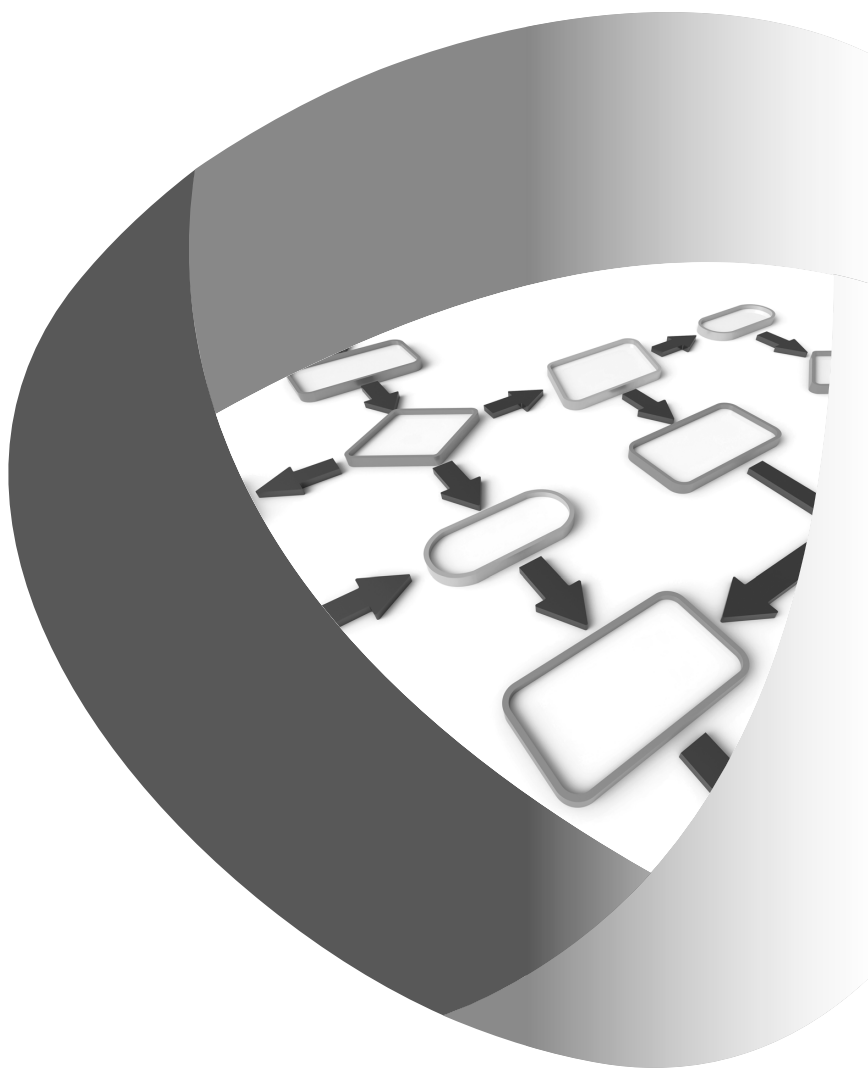


# The Lawyer's Guide to Legal Project Management



EDITED BY EDWARD BOWES

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# Executive summary

Effectively implementing project management has become a key ambition for many firms across the world. The interest project management has garnered from the legal sector is not surprising; the range of benefits it offers are extensive and impactful; including reducing costs, enabling more efficient commodity work, and creating more accurate budgeting forecasts.

However, despite the general consensus on its value, adoption rates have been slow across the sector – only a handful of top firms have successfully implemented LPM into their practices, and are reaping the benefits. The slow adoption rates create a real opening for a competitive advantage through Legal Project Management, even at a basic starting level, as according to Jim Hassett even “glacial progress can produce new business when you are competing with firms that are making no progress at all”.

*The Lawyer’s Guide to Legal Project Management* is an invaluable asset for any firm looking to capitalize on the strategic gap in the market; whether it be through introducing the fundamentals of LPM, or by bolstering existing functions to incorporate process improvements and to support Knowledge Management initiatives. Featuring expert analysis on the form and function of LPM from leading industry experts, and case studies from top law firms on effective implementation and take-up, this title offers a robust overview of project management functions in the legal sector.

