pre-session brainstorming session should give you the most likely list of concerns. The power, however, in allowing staff to freely and proactively list concerns themselves.

Having a list of likely reasons people might resist change is useful:

- Might my role become redundant?
- Will I have a new boss I need to start from scratch again with?
- Will I have less control / autonomy than I had?
- Will I get more work as a result?
- Will my work become monotonous and boring?
- Will this be like the last (bad change)?
- Will I know what I am supposed to do in the new world?

One sentence that stays in my mind from discussions was the adage that "good people have nothing to fear". In a new world where transparency goes up (and not down) this will be worth bearing in mind. Spending time with your most impressive staff can sometimes yield a better return than spending disproportionately more time with those who are less impactful within the team. Get the more positively minded to work with their peers. Identify your champions and nurture them.

Pilot or Phase 1?

Bringing your staff with you is critical. They are, after all, your most valuable asset. That said, you do also need to be clear that this is happening, that it is not optional. We often get asked about running a pilot. Statistically pilots have a lower success rate than full rollouts. There are lots of reasons for this; less budget, smaller project team assigned, not as much BA work done beforehand, minimum consultancy purchased from supplier and tight timescales. But there are two other contributing factors to why pilots fail more often than rollouts:

You can't do small organisational change

- If the technology you are piloting does not come with a change in working practice (there aren't many of those!) then a pilot could work. Put it in, test it, measure, feedback and decide
- But where it comes with working practice change (or bigger still organisational change), then a pilot can be doomed before it starts. It is extremely difficult to undertake micro organisational change for, say 60-90 days and get any realistic view on how it has gone
- Organisational change takes time and commitment. Change done badly will not work and you will only have the software to blame...

Momentum, commitment and phraseology

- The word pilot, by definition, suggests a "test". A test suggests it is temporary and not permanent. It also assumes that the balance of power in terms of decision making (of success) resides, at least in part, with the users
- Given users natural tendency to resist change and the unarguable view that change takes time to bed in, surrendering a view on whether something has been successful to the very people who didn't ask for it carries risk
- If you subsequently overrule them and say "we are doing it anyway" you will create animosity when you do decide to rollout and if you listen to them and don't proceed, you miss the bigger opportunity and cannot revisit for some time
- If the firm knows this needs to be done and if the

"Engagement is everything for this sort of project. Technology is the enabler, but really focusing on the people is critical. Be honest and be pragmatic."

Tara Layman, National PA Services Manager, Pinsent Masons LLP

A service with internal customers (and purpose)

Setting up "pods of excellence" within your support services means people can feel proud of the specialist "service" they now offer to their internal customers (the lawyers). What will the services be called? Can you assign SLAs to them? How can you give the team ownership?

A continuation from the above chapter, the more you can steer the change to allow support teams to be the "provider of a service" rather than just the "recipient of work" the more empowerment you will get.

"The individuals now don't own the workflow, the team does."

Lisa McCarthy, General Manager, IRDI Legal

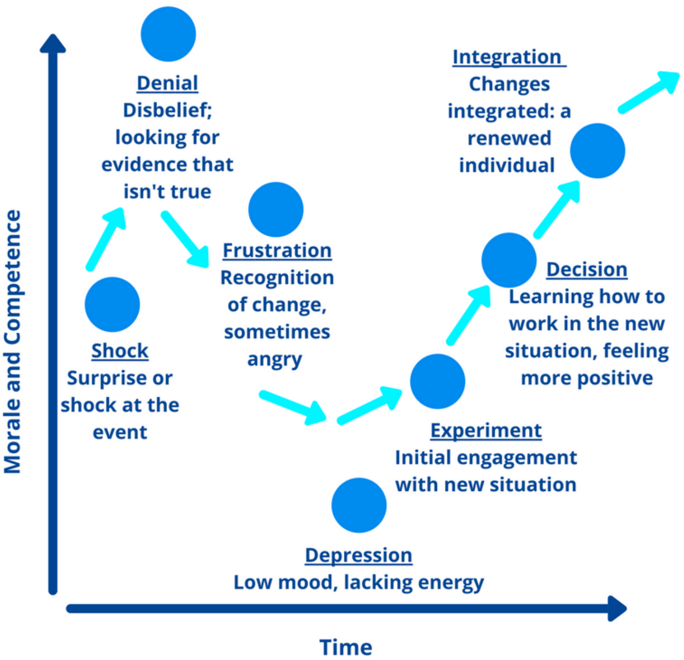
Given the list of tasks identified following the work in chapter one, you can work through and assign relevant groups or teams with specialist skills. Those teams can be given relevant names (brands) and they can be associated with a top-quality service that can be delivered back to the lawyers, and use feedback to improve over time.
This also plays into the key HR component of this sort of change for training, development and career paths accordingly. This all plays back into the concept of "the deal" mentioned above.

