The Lawyer’s Guide to Legal Process Improvement

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“If you can’t describe what you are doing as a process, you don’t know what you are doing.” W. Edwards Deming

OVER THE past decade, law firms and the legal market have changed irrevocably. New service models have invaded traditional law firm territory and new technologies are transforming the practice of law. Clients now have a greater say about how their work is carried out, and they expect law firms to employ the same process improvement techniques they themselves use to reduce costs and improve efficiency and predictability of outcomes.

Respondents to Altman Weil’s 2014 Law Firms in Transition survey only expected the internal and external pressures on law firms to increase over the next ten years – yet less than a third said that they were taking steps to address the situation by making their work processes more efficient. For those firms that are embracing process improvement now, this is a huge opportunity to get ahead of the competition. Bringing together the advice, guidance, and expert knowledge of lawyers and consultants with first-hand experience of process improvement in law firms, this report outlines how to devise, implement, and manage an effective legal process improvement strategy.

There are many approaches to process improvement and several are described in this report. Whichever direction a firm takes, it is going to require a considerable culture change, and the first stage of any program must always be to gain firm-wide support. The opening article in this report makes the case for process improvement and provides successful examples of legal process improvement (LPI) in action. Following on from this, the second chapter in the introductory section discusses process improvement as a growing trend amongst law firms and outlines points to consider when introducing an effective LPI program, from planning through to managing the internal change program.

Legal processes can often seem too complex to break down, yet however many variables there may be, there are common, repeatable steps in all legal work that can be recorded, examined, and improved upon. The second section of the report describes how to build a simple process map that will enable you to understand how the various processes in your organization interrelate, and how they can be managed better, staffed more appropriately, or otherwise improved in order to make them more efficient and cost-effective. The articles that follow introduce several tried-and-tested approaches to process improvement in a law firm environment.

Section three looks at how elements of project management, Lean Six Sigma, and knowledge management can complement and drive a process improvement program. One article describes the define, measure, analyze, improve, control (DMAIC) methodology, which is a core tool in Lean Six Sigma, and the author provides case examples from law firms that have
successfully employed both the full DMAIC approach and the accelerated “Kaizen” method to streamline their processes and boost their profits.

While process improvement is about the bigger picture, project management provides the tools to effect change on a matter-by-matter, lawyer-by-lawyer basis, and it will form an integral part of any process improvement strategy. Key topics covered in this section include the relationship between legal project management (LPM) and LPI (and how the former can pave the way for the latter), practical advice on how to implement a simple LPM framework, and the role of LPM in devising a pricing strategy that will both satisfy clients and increase profitability on a matter-by-matter basis.

A firm’s KM staff will likely have valuable experience of implementing firm-wide initiatives and they will almost certainly play an important role in any LPM and LPI projects. Therefore, this section also provides guidance on the key points knowledge officers should be aware of when working to implement a successful project management initiative. This is followed by an illuminating case study from the chief knowledge officer at Littler Mendelson, who describes how the firm responded to a client challenge to lower costs by revolutionizing its case management process. The study describes the development and implementation of the firm’s case management system, Littler CaseSmart, from the initial process mapping stage, to considering questions of staffing and the technology required, and the lessons the firm learned from the project.

Online services are transforming the legal market; with innovative new service models increasingly meeting client demand for cost-effective, easy-to-access legal advice from a reliable source, traditional law firms that have not yet embraced online services are at risk of losing ground to more forward-thinking competition. The final section of this report considers how firms can take advantage of the opportunities offered by online portals to meet the needs of the modern client while also reducing costs. Accompanied by case examples, it covers the various types of online delivery available and describes how to establish and implement an effective online strategy.

Today’s clients don’t just want to know what work the firm has carried out on their behalf, they also want to know how that work was completed. By mapping, analyzing, and then optimizing their processes, law firms will be able to assure their clients of greater predictability and efficiency and, ultimately, better value while also significantly improving their own bottom line.

Reference