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Mission Impossible – how to dramatically reduce fee earner to secretary ratios

In 1997 a quiet revolution began at Martin Kaye Solicitors. Back then the firm had at least one secretary/typist to every fee earner and most partners had two. The managing partner and I, in my role as head of systems and IT, acknowledged that there had to be a better way of structuring a legal business and agreed to find that way. We didn't make a loud noise about it (we didn't want to spook the thoroughbred race horses that were producing all the fees) but we made a pact to work on it in the background. In 2007 we hit a record turnover figure and record profit figure and took another look at the business: it comprised 100 people, with the fee earner/secretary ratio now standing at a remarkable 20:1.

This is how we did it.

Leadership

It is important that the leadership of the business is committed to improving ratios. That leadership needs to have the settled intent to change, but then it must be patient. That does not mean that all the owners of the business need to buy into the concept, just the true leader or leaders.

You need at least one 'champion' who gets both sides of the equation, someone who understands what technology can do for a law firm, and understands the lawyers who have to use it. This person probably has to have been a lawyer themselves, so that they can speak the right 'language' to the fee earners and more easily empathise with them, and also has to be senior enough to be able to throw a bit of 'weight' around when needed. They need to have a firm grasp of what will genuinely save time or money for the law firm and be able to convert that into instructions to the 'techies' so that they are focussed on adding value to the process. If you don't have this beast internally, consider looking for a consultant externally who can 'train the trainers' in what is needed.

Accept that this is never going to be a quick fix scenario. To achieve this change will take time and commitment, and it will be a multi-front attack, bringing all management disciplines to bear on the project.

Strategy

Be aware that the business growth strategy will affect the extent of the success of this project. The old management adage that any business that is not growing is in reality shrinking, is probably true and therefore, as a successful business, you will be making plans for growth. If your strategy is for acquisition (of whole businesses or teams of fee earners) in the commercial/corporate sector then success in this venture will be a lot slower. You will probably be acquiring highly paid, experienced lawyers who will have grown up with – and still expect – the 'office and secretary' culture. Accept that it may take a lot longer to 'convert' them to your way of thinking on this subject.

If your strategy is for organic growth in the more 'commoditisable' areas of work, such as personal injury, domestic property, wills etc, then your road to ratio heaven is more likely to be

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paved with gold. Our own growth came mainly from personal injury and domestic property and in those areas of the business we have no typing/secretary support at all.

Technology

This journey is not really about technology, it is about people and how to get them to accept change. However, it would be impossible to achieve significant changes in ratios without the right IT as a foundation.

Number one on the shopping list is reliable IT systems. It is vital that the business has 'dial-tone' efficiency from its infrastructure – in the same way that when you pick up the telephone you always expect to hear the dial tone, so must you provide your staff with the same level of reliability and service expectation from your IT system. It must be available 24/7/52 and it must work every time it is called on. If your fee earners pick up their mouse and are frustrated by a slow system, or one that crashes every 10 minutes, they are going to quickly revert to their old ways. You must give them no excuse to blame the computer systems for their reluctance to change. Whether you supply the systems internally or, as we did, outsource to a managed services provider, you must guarantee that 'dial-tone standard'.

Number two on the list is simplicity of use. You have got to make it simple for a fee earner to produce the tools of their trade – documents. The key documents - attendance notes, letters to all parties, faxes, emails, simple precedents - must be produced by the system with the minimum of effort on the part of the fee earner. They must be 'topped and tailed' in the house style, bringing in all standard information automatically and leaving the fee earner free to focus on adding the real value to the document viz. his knowledge and professional opinion. We're not talking about full blown workflow templates here, merely getting your case management or document management system to do the leg-work: producing basic paperwork efficiently and then saving it away afterwards in a logical location that doesn't need to worry the fee earner.

