



BECOMING MORE STAFF INDEPENDENT

Ellen Freedman, CLM
© 2007 Freedman Consulting, Inc.

For a solo or small firm practitioner, probably the largest or second-largest expense on the profit & loss statement is for employees. Law firms are typically people-intensive operations. In fact, surveys reveal that law firms average anywhere from 1.15 to 1.5 staff members for each and every attorney. In a mid-size or large firm, it's easier to achieve greater economy of scale, and keep the bottom line expense for staff relatively smaller in proportion to revenues.

How far can you decrease your need for staff until it becomes counter productive and adversely impacts client service and your own productivity? That's the key question to ask, and keep asking. Because every cut to expense has to be a cut of fat, not lean muscle.

My experience has shown that with some simple process engineering and a willingness to master a few new skills, you can make a dramatic difference in the bottom line of your practice, and not have to "turn into a secretary" in order to do so. The key to the transformation is leveraging yourself through a combination of deployment of technology, and utilizing different equipment when it is better suited to handle your needs.

To best illustrate how this transformation process works, let me present an actual case study. A solo practitioner had the same secretary for a very long time. Unfortunately, when she retired the attorney could not successfully find a long-term replacement. Despite a thorough interview process and comprehensive reference checking, the attorney learned that most secretaries today don't prefer to work in an isolated environment – being the only staff member in a free-standing office – nor do they like to "do it all" as was once the case.

Today's secretaries are about job specialization, and a strong social component at the office. They don't want to be receptionist and bookkeeper. And we all know they *never* wanted to be file clerks. They also want someone in the

office to commiserate with, share lunch hour, and to be a team member when the pressure mounts. After repeated attempts to find someone who would thrive or just survive in the solo's office environment, we determined that a process reengineering was called for.

We began with a needs assessment. What tasks, exactly, did the attorney need staff to do for him? And why? The second question becomes key.

For example, the attorney needed the staff person to act as receptionist and answer all incoming calls. Upon closer examination it was determined that the receptionist function was required in order to fill 2 needs: 1) screening and announcing calls; and 2) taking detailed messages. Why was that necessary?

The attorney had an answering machine which worked only when the phone was left unanswered, so effectively there was no voice mail capability during the day. The attorney did not have caller ID service or display phones. Without the secretary acting as buffer, his ability to get work done became severely impeded because of a need to answer all calls in order to intercept the urgent ones. Also, when left on his own, the attorney found it impossible to answer his phone without being "tethered" to his desk.

Several inexpensive technology solutions were deployed to resolve these issues. First, caller ID and voice mail capability was ordered from the local TelCo for about \$6/month. He bought an inexpensive portable telephone which had a caller ID display and headset capability. And he bought a relatively inexpensive but good quality headset.

By clipping the handset to his belt, the attorney was freed from the confines of his desk and gained the ability to make and receive calls from anywhere in the office. Thanks to the headset which freed his hands, he was able to easily type notes, cross the office to retrieve files or other information, or even visit the file room, copier or fax machine during calls. Plus, the caller ID made it possible for him to determine whether each call should be answered, (even call waiting calls) or left to go to voice mail. The technology shift enabled him to return to his habit of returning most calls each day during designated windows of time.

The next big area to examine was document production. Most attorneys react quickly and negatively to the prospect of giving up their secretary because they don't want to produce their own documents. And I'm not just talking about the "old guard" either. There are plenty of young attorneys, who grew up with computers, who are surprisingly resistant to the concept of producing their own documents.

Freedman Consulting, Inc.
(215) 628-9422



Emotionally they consider it a demotion of sorts, e.g. "I didn't go to law school to be a secretary."

It so happened that this attorney was not afraid to use the mouse and keyboard, but his actual typing skills weren't sufficient enough to quickly produce documents, and weren't likely to improve significantly. To enable document production with these issues in mind, we ignored training on Word and instead turned to voice recognition software – specifically Dragon Naturally Speaking. The attorney had tried voice recognition years before, and had declared it a total failure.

Fortunately, my experience allowed me to guide the attorney in taking the necessary steps to guarantee success. Successful implementation of VR software depends on very specific actions:

1. Upgrade to RAM. Inadequate RAM was the number one cause for VR implementation failure in the past. Most of the vendors who sold it never realized just how RAM-intensive an application VR is. In fact, the software requires not less than 1 GB of RAM just for itself. In today's environment one must add 1 GB for the (bloated) operating system, and 1 GB for the "usual" applications. That's 3 GB RAM. If the attorney also uses any large databases such and time & billing or case management or litigation support, I would recommend an additional GB for a total of 4 GB of RAM. The price of RAM is no longer dear – it is a cheap commodity that will always have a tremendous impact on computer performance.
2. Replacement of the computer sound card to one of higher quality with not less than 128 MB of RAM.
3. Purchase of a high quality microphone, preferably USB. Typically, the microphone which comes with VR software is at the bottom of the quality heap of what will work. This is an area where one should not scrimp, because it will dramatically influence the accuracy of the software. A really high quality microphone can cost as much as \$150. The resulting increase in accuracy from a higher quality microphone will pay for itself by the third or fourth document.
4. Professional installation and training. This is the most frequently overlooked piece of the puzzle, and a place where deployment of dollars can provide great bang for the buck. VR software works in lots of applications other than just Word or WordPerfect. Someone who works with it all the time can easily and accurately make those other set-ups for you, and create all sorts of voice macros to make use of



the software much more convenient and intuitive.

Due to space constraints I cannot detail here every technology change we implemented. None were extraordinarily expensive, and each eliminated another “need” which had to be filled by a staff member. Each gave the attorney greater flexibility and control, and less chance of failure to deliver caused by a sick or vacationing staff member.

Contrary to what some of you may be thinking, the burden on the attorney felt lighter, not heavier. If all we accomplished were a shifting of work from secretary to attorney, it would not make economic sense. But by paying attention to the underlying needs for each process and then reengineering how the work got accomplished, we got the same result without significantly increasing the attorney’s workload. In fact, some of the changes made life at the office more convenient and productive for the attorney.

At the end of our transformation the attorney found that he needed only a part time file clerk / general office assistant. Experience requirements dropped dramatically, while flexibility of hours to accommodate college class schedules increased. This enabled the attorney to more easily locate a suitable candidate, to spend less time training the new staff member, and to locate replacements more easily when needs dictated.

To return to the start of the article, the impact to the bottom line was powerful. Moving from a full-time \$40,000+ secretary with paid benefits to a part-time \$15/hour office assistant without benefits made a dramatic difference in the bottom line. The attorney’s practice was more organized and more productive.

If you’re a solo or small firm practitioner, take a look at your staff services with a fresh eye. Just because it’s “always been this way” doesn’t mean it should continue to be the same way. You may be able to meet your needs better, at a much lower cost, with a little thought and ingenuity, and deployment of field-tested and proven technology.

© 2010 Freedman Consulting, Inc. The contents of this article are protected by U.S. copyright.. Visitors may print and download one copy of this article solely for personal and noncommercial use, provided that all hard copies contain all copyright and other applicable notices contained in the article. You may not modify, distribute, copy, broadcast, transmit, publish, transfer or otherwise use any article or material obtained from this site in any other manner except with written permission of the author. The article is for informational use only, and does not constitute legal advice or endorsement of any particular product or vendor.

Freedman Consulting, Inc.
(215) 628-9422