Jim Hassett, founder of LegalBizDev, opens the book with a discussion on why it is so important for firms to utilize legal project management as soon as possible. Referencing a study by Altman Weil, Hassett points to the three trends that clients seem to be looking for; greater cost reduction, improved budget forecasting, and non-hourly based pricing structures – and then explains how the slow pace of law firms’ uptake of legal project management is failing to meet these demands.

Chapter 2 moves on to outline the basic principles of legal project management, and the processes involved in managing projects. Together

Barbara Boake, senior partner and national practice leader at McCarthy Tétrault LLP, and Rick Kathuria, national director of project management and legal logistics at Gowling WLG, define what a “project” constitutes, the differences between project management and process improvement, and the “three constraints” of scope, time, and cost; three interlinked variables that affect all projects. Chapter 3 then features Rick Kathuria and Manju Jessa, assistant general counsel at RBC General Counsel Group, offering an expert analysis on legal project management, and why many firms’ futures will involve and be dependent on it. Three models of LPM are also proposed; a self-managed model, a project management office-based model, and a model based on the support of PSLs.

Chapter 4 features Lann Wasson, associate director of legal project management at Husch Blackwell LLP, discussing the “Client Value Perspective”; exploring how a firm can think strategically about delivering a service that clients deem valuable. Using the Association of Corporate Council’s “Value Champions” program as hallmark of correct practice, Wasson outlines the four “rules of thumb” (as presented by Fred Gluck, founder of McKinsey’s Strategy Practice) of driving value in service.

In chapter 5, Zena Applebaum, director of competitive intelligence at Bennett Jones LLP, gives an overview of how LPM and e-discovery software tie into the broader scope of business intelligence, and how the two fields can work in tandem to create, collate, and organize data to form a solid client-driven project plan. Following on from this, Lann Wasson returns in chapter 6 discussing how effective LPM initiatives can create valuable knowledge for a firm to utilize for a competitive advantage – and how the formalization of activity flow that occurs with LPM lends itself well to the creation of consistent and clear firm-wide communication, and the collection and analysis of lessons learned.

In chapter 7 Anthony Smith, founder of Legal Project Management Limited, continues the discussion of the relationship between legal project management and knowledge management with an overview of how KM staff can aid LPM operations. Smith explains how LPM should be reframed to move away from the view of it as an isolated operation – championing the multi-disciplinary approach – and how support from senior managers should be secured early to help the spread of firm-wide uptake.

Catherine Alman MacDonagh, CEO and founder of the Legal Lean Sigma Institute LLC, introduces a multi-disciplinary approach in chapter 8, outlining the fundamental differences between process improvement



and project management – and what ultimately connects them. Case studies are then offered to showcase the benefits of employing both PI and PM together (the “Multiplier Effect”), and how they can lead to significant competitive advantages.

This title then rounds off with the last section featuring case studies from leading law firms that have successfully implemented legal project management into their day-to-day functions.

Chapter 9 features Helen Bunker, divisional director of private law at Blake Morgan LLP, outlining how former firm Piper Smith Watton overcame the skepticism that fee-earners held concerning a new case management system, and how the firm ultimately increased the uptake of it throughout the firm by carefully considering the flexibility of the software, and by continually supporting development and engagement with fee-earners.

In chapter 10, Karen Dalton, senior enterprise project manager, and John Duggan, senior legal project manager at Seyfarth Shaw, offer a case study of how the implementation of LPM positively impacted client services at Seyfarth Shaw – the Seyfarth Lean initiative helped reduce “ramp up” times for all projects, improve the effectiveness of communications firm-wide, and increase the overall quality of work product. The case study also outlines the principles of Seyfarth Lean’s agile project management and the challenges it faced during implementation – and also gives an overview of the lessons learned through this approach.

