



ARE YOUR STAFF PROPERLY TRAINED?

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Faithful readers have noticed that I'm a bit grumpy of late. Yes, I know that you know that my constant criticism of practices and procedures are designed to help you improve your practice by constantly fine-tuning it, one baby step after another. Am I really disappointed in the way most of you run your firms? No. Do I believe there is always room for improvement? Absolutely!

So why have I been grumpy of late? Have I rubbed shoulders too often with fellow author S. Sponte at bar functions, and had some of his sarcasm rub off on me? Nope. The burr under my saddle is courtesy of recent interactions with one too many medical offices and doctors, topped with a generous helping of corporate America.

I will not waste your time with war stories. Each of you no doubt can easily bring to mind at least a few stories of your own. What really irritates the bee in my bonnet is that my well-intentioned suggestions that are offered only in the most egregious of circumstances are rarely received well. In healthcare, the doctor sometimes hears me out impatiently, and then either makes an excuse or asks me to tell their office manager personally, as I may have a better chance of effectuating change. Really?

So yes, I've been ruminating on a number of recent troubling interactions, blatant screw-ups, and harmful procedures – not medical fortunately – that often make the doctor look far less competent and leave me running to a different practice group that I hope will make me feel I am in more competent hands.

What's ironic in all of this is that it's not the doctor who messes up. It's staff following poor procedures or failing to follow procedures and who are not trained sufficiently in non-technical "soft" skills that create the lion's share of problems. When I reflect on this, I realize that the same often applies in law firms. Let's make sure it's not that way at *your* firm.

Teamwork.

People who apply for positions at law firms are not all created equal. Some will be true team members who step up to the plate to do what is expected and more. If they see someone faltering under a peaked workload, they will volunteer to help. If they know how to do something someone else doesn't, they will show them how. They will fill voids automatically doing things not in their job description just so things don't fall through the cracks.

Others will do enough to get by. They will not volunteer to help others, even though they're often the first to ask for help. They may observe a crack in the floor, but will never point it out or try to fill it. They will avoid it themselves and let others fall in without guilt because of a "not my job" attitude.

Law firms require full engagement at every level in order to run smoothly and deliver exceptional client service. Your firm should continually look for opportunities to emphasize the behaviors and attitudes desired. Try using techniques revealed in my article "Catch Them Doing Something Right." Visit the PBA website, www.pabar.org, select "For Lawyers," then "Law Practice Management" and then "Resources" to find this article and many others in the law practice management library.

If you want true teamwork, you have to make it clear you require it, reward it, and hold accountable those who fail to exhibit it.

Quality and service mentality.

Staff must be trained to have their antennae up and focused on detecting client unhappiness and reporting it. They should be constantly assessing if the "way we do it" is still working as effectively as possible and suggest improvements when not. They must be empowered to communicate such things. You must charge them with the need to think about how they're contributing to the process. They must understand the significant contribution each of them can make to quality improvement and client satisfaction.

Providing good training in these areas is not a one-time thing. It's a continual education process, an on-going discussion and part of the firm culture.



Technology skills.

Firms consistently overlook training for staff in this area. Usually an applicant is asked whether he or she “knows” how to use XX – whether that is Word, Acrobat, WordPerfect or whatever – and then take the employee’s answer at face value.

It’s rare to have an applicant say they are not familiar with widely-used software such as Word. But the real question is whether the applicant has ever had *professional* training in the software.

There’s a huge difference in productivity between someone who taught him or herself how to use software, and someone who was professionally trained. Most of those self-trained are only using a fraction of the powerful features included in the software. And while they will work as hard or harder as someone who is professionally trained, they will be far less productive. It may never be obvious, except to someone who does professional training and reviews how they construct their documents.

Studies show that all software training is “use it or lose it,” meaning that if the skills learned are not immediately applied, they will be forgotten. And at best, a good student will only retain about 40% of what was taught. So the need to train is vital, but the need to retrain is even more so.

Problem solving.

You need people who *want* to use their brains. You can’t think for them. You need to draw a line clearly between what problems they can solve and those only a lawyer can solve and then empower them to act and speak strategically and proactively.

You need staff to think fast on their feet. They need to know how to handle difficult people and situations appropriately. The better the training, the greater likelihood that they will apply the skills appropriately at a time when doing so will make a critical difference in whether your firm satisfies the client.

In particular, they must be self-starters. They should be looking ahead, anticipating what will be needed for the next client meeting, team meeting or whatever, double-checking to make sure everything is ready and taking corrective action automatically if not.



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This is not a comprehensive training list. Far from it. What I have included here is the short list of the areas that are most overlooked yet have potential to create the largest problems or provide the biggest improvements.

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