Phrases worth avoiding would be "non-fee-earning staff" or "back-office staff". It removes the subordinate nature inferred and both conjure up an out-dated model. If this change is an exercise in modernisation, language will be key. Lawyers are indeed the professionals, but others in the firm are absolutely critical to its success (and will become more so over time).

Communications Race

Bad news travels faster than good news, and informal networks are quicker than formal ones. How can you make sure that you pick not just the right positive messaging, but the right channels? Have you got a plan to deal with harmful rumours?

This follows on neatly from previous sections and some of the content used for your communications will be collected from the work done thus far. Use concerns flushed out to your advantage. You can articulate the future state based around dealing with these up front (even if that is done subtly).
Communication needs to mirror the likely curve that people will go through. The Kubler-Ross change curve has been amended over the years but provides a framework that might be useful with the ideal coaching/communication strategy listed beneath:



Denial: create alignment using future state vision
Frustration: maximise your listening and understanding
Depression: spark motivation and use energetic means of communicating
Experiment: develop the capability and offer training for specific skills needed for their new roles
Decision: share knowledge of success where things are better as a result (for staff and customers not the firm)

Two networks

Dealing with an informal communication network can be complex. Internally there are those laterally across the business who speak regularly. And externally things like RollOnFriday have a strong voice. Trying to stifle activity here can create the opposite effect. Using it to your advantage can work, but sometimes employees feel possessive about these means of interacting and any attempt to infiltrate will be viewed badly. That said, the formal communication network can often be low on trust and seen as a machine in operation for the sole benefit of the firm. A blended approach, wherever possible, is the ideal approach.

The communication strategy should be documented up front, but fluid based on reaction and progress. The channels need to be innovative and interesting. One phrase we use is to give the project "personality". Sometimes this means giving it a name – and that's great – but adding more than that can create the (much needed) energy to disrupt the natural inertia in any firm to get things moving. Videos, diagrams, speeches, workshops will all add more value than PowerPoint, email or lengthy documents (like this one!)

Using people can tell a more personal story than using corporate speak:

"We want our employees to feel empowered to do their job well while others focus on their role, all for the good of our customers" will be read once but maybe not remembered.

The following could be more impactful: "we want Sally, who works in our corporate team, to be able to phone Pfizer herself and update them on the matter while Brian in DPU can focus his energy on ensuring the contract looks great and is delivered on time".

Either the Horse or the Cart go first (or both)

Undertaking the restructure and then introducing software to support it is one approach. Implementing software first and then transitioning to the new model is another. Doing both together is a third-way. How do you know which is the best for you? Will this be evolution or revolution?

The change is the driver; the software is the enabler. On that basis the software acts as the horse and the change is the cart. The software enables the change to happen / move. On first glance therefore the software goes first and there is a strong argument for this based around the following key areas:

1. **Data provides insight.** That insight allows you to determine your future state more clearly and with more accuracy. The software will provide that data once in use. Getting it in early gives you that insight to make informed decisions.
2. **Get comfortable.** Once people have moved from using email or paper based forms for allocating work habits are broken. Now introducing the idea that the work might be done by someone else is then a separate, incremental change
3. **Current process is the constraint.** The current ways of working, the current methods of delegating and allocating tasks are both constraining what is possible for organisational structure. If you currently walk up to your PA and ask for something that will now be handled by a central team in another office that is difficult. The software is needed to allow the change to happen.

"We recognised that there were improvements we could make in how tasks were being assigned, managed and executed throughout the business. We also knew that with additional insight, we could make sure that the right work gets done by the right people while also encouraging a natural change to our internal workflows."

Debbie Baker, Business Support Manager, Osborne Clarke

It is easier to re-configure software than to change the organisational structure.

If you are undecided on exactly what the approach should be, or you are really keen to involve the staff in actually shaping the final outcome then putting the software in first allows a more collaborative approach to introducing change. The end users are ultimately closest to the detail and allowing them to drive the change "bottom up" can add much needed commitment and buy-in.