## About the authors

**Zena Applebaum** is the director of competitive intelligence at Bennett Jones LLP, an international law firm based in Canada. Zena's primary responsibilities include business and practice development, market and competitor performance analysis, client relationship management, counter-intelligence, and marketing. Zena brings a unique perspective to intelligence as a result of broad business development, data management, marketing, and corporate research experience in a variety of sectors. Zena has a joint academic and applied Master of Arts degree in Communication and Culture from York and Ryerson Universities. A regular speaker, writer, and blogger on competitive intelligence topics in Canada and abroad, Zena authored *Business Intelligence for Law Firms*, published in November 2012, by the ARK Group. Zena is a sessional instructor at the University of Toronto iSchool, recently served as the chair of the SLA Competitive Intelligence Division Board of Directors, and is a former member of the SCIP Board of Directors. She can be reached at @ZAppleCI.

**Catherine Alman MacDonagh, JD**, is a Legal Lean Sigma Black Belt and a certified Six Sigma Green Belt. A former corporate counsel, Catherine is well known for her thought leadership and successes as a law firm executive. Now a highly-rated speaker and consultant, she works with professional services firms to create competitive advantages and organizational transformation through the development, planning, and implementation of innovative strategies, process improvement projects, and business development training and coaching programs.

Catherine is an adjunct faculty at Suffolk Law School and at George Washington University (Master's in Law Firm Management). She is also the chief enthusiasm officer of The Legal Mocktail, an experiential networking training program, and has her own consulting practice, FIRM Guidance. She is a co-founder of the Legal Sales and Service Organization. Catherine is co-author of two books: *The Woman Lawyer's*

*Rainmaking Game* and *The Law Firm Associate's Guide to Personal Marketing and Selling Skills*.

**Barbara J. Boake** is a senior partner and national practice leader at McCarthy Tétrault LLP, practicing in the areas of bankruptcy, insolvency, and restructuring. With over 20 years of practice experience and having served on her firm's board of partners and its executive team, Barbara was named one of the "Top 100 Most Powerful Women" in Canada by the Women's Executive Network. A member of her firm's executive team, she was responsible for leading the development and implementation of the firm's "Dialogue Project Management™" programme. Barbara can be contacted via email at McCarthy Tétrault LLP.

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**Karen Dalton** is a senior project manager at Seyfarth Shaw and has over 15 years of project management experience. Ms. Dalton is responsible for implementing complex, interdepartmental, enterprise-wide, high profile technology, and process improvement projects. Ms. Dalton is well-versed in various project management methodologies, especially the agile approach.

Ms. Dalton obtained her Project Management Professional (PMP) certification from the Project Management Institute in 2005 and became a Certified ScrumMaster in 2010. She is a member of the Project Management Institute (PMI), International Legal Technology Association (ILTA), and the Scrum Alliance.

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Mr. Duggan has over 15 years' experience as a project manager, is a certified Six Sigma Green Belt and Lean Six Sigma Black Belt, certified Agile ScrumMaster, and a certified Project Management Professional. He is also an active member of the Chicagoland Chapter of the Project Management Institute (PMI). Mr. Duggan has served as chapter president (2000) and recently completed a two-year term as vice president of Education. Mr. Duggan teaches project management courses for DeVry University and Keller Graduate School of Management.

**Jim Hassett** is the founder of LegalBizDev, which helps law firms increase profitability by improving project management, business development, and alternative fees. Before he started working with lawyers, Jim had 20 years of experience as a sales trainer and consultant to companies from American Express to Zurich Financial Services. He is the author of 13 books, including *The Legal Project Management Quick Reference Guide*; *Legal Project Management, Pricing, and Alternative Fee Arrangements*; *Client Value and Law Firm Profitability*; and *The Legal Business Development Quick Reference Guide*. He has also published more than 80 articles in the *New York Times Magazine*; *Bloomberg Law*; *Of Counsel*; *Legal Management*; *Strategies: The Journal of Legal Marketing*; and other publications. Jim is a frequent speaker at law firms and at bar associations (including the New York City Bar, the New York State Bar, and the Massachusetts Bar), Harvard Law School; the Association of Corporate Counsel; the Defense Research Institute; the ARK Group; and at Legal Marketing Association meetings in Boston, New York, Philadelphia, Washington, Savannah, and Vancouver. He has conducted webinars through the ARK Group; West LegalEdcenter; the National Law Journal; The International Lawyers Network; TAG Academy; and the Legal Marketing Association. Jim writes the blog *Legal Business Development* which was featured at the ABA TECHSHOW (in its list of "60 Sites: Latest and Greatest Internet Hits") and by *TechnoLawyer* (in its list of "the most influential legal blogs" in BlawgWorld). He received his Ph.D. in psychology from Harvard University.

