



# The Legal COO's Guide To Operational Excellence In The Current Climate

Practical advice for legal operations leaders to establish efficient operating models that deliver first-class client service.





# Introduction

The coronavirus pandemic has forced law firms, like many businesses, to quickly adapt to remote working policies, and to take precautionary measures to shield from the impact. From business continuity planning, through to cost saving and maintaining client relationships – a lot of time is being spent on keeping the metaphorical lights on whilst we wait and see what the full impact of the crisis will be in the long term.

Based on our conversations with our law firm clients, we have put together some practical guidance on establishing an efficient operating model in the current climate, and the importance of maximizing support staff at this time. In a series of four articles, we look at key topics around the ever-changing legal support landscape, alongside industry commentary from leading market experts.

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## Article One:

# What are the long-term effects of reducing legal support for lawyers that law firms should consider now?

During this time of uncertainty, law firms across the globe are facing unprecedented challenges. Like many other businesses, law firms everywhere are now finding their feet in the newly presented circumstances.

If we take 2008 as an economic comparison, it's fair to assume that law firms will – to varying degrees – be striving to trim expenditure where possible. As part of those measures, and with some support staff not able to complete certain tasks away from the office, many firms have already taken action to reduce their legal support in some way – either by restructuring current staff, or taking advantage of temporary furloughing. But what effect does this have on lawyer time in the long term?

### Avoiding increased write-offs

If lawyers spend the resulting time having to complete the tasks previously done by that support, those tasks will be a) completed more slowly by a significantly more expensive resource, b) generate more customer pressure on examining bills, and as a result, c) create more time that will ultimately be written off when the law firm decides not to charge its clients for admin hours. It is unlikely that firms will want to be writing off more after this event than they were already doing beforehand.

The work of secretarial and other support teams lowers the cost of delivering legal services. That's why they exist. Just because legal support teams are now highly distributed and working from home does not mean that law firm customers suddenly want to pay for their lawyer to be doing their own admin or to be spending hours wrestling with styling in a lengthy contract. In fact, the reverse will be probably true.

### Delegation is key

If customers collectively pressed hard for better value for money after the financial crisis, this situation will put even more pressure on streamlining non-billable tasks. Delegating non-client-paid-for-work will become even more of a priority, as will ensuring those tasks are being completed at the right cost-base to the business.

This is not a new priority for law firms. Prior to the global pandemic, there was increasing client pressure to do 'more for less', resulting in law firms making great strides to streamline administrative work. That groundwork is now more imperative than ever before. There should be a focus on ensuring current support staff are fully utilized for optimal results, while considering the long-term resourcing plan to minimize unnecessary costs when things get back to normal.

For law firms to stay ahead now, having full visibility of the workflow is vital. From understanding which work is being delegated to support teams, what the progress of certain tasks are at any one time, through to being able to move work around to optimize resource capacity. These are the steps needed to ensure that remote working is optimized for support staff and lawyers, and for client service delivery to remain optimal.



### Industry commentary

Tara Layman, Head of PA and Administrative Services at global law firm Pinsent Masons:

"Looking back to 2008/09, many firms decided to significantly decrease the number of support staff. This led to ratios of 1:7 – 1:10 in many cases, and saw a drop in the level of support provided to more junior members of the team – support staff tended to focus their efforts on partners and senior team members."

"Juniors were then left without the support they needed to make them truly effective and they are often the ones who now have little delegation skills and spend hours battling with Word styles, booking their travel, or pulling together pre-bills."

"If we let our support staff go now, the senior team members are faced with undertaking more of this work themselves whilst still trying to maintain billing targets – will this mean a higher rate of write offs? Law firms are under continuous client pressure to deliver services effectively and, primarily, cost efficiently."

"Since the COVID-19 outbreak, our firms are adapting to home working, utilizing new technology and implementing refined working practices to enable us to use home-based secretarial resource. By way of example, documentation is still being produced, billing for year end is currently well underway, anti-money laundering support continues, diary management for online meetings is paramount, digital filing and DMS streamlining to facilitate accurate search results, setting up and managing digital data rooms, coordinating information for CRM purposes – all of which we would consider to be adding value to our business."

"All members of the team should be working together to ensure everyone is adding value regardless of location."