Any need for speed is a factor

A merger, say, or an imminent office move can present themselves as a likely trigger which can result in tougher timescales. Enacting the change all at once (software and restructure) then has its merits.

If this is the chosen route the necessary resourcing to make it work becomes the critical success factor. As outlined before, and as known too well by most firms, a quick change project that is under-resourced is a well-trodden, but not advisable, path to follow.

A retro fit (where the software is implemented after the organisational change) can be difficult. As mentioned above, if the change is itself enabled by the ntroduction of software you can very easily find that the organisational re-shaping is hindered by a lack of tools (and importantly visibility). Whilst this is not entirely impossible, the arguments favour putting the horse before the cart.

Plan, Manage, Review and Refine

Planning a project and managing the process is well documented and well observed (mostly). Reviewing progress and admitting it was not quite right first time less so. Are you ready for continuous improvement? What are the expectations of "success" first time?

Are we there yet?

One of the problems with continuous improvement is that it's never finished! In fact, it is not really a thing. It is a mindset. Given this paper deals with organisational and working practice change, to suddenly layer on culture change here too probably doesn't help. That said, being aware that a review of your existing culture and its collective propensity to adapt and improve itself over time would be wise. This will, at least, highlight whether continuous improvement is something you want to introduce and how.

Be open and think about value

The shorter, more accessible, version of continuous improvement is ensuring that people on the ground feel free to / want to make suggestions. One piece of advice here is teaching people to frame their advice or recommendations on behalf of the business. This might sound like it runs contrary to the section above where I talk about thinking from the people's perspective. But this is a two-way deal and you will be interested to see how that shapes the advice. It helps them see the situation from a more value based perspective.

An opinion:
"I think we should change how we access work because the current system isn't great for us, it takes us ages to find the right thing to do next."

Can become:
"The DPU team feels it should change how is accesses work because the current system isn't great for our lawyers nor our customers because it builds noticeable delays into the turnaround time."

Once the door is open for positive, constructive and business-oriented feedback to happen you can then work through a (prioritised) list of suggested changes over a (specified) period of time.

Setting expectations

Setting expectations is a phrase that should probably appear more in this document, but as with any well managed working practice change, ensuring that end users are **well versed in what to expect is critical.** High expectations can lead to positive excitement = good. But can lead to subsequent disappointment. Low expectations could give you negative inertia issue up front = bad. But it will give you the chance to actually deliver what you said. This will be the last thing remembered.

So be realistic. And be honest.

Who goes first?

If your firm has multiple teams, departments, offices and processes then deciding which areas to focus on first will be imperative. How will you approach the transition? And in what order?

On a general level

"Me, me, me" is not a common response when trying to find people to take part in early adopter phases of support services change. Being volunteered (by someone else) is, however, definitely worse.

Use the following checklist for planning where to start:

- Has a team or individual got a need/problem this change will satisfy if done correctly?
- Has anyone specifically requested that they are keen to change the way they operate?
- Is any group in the firm known for being innovative (successfully)?
- Do any areas already work in a similar way for easiest adoption?
- Which practice area (or their head) will happily make positive noises about it (and will be listened to)?
- Will anyone else in the business care? Are working practices very different from other teams? (remember the power of perception)
- Can you sensibly ring fence enough support resource to isolate the change into one area?
- Are any practice areas able to access baseline data more easily than others?

Team or Process?

There is a flip side to this approach entirely which says rather than going team/office by team/office, that you do it process by process (firmwide). So it might be that you say 100% of teams move onto the new system for process x (e.g. document amends) and then the next week 100% of people more across for process y (e.g. scanning).

One of the main reasons this approach is not adopted is the training element for any new software. That said, I would advise thinking about it and ruling it out specifically for real reasons, rather than not consider it at all.