**Manju Jessa** is assistant general counsel and head of the International Wealth Management legal team at RBC General Counsel Group.

**Rick Kathuria** is national director of project management and Legal Logistics, at Gowling WLG. In this role, he leads the firm's business transformation agenda and legal project management strategy, applying process optimization and project management principles to the delivery of sophisticated legal services. Rick is a certified project management professional (PMP), certified management consultant (CMC), and professional engineer (P.Eng.) with years of experience working on large international projects at top-tier consulting firms.

In 2011, Rick co-authored the book *Project Management for Lawyers* (ARK Group). He is a Fellow of the College of Law Practice Management and regularly coaches lawyers at law firms and in-house counsel on Legal Project Management principles and techniques. He also teaches Legal Project and Practice Management to the next generation of lawyers at the Law School at the University of Calgary.

**Antony Smith** is a non-practicing solicitor with post-graduate level qualifications in law, project management, and computing. Antony is a member of the Association for Project Management (MAPM), and the Project Management Institute (PMI). He is Prince II qualified (Practitioner level) and a Legal Project Practitioner (LPP). He has enjoyed project based roles at Pinsent Masons, School of Law Kings College London, Berrymans Lace Mawer, and Axxia/LexisNexis, where he spent just over 10 years in the role of strategic project manager.

Antony started his commercial career during the first wave of legal AI as a legal expert system developer. He has since successfully managed project support for complex international commercial disputes, the use of computers in courtrooms, and the implementation of practice management and workflow systems in a wide range of law firms. Antony has been called a 'completion expert' and during his career he has implemented many legal support projects which have been innovative and strategically important to the sponsoring organization.

Antony is the founder of Legal Project Management Limited ([www.legalprojectmanagement.co.uk](http://www.legalprojectmanagement.co.uk)), which provides project management training and consultancy services to law firms. A practicing project manager, familiar with the challenges and opportunities available to professionals working in the legal services industry, Antony's training

tends to be workshop based and reflective of the continued pressure on lawyers to “do more with less”.

**Lann Wasson** is the associate director of legal project management at Husch Blackwell LLP and both a certified Project Management Professional and Lean Six Sigma Green Belt. For the past 16 years he has worked closely with client teams and practice groups to develop their capabilities to utilize technology, knowledge management, and legal project management approaches. Lann has worked closely with the director of legal project management and strategic pricing to develop the firm's LPM standards and trains lawyers in the firm's LPM workshops. Over the years, he has also had a number of opportunities to meet with in-house counsel and discuss how to adapt the firm's technology platforms to their needs as well as suggest how knowledge management and legal project management could augment law department programs and strategies. Lann can be reached at [lann.wasson@huschblackwell.com](mailto:lann.wasson@huschblackwell.com).

# Chapter 1: Why is it urgent to implement LPM?

*By Jim Hassett, founder of LegalBizDev*

The primary reason that it is urgent to implement Legal Project Management (LPM) is simple: clients want it.

For the last several years, in its annual *Chief Legal Officers Survey*, Altman Weil has listed 10 top trends and asked, “Of the following service improvements and innovations, please select the three you would most like to see from your outside counsel.”<sup>1</sup> The list includes preventative law strategies, improved communication, alternative project staffing, and technology efficiencies. The top three in the most recent (2016) survey were:

- Greater cost reduction (selected by 53 percent of respondents);
- Improved budget forecasting (43 percent); and
- Non-hourly based pricing structures (36 percent).

Since LPM leads directly to #1 and #2 and is very important for success in #3, you could sum up the results by saying that what clients want most these days is LPM, LPM, and more LPM.

## **Law firms are moving slowly**

How well are law firms doing in meeting this client need? Not very well. When CLOs were asked, “In your opinion, in the current legal market, how serious are law firms about changing their legal service delivery model to provide greater value to clients (as opposed to simply cutting costs)?” on a scale from 0 to 10, the median rating (with half the firms above and half below) was 3. This median value has been identical for the five years the survey asked the question (2012–2016), so despite all the press releases law firms are putting out trumpeting their successes in increasing value, clients have not been impressed by the results.