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## Article Two:

# Why law firms with visibility of workflow will make the best resourcing decisions now, and in the future.

In the last article we emphasized the long-term effects of reducing support staff on lawyer time and looked at the value support teams bring in reducing law firm write-offs. This leads us to the next question, of how law firms can get the most from their lawyers and available support staff in the current ongoing climate, while also addressing the need to make cost savings.

A good start is to obtain and assess all the data you need to make educated resourcing decisions.

### Addressing the status quo

If we learned anything from the 2008 economic downturn, it's that client demand of "more for less" increased exponentially, and it's fair to assume that the same will happen in this global crisis. Having the right staff doing the right work at the right cost to the business then, is paramount if law firms are serious about reducing unnecessary costs.

Tracking work, having visibility of work and being able to reallocate work is equally as important for efficient back-office operations. With flexible working arrangements in place, support team leaders need an effective way to manage resource capacity while staff are working variable hours to accommodate childcare, or in some cases, sickness.

Secretaries and support team administrators being able to see who they can help, who is busy and which clients need the most attention is key. However, the newly enforced remote working measures means this information is suddenly buried in individual screens across the country or in hastily set-up shared mailboxes, leaving lawyers no visibility of what support resource is available to them for urgent client requests.

Having all this data aggregated and displayed in one place, and the facility to redirect and monitor work would mean that firms could see exactly what's happening and ensure that home working continues to run smoothly for everyone in the firm, not just the lawyers

### The "new normal"

Looking to the future, law firms on the front-foot will emerge with an optimum structure in terms of numbers, ratios and skillsets, but will need to do this based on fact and not guesswork. Making resourcing decisions without data will result in firms making the wrong choices and inadvertently impacting their lawyers and clients.

There are other long-term cost savings to consider too. Do the support teams need to come back to expensive offices after this? Do they want to? Is this the chance to reduce more fixed costs (property)? Is it a chance to add attractive flexible working for all staff not just the fee earners? The answers to these questions will only be made clear with the right data to accurately inform business decision making.



### Industry commentary

Michelle Crowhurst, Director at Berwins Solicitors shares her firm's reliance on workflow visibility while transitioning to remote working:

"When the lock down restrictions came into force we felt well placed as a firm to be able to cope with all our staff suddenly working remotely. The business continuity plans we had honed over the years and tested were suddenly called into play. Although we had never actually planned for a pandemic, we had planned for a worst-case scenario of not being able to access our office."

"Clients and contacts have told us that there has been no interruption in our service and the transition has been seamless which is good to hear. A key enabler for us was BigHand Now, which we use to send tasks to our support teams, and for transparency over their workloads."

"It has given us the ability to prioritize tasks, and for support staff to easily assist each other, as workloads vary across the teams. There is no lost time in discussing who does what and given that some of our staff are working their hours around childcare responsibilities it also doesn't matter what time of day they are working. Everyone was already used to the technology but having it in these circumstances has given us the edge."

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## Article Three:

# Why law firms should evolve their service delivery now to retain clients

Law firms across the globe are in cost-saving mode, with some proactively restructuring or furloughing support staff. At the same time, their clients are also feeling the need to limit expenditure. This will almost certainly continue, and law firms are getting ready. This leads us to think about the financial impact of the current climate on law firm clients, and how firms can ease that burden by evolving their service delivery to a lower cost model.

### Remote working for everyone – not just lawyers

Law firms everywhere are adapting current innovation strategies and change agendas to ensure they can continue to deliver first-class client service. There will be lots of projects that firms need to action but one change that has already been focused on quickly is ensuring the smooth provision of necessary support for lawyers.

Firms had previously prepared for, and equipped, their lawyers to work from home but very few had factored in having to do this for support teams – and certainly not on this scale. An effective and profitable law firm is only able to operate when its support teams are both accessible and operational. After all, offering excellent service to clients not only means delivering high quality work, but delivering it extremely quickly and cost effectively too.

If anyone currently needs legal advice, they don't want to wait for it. For law firms that means keeping lawyers focused on the tasks that need their legal skills, and ensuring the rest can be sent to the appropriate supporting resource.

### Changes in the works

Over the last few years law firms of varying sizes have been implementing new arrangements for the way in which they support their lawyers. Some were centralizing, some were creating teams, some were setting up shared service centers or, badly named, low-cost centers and some were simply deciding to delegate and share support work better.

Some introduced team assistant roles – a trend that could benefit firms at this time. TAs can assist PAs with administrative tasks, freeing up PA time to focus on skilled

work that is sometimes billable but certainly more valuable than photocopying and printing. TAs mean those other administrative tasks are still completed, but at a lower cost to the business – and probably done faster.