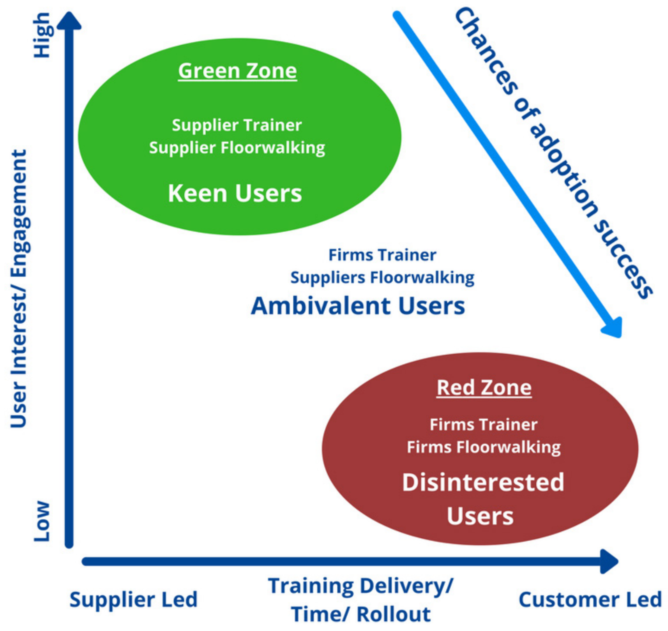
The rollout will feel like a hill

And the hill will go up, not down. It is worth remembering at the outset (based on our experience) that having spent time choosing the initial starting point, for the reasons given above, that normally means during the latter stages include the less receptive areas (for whatever reason).

Having the stamina to not just continue, but to work harder as the rollout continues is key. Often we find that supplier resource is used for the initial group, but less so afterwards. This makes logical sense (financially and otherwise) but it means you become reliant on your internal teams. They will be effective, but they will also (particularly in a world of more-for-less) have many other projects they are working on. Each project dilutes attention on others.

This is also where the project sponsor's personal engagement is imperative. They, along with the practice leads of the already adopted groups, need to partner up re-using all the communication channels, espousing the vision and rehearsing objection handling with anecdotes from early adopters to back the case.

Adoption Challenge - over Time



Benefits not buttons

All the way through, but particularly at this stage, it is important that it is not just the software that is trained. Teach the reasons why it's happening. Train on the broader piece and not just software features. This is potentially where hard work up front can unravel because your trainer is a "software trainer". Of all the important elements in this type of change, the software is not top of the list. It is the enabler, not the entire focus. Make sure your training staff (and all those involved) have been given sufficient briefing on the background to ensure they can do a great job.

Adoption is King

If nobody uses a new software system or new way of working, no benefits can be generated. Whilst any adoption strategy starts with the early communications, an ongoing and dedicated adoption plan is useful. How will you ensure users adopt the solution? How will you monitor and track usage? What are you plans to see if usage is tailing off?

What is user adoption?

User adoption is the taking up of, and switching to, a new way of working. This is both the inheritance of any new cultural shifts in how things are done and is also the active usage of any new tools to do the job.

Why is user adoption important?

No value can be generated, no return on investment and no benefits realised if people do not change how they work or use the new software. It is that simple. Without adoption, other success factors are irrelevant. It starts with usage.

What usage should you track?

- These are broad measures:
- Numbers of people using the software (quantitative)
- Frequency of usage of those users (quantitative)
- What are they actually using it for
- Positive or Negative Experience of those users (qualitative)

Why track it?

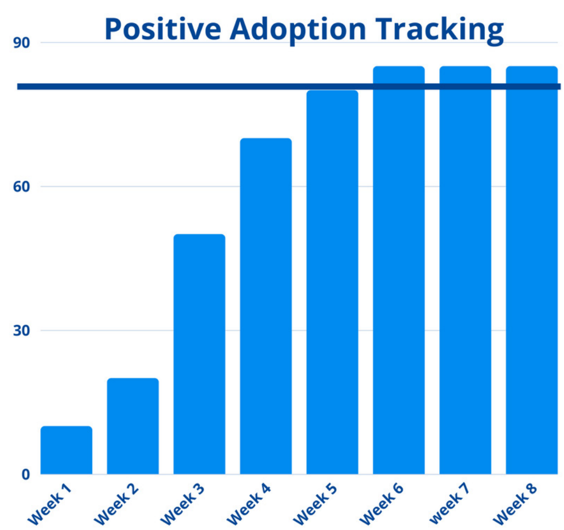
Addressing adoption challenges is easier if caught early. Old habits change slowly, and if change is being implemented, tracking how well it is progressing is important. If people revert to old ways of working, it needs to be addressed as early as possible. Not knowing adoption has dropped (or never started) months into the project is an expensive thing to remedy. Tracking shortens insight.

What do we compare it to?

