



Allison C. Shields Legal Ease Consulting, Inc.
Allison@LegalEaseConsulting.com

Preventing "Lawyer Meltdown" and Creating Productive, Profitable and Enjoyable Law Practices



Shake It Up: Rethink Your Practice

Richard Susskind's book, "The End of Lawyers? Rethinking the Nature of Legal Services" was begun before the economic crisis of 2008, but the changes in the economy have made the book and other publications that explore the future of legal services particularly timely.

Susskind predicts that lawyers "who are unwilling to change their working practices and extend their range of services will, in the coming decade, struggle to survive." Whether this is true or not, I prefer to focus on the positive; rather than looking at the potential for change in your practice from a position of fear or struggle to survive, I encourage lawyers to re-think their practices in terms of seeking new opportunities.

While the downturn in the economy certainly brings pain and struggle for some, those who seek out opportunities uniquely available as a result of the economic shift are not only more likely to survive the crisis and thrive once the economy rebounds, but are more likely to be content with their practices while the downturn continues.

So, what exactly, does 'rethinking your practice' mean?

Look at your practice from the perspective of your clients. This really isn't anything new, especially for those of you who are long-time readers of my blog. If times are tough for you, they're tough for your clients, too. The reality is that clients are going to be seeking more for less, shopping more on price and looking for more value from their service providers - and that includes their attorneys. Most clients are looking for more transparency, a reduction in fees and/or fixed fee proposals and an increase in efficiency and effectiveness, at the same time that they are seeking alternative sources of legal advice and information and more cost-effective methods of meeting their legal needs, including legal outsourcing, document management, alternative knowledge sources and other methods.

Rethinking your practice means exploring ways in which you can meet the clients' needs and concerns now.

One of the interesting points Susskind raises in his book is the idea that although many lawyers claim to help clients avoid legal problems rather than resolving them after they arise, few lawyers have undertaken a concerted and proactive approach to developing systems to "help their clients review, identify, quantify and control the legal risks that they face." This is also partially the fault of clients who, although claiming to prefer to avoid legal risks, often seem reluctant to pay for legal advice necessary to avoid those risks and instead, fail to consult a lawyer until the problem has already arisen.

One way Susskind suggests that lawyers might help clients control the cost of legal problem-solving advice is to build in proactive risk management initiatives. For example, if a client wants to reduce the lawyer's hourly rate for litigation or request that the lawyer move to a fixed fee system for litigation, the lawyer might request to be involved in risk analysis and provide the client with advice and support that might help to reduce the potential for litigation in the first place, or at least to take precautions that will enable the lawyer to be better prepared for litigation should it arise.

In what other ways can you rethink your practice to creatively meet clients' needs and continue to retain (or increase) your market share?

Some questions to consider, inspired by *The End of Lawyers?*:

What can be standardized by using checklists, documented procedures or actual work product that has already been created?

What can be systematized or automated using technology?

What can be packaged, bundled or unbundled?

How can you push information to clients more effectively?

How can you get clients more involved in the process, reducing your workload and the cost to the client?

How much of your work is commodity work, and how can you streamline the process?

Can some of your work be outsourced or shared with other legal providers?

Even if the majority of your work is high value, customized work, are there elements of that work are routine or can be systematized?

What online communities or resources are available to you, your firm, and your clients?

Where can you collaborate with other practitioners to avoid duplication of effort, redundancy of charges to your clients and provide a more consistent and cost-effective product/service for your clients?

In what way or ways can you communicate differently/more efficiently/more quickly with clients?

Are you currently performing work that can be competently performed by non-lawyers? If so, how can you pass those tasks to non-lawyers for the benefit of your clients?

In what way(s) can you add value for the benefit of your clients?

How can you help your clients avoid or minimize legal risks?

Can your fee structure be modified or fine-tuned to provide clients with more transparency and more predictability?

Keep adding value to your practice by continually re-evaluating and re-examining your practice from the perspective of your clients. When your clients rely upon your advice, it will be much more difficult to replace you as their lawyer.

About the Author

Allison C. Shields, Esq., President of Legal Ease Consulting, Inc., is a former practicing attorney and law firm manager who helps law firms create more productive, profitable and enjoyable law practices by providing practice management and business development coaching and consulting. Contact her at Allison@LegalEaseConsulting.com, visit her website at www.LawyerMeltdown.com or her blog, www.LegalEaseConsulting.com.

