

# The Power of “Design”

**Why we could advance the cause of more efficient and cost-effective legal services by switching one word for another.**

*By Jordan Furlong*

Marketers figured out years ago that what you name something has a direct impact on how successful it is. It has been suggested that opponents of global warming would have gathered more support had they managed to call it "atmosphere cancer" or "pollution death" instead.

Lawyers, wordsmiths to a fault, are especially susceptible to the influence of nomenclature, which is why I think we could advance the cause of more efficient and cost-effective legal services by switching one word for another.

It has become clear that systematization will be a key element in the competitive delivery of legal services from now on, and at the heart of systematization lies the word "process." I welcomed lawyers to the process era a couple of years ago, and events since then have borne out my belief that how legal services are created and delivered will be as important as the quality of the services themselves.

But "process" has almost no purchase on the hearts and minds of lawyers. "I'm a lawyer; I deal in ideas, arguments, creative solutions; process is for lesser talents." Yet the name and the concept have stuck and now threaten to undermine progress towards the disciplined application of legal skills.

So instead of trying to sell your lawyers on "process," sell them on "design." It's a stronger, nobler, more uplifting word that connotes individual spark and creativity. Consider these contrasting Webster's definitions:

**Process:** a series of actions or operations conducing to an end; a continuous operation or treatment especially in manufacture

**Design:** an underlying scheme that governs functioning, developing, or unfolding; a plan or protocol for carrying out or accomplishing something

Which do you think will appeal more to lawyers' self-image? Which will help move them further along the road to accepting a degree of systematization in their work?

Maybe we should say, "Welcome to the design era in law." Apply "design" to what your firm does and see whether your lawyers respond much better than to poor old "process."