The common goal in all these methods is to ensure that the right work is being done by the right resource, at the right cost, using real data to see and monitor workloads across the business. This was to, firstly, replace the practice of lawyers simply sending all support requests to their PA in the way they had done for years – mostly because they were sitting near each other – and secondly, to meet the demands of clients to 'do more for less' and to streamline back-office operations.

### Maintaining client relationships

To enable these changes, firms have implemented a combination of a workflow solution coupled with data dashboards to allow the visibility and monitoring of all delegated support work across the firm. Ensuring support requests are automatically routed to the best resource was once important but is now critical given that staff are physically distributed like never before – thanks to social distancing measures.

These changes ensure that law firms can demonstrate an active commitment to supporting their client's cost-saving efforts, by moving work to lower cost resources where possible. How to best maintain client relationships is a hotly debated topic under our new socially distanced circumstances. Law firms that take on technology-backed service delivery projects with direct cost and efficiency benefits for themselves, and for their clients, will gain a competitive edge.



## Industry Commentary:

### Association of Legal Administrators

April L. Campbell, JD - Interim Executive Director at The Association of Legal Administrators (ALA) shares her thoughts on law firms acknowledging their part in their clients' supply chain:

"It's never too late for law firms to acknowledge that they are part of their clients' supply chain. In fact, effective supply chain management is all about optimizing operations with speed and efficiency; it's about developing a competitive advantage without having to lower your prices."

"A more efficient operational model makes you a more reliable service provider in the eyes of your client. Starting with legal support services, all moving parts must be aligned with the overall business strategy and a reminder that law firms are a "supplier" of legal services in the supply chain of many of their clients. If firms are not faster and more efficient, they negatively affect their clients' supply chain — something the clients will seek to avoid."

### Baker Donelson

Am Law 200 firm, Baker Donelson, has optimized firm-wide remote working and client service with the use of legal specific workflow technology. A key driver for the project was ensuring service delivery remains optimal despite the immediate challenge of all staff working remotely.

Randy Staggars, Chief Financial and Administrative Officer at Baker Donelson commented, "Our top priority is to ensure our firm's continued operation and uninterrupted service to our clients throughout the crisis. Smooth provision of support for our staff to effectively work from home is paramount, and BigHand Now has undoubtedly helped us to better enable our staff, and clients."

"The workflow solution will provide our lawyers with the transparency they need over outstanding work, while giving our support staff a holistic view of all tasks, and the ability to complete work in an agile way, despite remote working. With the technology in place, our teams will be able to work together effectively to best serve our clients at this difficult time."

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## Article Four:

# How change management has shifted from being a blocker to a key enabler for law firms today.

The recent transition to remote working has been relatively pain free for some law firms, and perhaps a little rockier for others. While IT teams have been busy getting everyone set up from their home offices (or dining room table), senior management are continuing to tweak business continuity plans and look at cost saving measures to mitigate the impact of the crisis.

In our previous articles, we have cited real-life examples showing the measures firms are taking to adjust, and highlighted the benefits of fully utilizing the support function, not only for smooth provision of lawyer support, but also for the positive effect on maintaining client relationships and controlling costs.

What is evident is that firms have been forced to suddenly embrace something that many had resisted for some time – change, and for that matter, change on a massive scale.

### Enforced change

Law firms are no different to other organizations in many ways, but they often admit to being “pretty bad” at change. There are plenty of reasons for this, but the principle remains – in a world where change is difficult, it must be forced through to be truly successful.

As Tony Robbins says, “change happens when the pain of staying the same is greater than the pain of change.” Some may argue that the pain of staying the same had eclipsed the pain of change, hence the large percent of law firms who had undertaken back office transformation projects in recent years.

For example, in our recent [Legal Support Recruitment and Staffing Survey](#), we found that 68% of respondents confirm support services are changing, with firms exploring specialized groups, outsourcing and centralization in low cost locations. Few would argue that an era of enforced change is upon us as firms now deal with lawyers and staff working remotely and dealing with various home working challenges.

In our previous articles we have outlined the benefits of fully

optimizing support staff in a law firm, the best ways to do this using data and technology, and how these projects can have direct cost and efficiency savings not only for the firm, but for clients too.