Number three on the list is not really high tech at all, it's paper. Provide clear, step-by-step instructions on how fee earners can produce a letter, fax etc under their own steam, say if their secretary was away sick or they were working late and needed to produce something quickly. Put those instructions in multiple locations so that the fee earner can always find them if they need to. Give some training to those that show any interest.

Number four on the tech shopping list is digital dictation and voice recognition. I long resisted the urging from fee earners for digital dictation because I could not see the business advantage for the firm in spending that much money on a system. I myself have experimented with voice-recognition, even replacing my own secretary for a year, but I came to realise that a fee earner would have to be too computer literate to really benefit from the systems that were then available. However, I have recently come across a system that combines the two in such a way that it would benefit any law firm and would save significant money for most firms. The fact that it's also very easy to use is the final tick in the box.



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Last but not least, there's workflow. Workflow can be developed to the nth degree but as a minimum, you should be looking at installing basic 'matter management' in all areas, developing workflows so that standard documents and precedents can be produced safely by paralegals. This frees up qualified staff to add value to the client relationship rather than use up precious time on essentially administrative tasks.

Early adopters

Try to get some 'quick wins' under your belt. Find the fee earners that are computer literate, appear willing to change and welcome the engagement. Work with them to develop workflow loops and key precedents in their area of the law. Pick their brains on what system changes would make their lives (and the lives of their secretary) easier. Really support them when their secretary is away, and help them to produce their work themselves rather than bring in a temporary typist.

Partner workshops

Once you have the systems in shape consider bringing the owners of the business together and show them what could be achieved with a bit of effort. Accept that it may still take a while for 100% buy-in and that maybe this is a project for their assistant solicitors to take part in, not them – yet!

Investors in People

Work on your people, particularly your secretaries. Start working towards Investors in People accreditation (perhaps, as we did, along side a push for Lexcel quality accreditation which gives an excuse to introduce matter management systems). Develop a career path for secretaries: prove to them that they could be fee earners themselves and encourage them to start studying for qualifications. Perhaps promote a few to paralegal roles and start them off recording time and billing to show the others what is possible.

Recruitment

As you recruit over the years, seek out and hire those fee earners that are computer literate and keyboard happy. Make clear to them that those skills matter and that they should not expect their own secretary/typist although such support is available where it is sensible to use it. Then be prepared to resist the many advances that will be made to give them their own typist (just because the rest have got one).

If you are of a size to do so, set up a typing pool so that fee earners without secretaries can have their lengthy documents typed. But police it and make sure that short letters and documents are not sent to the pool. Use the voice recognition system in this structure for maximum effect.

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Staff reaction

Because we didn't make a big fuss at the start of the project, most members of staff did not even know that changing ratios was one of our strategic objectives - there were times that we forgot too. With the growth we were experiencing we were continually looking for new para-legals and qualified staff, so we just advertised internally and encouraged those that we knew, from appraisals, were interested in advancement. Those taken on knew that keyboard literacy and case management were required and never objected to the absence of a secretary of their own.

In the commercial areas the task was harder because of the number of established partners who could not or would not change. New assistant solicitors accepted the lack of a typist and we are now gradually breaking through with all secretaries recording time and keen to find ways of reducing the time they have to spend listening to their master's voice, and increase the time they spend adding value to the client experience.

In conclusion

Sounds easy? It's not! It takes a great deal of effort and application to achieve what we did, and more than one 'egg' had to be broken to get there. But the dramatic change in our fee earner/secretary ratio from 1:1, and in some instances 1: 2, to today's 20:1 figure has made it all worth it.

Because the plain truth is that times are tougher, competition is growing and clients are getting more and more demanding: they don't want to pay for the old fashioned structures and no right-minded law firm will want those same old-fashioned structures leeching away at their profits.

If you want to make money post-2011 you have to find ways of reducing those ratios - and you need to start that process now!

If you would like to discuss any of the issues raised in this article or to talk to me directly about my experiences or any practical assistance I can offer with reducing your ratios, then please contact me at chris@cannconsultancy.co.uk or on 07711 929 153.

