

# Achieving Inclusiveness

## Change, Transformation and the “Us” Dynamic in Today’s Law Firm

BY ED POLL

Every law firm is, or should be, a team, with lawyers, staff and support personnel committed to a collaborative effort for providing the best possible service and work product for the benefit of clients. Involving everyone in the office so that they feel a sense of inclusiveness – understanding their roles and looking forward to exercising them – creates a better and more successful firm.

At too many law firms, unfortunately, this does not exist, often due to lawyer personality traits that create challenges for administrators, staff, paralegals and even associates. Lawyers primarily focus on the tasks at hand and getting results, leaving little room for camaraderie and support. Inclusiveness will produce more harmony for all, increase productivity and therefore firm profitability. But studies have shown that inclusiveness is difficult for lawyers, who tend to be more skeptical, impatient and intense – and less interactive and able to take criticism – than people in general.

One study compared the differences between lawyers and salespeople. Lawyers can’t handle rejection; and “losing” a trial is perceived as rejection, which can negatively impact a lawyer for days or weeks after the trial is over. Salespeople, on the other hand, accept rejection as part of the ladder to a successful close. This represents a major difference in personality traits. And when lawyers fail to make positive connections with team members, it breeds inefficiencies in the firm and, ultimately, poor client relations.

Lack of inclusiveness, made more intense by pressures created by the current economic conditions, can even create a dysfunctional firm. Lawyers may ask firm members and staff for achievements that are beyond their reach without providing explanations or resources. Creating, for example, deadlines that are not real, or whose failure to be achieved would have no negative impact, is a trait commonly associated with supervising attorneys. Accurately or not, the lawyers are seen as trying to fool the other members of the firm by saying things that cannot be believed, and anger is too often the result.

An angry law firm is one doomed to failure. It’s far better to be open and honest about what a firm needs to achieve – and to work as a team, with everyone having the same agenda – using sufficient resources to achieve agreed-upon goals.

### THE ADMINISTRATOR’S ROLE

Firm administrators can take strategic positions in achieving these goals, serving as the impartial facilitators who have only their firms’ successes at heart. The administrator has no axe to grind (as in personal billable hours), is only interested in what’s best for the entire firm, and has a unique capability, especially at the senior level,



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to be the resource, the go-to person, the guide. To be successful in that role requires an official commitment by firm leadership both to achieving inclusiveness and to the administrator's position as an honest broker in the process.

As non-lawyers, administrators traditionally have not been accorded direct influence on firm revenue. And it's true that senior lawyers (whether individually as Managing Partner or Chief Executive Officer, or collectively as an Executive or Management Committee) are largely responsible for the firm's strategy and future growth. But administrators can directly and positively impact firm revenue by shaping four key inclusiveness efforts: preparing staff job descriptions, creating staff training and education opportunities, increasing staff and associate visibility and facilitating the establishment of client service teams.

### **JOB DESCRIPTIONS**

Having a comprehensive job description for every position in the law office is essential to creating inclusiveness that supports shared perception of work objectives. The absence of such descriptions promotes inconsistency and threatens objectivity. Descriptions should include the specific, significant tasks of each position and the performance standards by which the accomplishment of these tasks is judged. When administrative professionals understand what they should be doing and how they are evaluated, their performance levels are more likely to be positive, because all team members know and are committed to their roles.

Clear job descriptions can prevent one of the most consistent lawyer failings when dealing with staff: wanting the "perfect employee." What job descriptions support is the role of the "ideal"

employee – one who is competent, highly skilled, congenial and committed. Defining the firm's needs for each staff position and making clear what it takes to meet them is essential to helping every staff person become an ideal employee.

Unfortunately, that's a reality that lawyers too often cannot see, due to the often unconscious perception that staff members are interchangeable because their positions are not truly specialties with unique skill sets. Written job descriptions make such skill sets tangible, in ways that lawyers can understand.