These benefits have always been accessible, the return on investment has always been well evidenced and the working practice afterwards has always been preferable for clients. This was always key for transforming into a more efficient law firm. But resistance to change has often been the blocker.

### A key enabler

From our various conversations with law firms, the single most often quoted reason for not implementing any short or long-term support projects – even though they almost universally agreed it was a better way of working – was “resistance to change”. Lawyers did not want to change their behaviors, or senior management assumed that on their behalf. Regardless, projects often got shelved to avoid the subsequent battle with them (lawyers are often quite good at arguing their point of view!) so the status quo continued. That blocker has now flipped to become an absolute key enabler. Nobody is sitting next to each other anymore, and lawyers still need easy access to support teams to function effectively and efficiently.

Additionally, lawyers and staff are dealing with a litany of home challenges, and more work is happening off-hours or on weekends. Clients still require high quality, speedy service from their law firms and the reality is that it will not happen without firm-wide technology adoption, and lawyers and support staff working more effectively together.

In the long term, law firms should be aiming to use data to assess and deliver the optimum support structure and create an ideal environment to deliver the support that lawyers need. In the short term, just like those IT teams focused on quickly getting first-time home workers up and running, there are quick wins to be made by ensuring the existing support function remains available and highly effective in supporting the lawyers.



Both short and long-term plans remain critical because, just like 2008/09, we are about to enter a world where clients will be even more discerning than they were before about cost, while expecting the same customer service experience.

### Industry Commentary

#### **Sandie Craciun, Director at Konsept Services and experienced consultant comments:**

"Evidence to push through change has indeed always existed in the majority of law firms. When presented with the data and information, however, so many law firms and lawyers have considered themselves to be "different" to the data and provide reasons why the data doesn't apply to them in simple terms. This in itself is evidence of the resistance to change being spoken of.

We don't believe law firms don't want to change. On the contrary, it is often just the pain threshold of getting to the change point and beyond which people don't want to go through. The current environment has proven that anything is possible and the old adage of "where there is a will there is a way" applies. There is most certainly currently a "way" .... now is the time take advantage of the climate to harness the required "will" and make long-awaited structural breakthroughs to achieve truly innovative working practices."

#### **Chris Ryan, Managing Director of HBR Consulting comments:**

"They say "never let a crisis go to waste" – the current crisis we're in is terrible, and one thing most law firms know for certain is that they can (and must) use this situation to embrace and drive meaningful change for their firm cultures and clients to come out of this stronger."

"Law firms will need to ask and answer questions such as what impact will the pandemic have on client demand and how should we react? There will clearly be varying levels of changes in different sectors and practice areas, and law firms will need to be proactive and purposeful in their client interactions, thinking about implications and investments around talent, digital transformation, and service delivery."

"We believe legal department clients are desiring flexibility from their law firms, and we are seeing firms respond in kind. However, we are also hearing clients say law firms aren't differentiating enough."

"The sense of urgency has been set for law firms, so whether a firm is implementing an automated workflow capability,

investing in a collaboration site for a client, or reconsidering their service delivery model, those who have the right vision for change (why we're doing and what we're doing), will establish trusted leadership. If law firms encourage teams to consistently and thoughtfully communicate throughout the process, then we believe that they will successfully overcome any resistance to change."

#### **About BigHand's legal-specific workflow solution.**

As the only solution on the market built specifically for the legal sector, BigHand Now recognizes the importance of law firms delegating more effectively and gaining visibility about the work completed by support teams.

BigHand Now enables lawyers to quickly and easily track and assign tasks to the right skilled member of the support team, freeing them up to spend time on billable work.

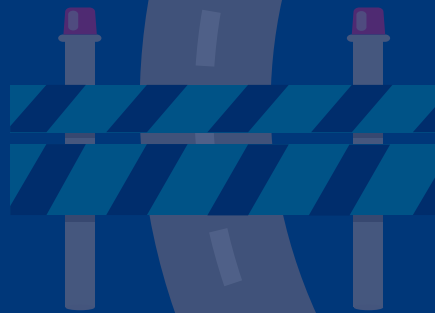
With a digital and fully configurable digital workflow, firms can ensure support staff have a steady flow of work tailored to their skillset and management have full visibility of workloads, capacity, utilization and time management.

BigHand Now is specifically designed for straightforward implementation and usage so firms can maximize the benefits quickly.



**To find out more about our workflow solution and how it can enable your firm to gain insight into the operations of legal support services for better decision making:**

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