

June Proctor, 2009: Are you 'too busy'? – time do something about it

Lawcare, the QLS Employee Assistance Program, has identified 'operational demands' (perceived or actual workload) as a key workplace stressor, and whilst this is unlikely to surprise too many people, it does prompt us to focus attention on the importance of time management within legal practices.

Being or feeling 'too busy' can of course be stressful in itself, but it also has a number of knock-on affects that can affect morale or wellbeing, such as:

- having less time for the more rewarding parts of work like client or colleague interaction;
- feeling under pressure to take short cuts or make ethical compromises; and
- not having sufficient time to complete tasks with the appropriate thoroughness or diligence you feel they deserve, which then affects work satisfaction.

Time pressures are also associated with mistakes or oversights. Lexon insurance sees time pressures as a significant driver of claims, but mistakes caused by time pressures can more commonly lead to complaints or client dissatisfaction (stressful), having to re-do work (annoying and stressful) or having to write-off work-in-progress (concerning).

To make matters worse, many practitioners seem to accept such time pressures as 'normal' and fail to take action. So, what is 'normal'? Everyone gets busy occasionally, and everyone has a few days when they are pressured or cannot get everything done. Such situations are normally balanced, however, with days that are not so busy, and when you can catch up on a few things. If you are finding, however, that your workload is consistently unmanageable, and that and you never quite get on top of things, then it is certainly time to take action. The fact that others around you might be in a similar situation or that you have worked like this for a significant period of time doesn't make it 'normal'.

Taking action in relation to time pressures is both possible and increasingly important. Consider your colleagues: are some able to complete a similar workload to yourself, but to leave the office earlier or happier? How do they do that? Alternatively, do you know of anyone who has reduced their hours or gone part time, but still seems to get about the same amount of work done? It is rare that individual efficiency or time management cannot be improved, and it makes sense to make the effort now, rather than later.

There is of course a wealth of resources available in relation to time management. Queensland Law Society was able recently to host the excellent 'Time Mastery' course with Frank Sanitate and the DVD of this is still available from QLS. Other training providers such as V-M Group or Odyssey also provide excellent time management courses and there are good books or websites as well: try Julie Morgenstern: *Time Management from the Inside out* (2008) or even the Wikipedia time management page.

In addition to the generic skills and techniques, here are 11 simple approaches relevant to legal practice that can help both individual fee-earners and principals reduce time pressures without affecting either profitability or the ability to reach billable hour targets.

Principals: Remember, workload doesn't always equal money

Many practices or principals are keen to accept all the work they can get, especially in tough economic times, but many don't realise that not all work is profitable, and accepting work just to pay the overheads simply isn't a viable strategy.

If you undertake regular profitability analysis on different types of work or different clients, you will often find that little or no profit is made from c10% or more of the work undertaken. If that is the case for you, stop working for nothing, cull clients regularly and assess the potential value/profitability of new instructions before accepting the work. Shift resources into more profitable practice areas and work smart, not long.

Principals: Should you change your role?

The role of principal is a tough one – you have to do so much: supervise, generate new business, run the business, keep clients happy and of course earn fees. But does it have to be like this? Principals are increasingly looking at their multi-faceted role and realising that some parts are either not personally rewarding, or can be done better or cheaper by others. Specifically a number of successful principals are both increasing profitability and reducing personal time pressures by reducing or eliminating their personal fee-earning commitments and concentrating solely on supervision and management. This is not for everyone of course, but it is certainly worth considering.

Principals: Proactively manage the supervision burden

Effective supervision is vital, but better supervision needn't take more time. Here are some tips:

- Invest time in developing your personal supervision skills (small initial investment, big subsequent time savings);
- Invest in initial and regular training (one hours good training can save ten hours or more in reactive supervision time);
- Invest in systems: IT prompts & workflow, checklists, file audits, risk management and knowledge management systems etc: don't waste personal time repeating basic process;
- Develop a culture of team support: you needn't be the only one to offer support and assistance; and
- Reduce delegation time by inviting fee-earners into client meetings.