### **TRAINING AND EDUCATION**

Education and training are not and should not be just a function of continuing education courses for lawyers. Giving staff the right training will give lawyers more confidence in the law office team by teaching everyone – including staff and associates – the skills to provide better service and enhanced performance to clients. Everyone in the office should be taking hours of client service educational programs each year. The worth of the program always has to be assessed, but if staff and administrators are to play key roles in improving firm performance, the value of client service and basic business training becomes all the more important.

Training on business realities may be had at a local community college or in a nearby city. Technology – videoconferencing, webcasts and the like – also make it possible to absorb the content of a meeting without actually being there. Administrators who are familiar with the available online resources can recommend programs that may be targeted to lawyers, but from which staff can also benefit. Examples include the many programs, publications and materials of the

American Bar Association, the Association of Legal Administrators and the West LegalEd Center.

### VISIBILITY

Education is just one form of recognition that staff professionals should be afforded. For example, including staff on a website gives clients additional contacts to help them, particularly since these are people who wouldn't expect to issue a bill for the service. It also enhances the entire firm's morale, giving everyone a business card that recognizes each person exists and is part of the team. It moves beyond the dynamic of "we" and "they," and creates a dynamic of "US!"

The law firm team should be a part of all communication activities. Clients should be able to connect directly with the all the people in a law office who may have an impact on their matters or who might be able to provide the clients with answers to their questions. The client who knows how to contact an effectively trained staff member and who receives an appropriate answer to a question, even if not from the mouth of the attorney, is generally far more satisfied, and less agitated, than he or she would have been with merely having to leave a message for a later return phone call. The happy client with an answer is a satisfied client, one who will maintain an ongoing relationship with the firm.

### CLIENT SERVICE TEAMS

Clients and prospects want to do business with firms that will serve them with effective inter-office, inter-disciplinary teams, but too often a compensation-driven lack of trust among lawyers undercuts this. Administrators can take a strategic position as the impartial facilitator to boost the use of cross-selling teams in a way that will not, if properly communicated, make any lawyer fear losing billable hours.

Administrators know about one of the most effective tools to accomplish this kind of firm-wide team environment: Client Relationship Management (CRM) software. Shared CRM databases on computer desktops can make available to all firm members the personal data and contact history of any prospect – the type of information that used to be stashed away in individual Rolodexes and address books. In making

CRM work, the firm administrator can be the go-to person and guide.

To be successful in that role requires an official commitment by firm leadership that the administrator takes the lead in the process. There must be organizational criteria for participation (for example, making partnership draws contingent on providing information), and it must be clear which ones are considered to be within the administrator's control and which ones are not. There must also be continuing dialogue and evaluation that allows for reinforcement, modification or expansion of CRM implementation and maintenance responsibilities as the firm's circumstances, performance and expectations evolve.

### CHANGE AND TRANSFORMATION

Change in today's law firm world will create opportunities for those staff members and administrators who understand it and respond effectively by leading the way to firmwide inclusiveness. The result can be increased revenue from happier clients, decreased costs of operation, a firm better able to deal with today's problems and tomorrow's opportunities – and increased respect for administrators and staff who have anticipated change and worked to help the firm to take advantage of it.

This obviously requires a transformation of the administrator's role. It's no longer a matter of responding to what the partners say to do – it's a process of understanding what ought to be done and taking the initiative to accomplish it. Staff and administrators who do this can enhance the value they provide to the firm and better reflect it in their performance. They are prepared in a real sense to share in ownership of the firm as strategic counselors who help the firm survive and grow – rather than being considered "fat" to cut when times get tough. ✱

#### *about the author*

**Ed Poll** is the Principal of LawBiz Management and a renowned law firm management consultant who recently launched [www.LawBizForum.com](http://www.LawBizForum.com), an online venue for legal professionals to network and to share best practices. His LawBiz Coach® column appears regularly in *Legal Management*. Contact him at [edpoll@lawbiz.com](mailto:edpoll@lawbiz.com) or (800) 837-5880.