



ASSOCIATES: UNDERSTAND WHY YOUR FIRM MUST PLAN FOR TECHNOLOGY, AND LEARN HOW TO GET THE TECHNOLOGY YOU WANT

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Before investing hard-earned dollars on new technology, it is advisable to develop a well thought out plan for how technology will strategically assist your firm to achieve its goals of client service and growth. Your firm should also put some thought into where you want your technical capability to be down the road, and determine whether today's intended purchases take you a step further toward that goal.

Without a plan, your firm cannot be sure that it will not waste the dollars invested in today's technology. You need to ensure that what you buy today will work with what you intend to buy tomorrow. And you can only be sure if you know now what you probably will want to buy tomorrow. Hence the need for a plan. It will help you avoid premature obsolescence, and greatly increase the likelihood of a reasonable return on your firm's investment of technology dollars.

In larger firms, expenditures on technology usually mean incurring considerable debt for the firm and its partners. By developing a plan, firm management can win the support of the partners. Lacking that support, taking on considerable debt for technology can be quite divisive, and can even threaten a firm's viability.

Developing a plan requires several information-gathering steps, including 1) conducting an internal automation needs survey; 2) performing market research to determine what competing firms are doing with technology; 3) determining what clients expect of your firm both in terms of communications and in the deployment of technology to enhance the efficiency of your work on their behalf; 4) determine what the expectations of your firm are regarding technology, e.g. do you expect to increase billable hours, produce the work product faster, and/or lower staff costs; and 5) determine what you do in your office now that you want to do better with the assistance of technology.

Once information is gathered, the firm must examine what funds can and need to be allocated, and make adjustments to the plan to achieve a balance between need/desire and affordability, so that no part of the required funding — hardware, software, training and support — is sacrificed in the budget. For example, cutting training from the budget in order to free up funds to purchase additional software does the firm no good, as inadequately trained users will not get the productivity benefits anticipated.

There is a lot more to technology planning, such as project implementation, pilot programs, testing and so forth. The important point to understand is that firms should develop plans. Not just large firms either. The more limited the available dollars, the more important it is to plan wisely to maximize the return on investment.

As an associate, why do you need to know about computer planning? The obvious answer is that some day you may have your own firm and need to know this, and that's certainly true, but it's not really the purpose behind this article. Most associates today are computer literate. Unfortunately, many become frustrated when the firm they join is not as forthcoming with technology as they would like. They assume that because they don't control the purse strings it means they can't get the technology they want. What they are missing is an understanding of how many firms plan for technology, and how they can influence that plan.

First, determine whether your firm has a technology plan in place. If so, you should familiarize yourself with it. It may well be that what you want is already included in the plan for the future. If the firm has no committee and no plan, consider volunteering to help form and serve on the committee to develop a plan. If nothing else, it will demonstrate to firm management that you have an interest in firm leadership — a strong indicator of someone suitable for partnership in the future. At best, it will give you a great deal of influence on where technology dollars are spent, and when.

Second, find out what procedures are in effect at your firm regarding acquisition of new technology. Must you get partner and/or MIS manager approval? If so, be prepared to clearly define your needs, and how the software/hardware will satisfy those needs. Define who besides you will need it, and what the benefits will be to the firm. Try to think in terms of increased productivity, improved productivity (keep in mind that quality is harder to define and measure than quantity), better client service, and return on investment.

Must you fill out forms stating the purpose of the purchase and anticipated benefits? If so, try to do as much legwork as possible. Don't expect it to replace the MIS department verifying everything, but your requests should be detailed and specific. Try to anticipate questions about pricing, training and support. It also helps if you know attorneys who are already using the hardware/software, so that you can refer your MIS to them for additional information as to how your requested hardware/software works in a "live" environment.

Under no circumstances should you alienate the MIS staff or the partner in charge of technology at the firm, no matter how unreceptive they seem to be to your requests. If you do, you can pretty much forget about getting any future requests approved. Accordingly, you must avoid at all costs doing the following:

- Ø Installing pirated software;
- Ø Installing virus-laden software or files, whether pirated or not; or



- Ø Installing legitimate clean software without permission or knowledge of the MIS staff—all technology must be thoroughly tested to identify and eliminate any incompatibilities prior to implementation—and risk bringing the network to its knees or blowing up your workstation.

If you're with a firm which has no plan and no committee, and doesn't want either, then you need to employ some strategies for getting approval in the short term. There are a number of relatively sure-fire ways to get what you want.

- Ø Justify billing the purchase to a particular client.
- Ø Make a convincing argument that the purchase will enable you to develop new client business, which translates into future cost recovery.
- Ø Demonstrate that the purchase will create improvements in efficiency which will result in more billable hours. This is very difficult to do before the fact, unless you know of someone at another firm who can supply anecdotal evidence.
- Ø Find a partner to champion your cause.
- Ø Find others in the firm who want the same technology — often there is power in numbers. Be very careful, though, as this strategy can sometimes backfire and produce the opposite result. If the MIS staff and/or managing partner are convinced that they will be overwhelmed with requests if yours is approved, and the budgeting will be insufficient to meet the demand, they will have no choice but to decline your request.
- Ø Offer to split the cost to show your commitment and need. Although most firms will not actually make you do it, be prepared to ante up if asked.
- Ø Offer to buy it yourself. You can ask for and likely receive reimbursement later after you've successfully demonstrated the purchase improved productivity or helped you gain new or retain established business. This method should only be used if you consider the purchase mission critical to your practice, and other methods have proven unsuccessful.
- Ø Don't antagonize anyone if the answer you receive is no. Regroup and try again in a reasonable period of time. So many attorneys ask for things on a whim, your MIS staff and/or managing partner may want to see if you're really serious about it. In many cases persistence can pay off.

There are also long term strategies which will enable you to get the technology you want more consistently. Long term strategies are usually more rewarding as they bring other benefits as well.



One of the most successful strategies is to try to attain the status of the “super geek” or “guinea pig” at your firm. Volunteer to consistently test new hardware and software. It’s easy to add your own requests to the mix when the technology partner and/or MIS staff are beholding to you, and you will get first crack at all the good stuff. Being the resident geek is not easy, however, and the weak-hearted need not apply. You must commit the time required to learn new hardware and software. You must endure the bumps and productivity losses, and keep your billable hours up too. This is not for people who have a low tolerance for frustration, or who are unable to learn new concepts quickly, or work through problems using help screens or technical manuals.

As mentioned earlier, if your firm has a technology committee, volunteer to serve on it. You will have a clearer understanding of where the dollars are being spent, what the big picture is, and can have input as to the direction of technology implementation and deployment of available funds.

Finally, take every opportunity to get involved in the technology committees at your local and state bar associations. Pick the brains of the other attorneys involved. By becoming more knowledgeable and active in this area, and gaining recognition of your peers as someone accomplished in technology, you will gain more credibility at your own firm for future technology requests.

The fact that you don’t control the purse strings and are “just” an associate doesn’t mean you can’t plan for the technology you want to include in your delivery of legal services, nor does it mean you can’t get approval for what you want. You need to develop an understanding of how (and if) your firm plans and budgets for technology, and then use suitable strategies to get what you want. It isn’t necessarily easy, but then not much about being an attorney nowadays really is easy, is it? Technology planning is yet one more thing which you must commit to and spend time on to achieve the results you want.

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