Principals: Invest in efficiency gains

Due partly to the dominance of time costing, many legal practices' approach to efficiency is less than whole-hearted. Efficiency gains are however vital both to medium-term practice viability and to efforts to manage workload. In addition to the big investments in IT systems or similar (some IT workflow systems can increase 'file velocity' by 30% or more), efficiency can also be improved simply by recognising a better way of doing things and implementing new processes and procedures accordingly. A simple first step might be to hold a team meeting – including support staff, brainstorm different chargeable or non-chargeable activities, and discuss how time could be saved or used more efficiently.

Principals: Manage team workload

Part of the supervisors' role is to manage the workload of every fee-earner in their team. Too little work leads to a lack of motivation, profitability concerns and a temptation to undertake unnecessary client work or inflate billable hours. Too much work, on the other hand risks poor work, short cuts, oversights and stress.

All fee-earners: Where does the time go?

You are at the office for 9 hours a day, but still struggle to record 5.5hrs of time. Where does all the time go? That is not meant to be a rhetorical question. One of the keys to meeting billable hour targets is being able to account for 100% of your time in the office. If you know where the time goes, you can then focus on reprioritising your time and eliminating the time stealers so that billable hour targets can be reached without spending all night in the office.

All fee-earners: Time recording & the Loreal belief

One of the biggest culprits is moral editing, or recording a smaller amount of time for any given task than it actually took you to complete. This practice is surprisingly commonplace – probably more

common than the padding of timesheets – and arises out of insecurity over your value or a belief that you should have completed the task quicker. This can have a big impact, both on practice profitability and your ability to meet billable hour targets.

Why should you record all the time? Because you're worth it. Believe that you are worth it, record the full amount of time and charge the client accordingly. Whilst others may be able to complete a task quicker, they are likely more experienced or charge a higher rate than you. Believe in your value and time record accordingly.

All fee-earners: Delegate

After you have analysed your time, see how much time you spend doing work that could have been done by somebody else. Delegation is vital in legal practices to ensure that work is done at the most appropriate and cost effective level. For principals this means giving more work to other fee-earners, and for other fee-earners, it means seeing what support staff can do. File management, costs management, basic communication and a range of other tasks are really administrative and should be handled by support staff rather than fee-earners. See what else you can delegate.

All fee-earners: Manage expectations / Learn to say no

Time pressures and workload can be increased by the poor management of expectations. As with costs, it is nearly always better to overestimate the time it will reasonably take to complete a task, rather than underestimate, and this applies to communications with supervisors as well as with clients. Wherever possible, seek to negotiate reasonable deadlines rather than accept challenging ones, and manage your own deadlines, rather than deal with imposed ones.

Beyond negotiating deadlines, the next step is simply to say no. Whilst this is often not a realistic option, particularly for client work, it should be considered more often. Take control of your in-tray and set a limit on how much work you are willing to accept. Good supervisors will help manage your workload, but this cannot always be relied on. If you don't set a limit, there is a risk your workload will increase to an unmanageable extent.

All fee-earners: Proactive communication

Communicating with clients on a reactive basis can be a big time stealer. When clients call you up, you are often not in a position to give them the information or advice they are seeking, so you have to check details and call them back. By the time you have done this, you have lost your momentum on the task you were initially working on and have to re-track to get back up to speed. Interruptions are also often difficult to manage from a time recording perspective, and often go un-recorded.

Better to set some time aside each day or week to proactively provide clients with updates on their matters. You will be better prepared and the calls will not only be appreciated by the client, they will be made at a time that suits you without any repetition or loss of momentum on other tasks. The other benefit of proactive communication is that it increases the clients trust that you will keep them informed of all developments, thus reducing the need for unnecessary communication. Partners can use the same principle in relation to supervision: be proactive, reduce interruptions and save time.

All fee-earners: Change

This is a direct steal from Frank Sanitate (thanks Frank!). In his presentations, he emphasises that there are three solutions to every work-related problem:

- Change what you don't like: take action;
- Change your attitude: "hey, I lurrrrve working late"; or
- Change your job.

Given that changing attitude is difficult for most mortals, and changing your job might be risky in the current climate, your first option should always be to change what you don't like and take action. Through a mix of developing your personal organisational skills and applying some of the suggestions above, you should, with a little effort, be able to better manage workloads for both yourself and others.