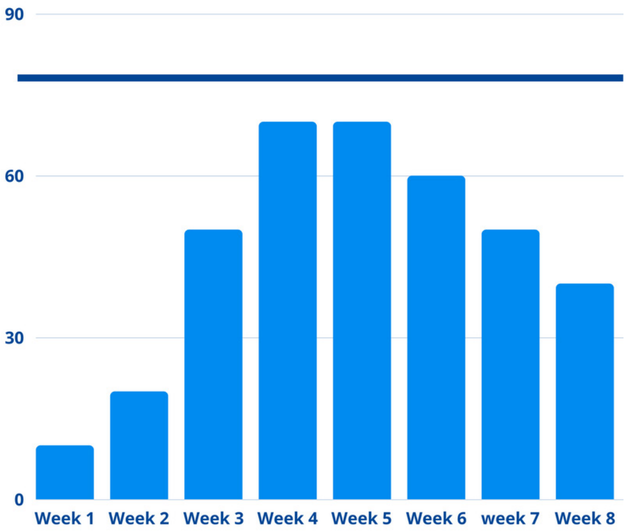
At the outset there should be a sensible, and agreed adoption target. If you have purchased 500 licences, do you want all 500 used, or is 85% acceptable? Agreed up front, there is a baseline to measure against.

How to track it?

Generating reports from the system on a regular basis will provide the data you need. Capturing that at regular intervals provides a trend. This can be done at a macro level or at a more granular level by team.
This will give you some comparative data and highlight where additional energy might be needed. Leaning on your provider or purchasing adoption packages / services can assist if you are tight on internal resources.



Cause for concern



For the more qualitative data, using online surveys as mentioned previously can give you invaluable insight. This can also provide comments for the much needed personal story that you can use to focus on positive outcomes that should be shared – particularly during the relevant part of the change curve outlined above.

One size does not fit all

When it comes to communication, training and adoption it has to be remembered that people are different – not just in how they work, but in how they learn and listen. Some people will happily read a document, others would rather listen to a speaker and the remaining group will want to look at a diagram. Use a mix.

All too often communications are electronic. Obviously we are big fans of paperlite and digital – but there is also something to be said for going against that trend for a bigger impact. Desk drops, posters or anything else tangible (visit an exhibition and get ideas on the best and most suitable promotional items). If you've given the project a brand, a name and a personality you can play this through here. Again, use a mix.

Oh, you're a legacy xx'er

Mergers and Acquisitions, as we know, can generate a 'them and us' mentality. These can take time (years) to dissipate. Factor those differences into your planning. We have firms who will still (after quite some time) refer to colleagues as "a legacy [insert name of acquired firm]er". Language is everything. Again, have a plan. This might be an opportunity to standardise working practice. But equally, it has the opportunity to be a threat to adoption.

Celebrate Success

Being able to articulate the future means you know when you have arrived where you intended to. Whilst the temptation will be the next project on the list, don't forget to celebrate success. The firm gets its reward based on the initial business case, finding a way to thank staff will help get buy in for your next challenge. How best to say thanks? How will you make key individuals part of the longer term incentive?

Well done for getting this far!

But don't wait to the end

There will be various successes throughout the project which can be shared. They add momentum and give credibility. As outlined above, using real people, real customers and real observations about success can be impactful. Here your project sponsor, early adopters and identified ambassadors will be hugely valuable.

Some milestones you could celebrate:

- Technical infrastructure in place
- Initial feedback from workshops captured
- Phase 1 team goes live
- First customer to witness a material benefit
- Example of duplication removed from age-old process
- Comments on process being preferable from internal people

Recognition

Effectively this is remembering that if the organisation has achieved something significant, it is something that should be recognised. Making sure something was earmarked in the original budget is probably sensible, but having specific celebrations (or thanks) do not need to be expensive.

As in similar vein to the above, something that is not email or PowerPoint based is a good steer. Maybe get a small group of staff together to brainstorm what might work best given your firm's culture. Also think about who needs the most recognition. It could even be a message delivered by a customer (as the recipient of the most benefit). How people feel at the end of this change will determine how they feel going into the next one.

Reward also reinforces behaviours. Old habits die hard and whilst a small amount of desk-research undoes the evidence behind the theory that "it takes 31 days to change a habit" – the general premise certainly holds true. Recognition and reward are two tactics to cement the future state and the new reality.

Those affected are the very people who you depend on to grow your business. From beginning to end they should be the centre of all your efforts.
If you think that the legal market will mean more change in the future (!) then getting off to a good start next time is almost certainly worth some investment now.