Turning to the law firm perspective, the first question in Altman Weil's 2016 *Law Firms in Transition Survey* was, "Which of the following legal market trends do you think are temporary and which will be permanent?" The top three answers were more price competition (95 percent think this is permanent), focus on improved practice efficiency (93 percent), and more commoditized legal work (88 percent).<sup>2</sup> Of course, all three can be addressed through LPM.

But when Altman Weil asked the same group, "Has your firm significantly changed its strategic approach to efficiency of legal service delivery?" only 44 percent said yes (26 percent said no and 30 percent said changes were "under consideration"). Summing this up, 93 percent of firm leaders think more efficiency is needed, but only 44 percent are doing something about it. What's wrong with this picture?

In many cases firms that say they have "changed their strategic approach" have done so only for a small sub-group within the firm or in a strategic plan which has not yet been implemented. In the trenches, the vast majority of lawyers are still practicing the way they always have. Perhaps this should not be surprising, since LPM requires lawyers to change habits they've developed over decades, and no one likes to change.<sup>3</sup>

The gap between what firms should be doing and what they are actually doing has existed for years. Fortunately, the survey dug into the details of what's behind the problem. Authors Eric Seeger and Tom Clay concluded; "The biggest impediment to change, identified by 64 percent of law firm leaders, is that partners resist most change efforts."<sup>4</sup> As a long-term strategy in a profession where client demands are changing rapidly, that's a great way to insure that your job will be in danger.

In 1962, Professor Everett Rogers analyzed the forces involved in changing business behavior and summarized his conclusions in an influential text entitled *Diffusion of Innovations*, which is now in its fifth edition. In this context, the most important idea is his argument that the people who adopt a new idea are distributed in a normal curve in several sequential categories, which he called innovators (2.5 percent), early adopters (13.5 percent), early majority (34 percent), late majority (34 percent), and laggards (16 percent).

While it is impossible to prove exactly where LPM stands on this continuum, based on our experience talking to a wide number of firms, we strongly believe that LPM is at the early adopters' stage. A small group of innovators has successfully proven its value, but the spread to others remains slow. Many law firms have done an excellent job at putting out press releases announcing that they are leaders in LPM, but



when it comes to changing the way an entire practice group or firm does business, they have fallen far short.

If you believed what you read on the internet, you'd think that LPM had already swept the legal profession and that a large number of firms have developed a solid track record of success. However, it is an open secret among people in the field that there is a huge gap between the success that many firms claim on their web pages and the slow pace of LPM adoption within even the most vocal firms.

Even the firms that have been most serious about making this change have found that progress is slow. Seyfarth Shaw is one of the best known names in LPM and has been working aggressively on implementing it for more than a decade. But the firm's chair and managing partner Steven Poor has written in the *New York Times Dealbook* blog that one should "Never underestimate lawyers' resistance to change."<sup>5</sup> That's the bad news. The good news was summarized by Lisa Damon, the partner who leads Seyfarth *Lean*, who has said that, "If you get a group of lawyers and staff into a room to discuss how to make things more efficient, it's very easy to find savings."<sup>6</sup>

When you put these two facts together – it's easy to figure out how to be efficient, but hard to get lawyers to act on it – you begin to see why there is so much confusion about what works best for LPM and about which firms have made the most progress. Add in the vested interest that firms have in publicizing any success they do achieve, the fact that there are wide individual differences between lawyers within a single firm, and secrecy within firms, and it becomes clear that it is almost impossible for outsiders to compare firms on their progress.

The bad news here is that clients want faster progress. The good news is that to win new business you just have to be a little better than your competitors, so law firms that have started down the LPM path have an enormous opportunity to get ahead of those who have not.

Glacial progress can produce new business when you are competing with firms that are making no progress at all. We were reminded of this when one client contacted us two years after we offered just-in-time LPM coaching at her firm. She reported that they had just won some new business as a result of using LPM. She went on to say that she had been frustrated by the slow pace of change in her firm, but in this case it did not matter because their competitors were even slower. "If you move like a turtle but you're racing a bunch of snails," she said, "it all works out in the end."

The slow rate of progress is in some ways hard to understand given the potential payoffs.