NESSO STRATEGIES

SUCCEEDING IN CHANGE MANAGEMENT

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Hopefully by now everyone is well aware that the delivery of legal services is changing at a rapid rate. Law firms are no longer the sole and unquestioned source of legal advice and analysis. Corporate law departments have increased their hiring, bringing more work in-house to lessen their outside counsel spend. Legal process outsourcing companies have leveraged the newest technologies to perform repeatable tasks that used to be handled by young associates. Alternative legal service providers have built models that do not rely on associate and partner structures to do legal work in a less costly manner, saving clients huge sums. Traditional law firms are struggling to maintain their market share and are at risk of getting a smaller and smaller piece of the pie.

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Some law firms have risen to the challenge and are creating their own innovations to deal with a competitive market. Many who undertake substantive change get rewarded for their efforts. Some studies show that law firms proactively engaging in change are successful in increasing profitability as a result of those changes. Law firms currently offer more secondments to clients so that associates can get the training they need and clients can get help with overflow or special projects at a lower cost. There is even some evidence that some law firms are entertaining changes to partnership and compensation structures.

Technology has also affected the way attorneys practice, and has enabled lawyers to work smarter and to leverage their reputations to do more to attract clients. With social media marketing and the ability to maintain a strong online presence attorneys can be many places at once and demonstrate their expertise in a specific area. But legal technologies also have invaded the space and negatively impacted lawyers' market share. Computers can already perform legal-related tasks formerly undertaken by junior lawyers. These developments necessitate lawyers building deeper and wider skill sets to deal with the more nuanced legal issues that technology cannot handle.

Law firms should be taking account all of the changes in the market and understand that lawyers need to evolve with the times. And they will not change longstanding behaviors and habits overnight. The way that lawyers practice and develop relationships should reflect changes in technology and business models. Undertaking change management efforts can lead to more productive lawyers who bring in more business. It's not a matter of lawyers needing to change who they are, how they think, or to become more creative beings than they tend to be. In fact, curiosity may be the largest asset lawyers have to enable themselves to adapt.

So how do law firms assist lawyers in dealing with new technologies, delivery models and shifting their view to a more client-centric approach? As one astute strategist points out, the practice of law has not changed that much, but delivery of legal services has changed greatly. I've addressed change management issues, lawyer personalities and what qualities as lawyers we should value before, but as time goes on, it becomes a more pressing issue.

There are some points to remember when introducing new technologies and methods of working to lawyers. For the most part, lawyers don't feel comfortable with what they don't understand, and they often look for the pitfalls of a new and different solution they're asked to use. In some instances they would rather focus on the potential pitfalls of new ideas rather than devote effort to increase their ability to adapt. It's best to keep in mind who you're dealing with and act accordingly, but there are ways to manage attorney change that result in a more positive impact and greater potential for success.

ENSURE BUY-IN EXISTS AT THE TOP – Although it might seem ridiculous that anyone would deny the need for law firms to adopt tools to create operational and process efficiencies, legal project management and pricing metrics, there is still plenty of push-back and denial from attorneys. You know a firm is on the right track when consensus has been reached that changes need to be made. If you can't even agree on that, then change efforts are certainly set for failure from the start. It is vital that top management show strong support for initiatives so that attorneys understand it's a major priority.

EDUCATE AND ACKNOWLEDGE – Although most attorneys are well aware that the market has become more competitive and their clients are demanding more for less, few have time to educate themselves on the state of the market and where it's going. Change efforts should be informed by an understanding of what's happening and why. This includes an acknowledgement that change is a difficult undertaking for attorneys and can make for a lot of discomfort. Far from admitting some sort of shortcoming on attorneys' part, acknowledging the difficulties can create a more supportive environment conducive to change.

START WITH THE RIGHT PEOPLE – Those attorneys who are getting pressure from their clients or have flat fees dictated to them for certain types of work understand the need to undertake change. Enlist those lawyers for new projects first because they don't need to be convinced that there is a problem to be solved. They will be grateful for methods designed to bolster their practices and keep them in good stead with clients. Let these attorneys who need to adapt the most drive change and adoption of new methods and models.

HAVE A PLAN – Many adaptive efforts fail because they weren't planned out. You can always change a plan, but it's hard to create one when you're in the middle of a project. It's realistic and should be expected that not every initiative will take off or go well. Contingencies should be in place in the event roadblocks arise (and they almost always do). If everyone involved understands what is supposed to happen and when, when it doesn't there should be an alternate path. This will also provide a comfort level for attorneys and staff taking on innovative projects. It alleviates a certain amount of perceived risk that might be felt by those involved.

PROVIDE SUPPORT – Adopting new methods and technologies is hard enough without feeling like you're on an island. Players should be provided with the necessary support and feel as if there are others invested in the success of the project. Too often when initiatives do stall out, there is no one to push the ball forward or understand what barriers exist. Commit to providing support the whole way through. This means setting up collaborations and feedback chains to learn from what's happened and for the next project to more easily move forward.

TOUT THE SUCCESSES – Once others get wind of successful projects, it catches on fast. Lawyers are not comfortable being the first to do something new, but they certainly don't want to be the last. Initiatives that succeed are worth their weight in gold. Market them to the rest of the firm. They will instill confidence in others to take some risk because the potential benefit is so great.

There's no easy recipe for successfully introducing and adopting new methods and ways of working in an environment not normally conducive to change. While there's no doubt that law firms can no longer avoid taking steps to remain relevant and competitive in a shrinking market, it is incumbent upon those responsible for initiating change to provide the environment and support that will reward those efforts. Change that is properly supported, conceived and planned can minimize attorney discomfort, and new skills and methods which respond to developments in the market can quickly become a part of the fabric of the firm.

For more information and further reading on Managing Change, visit our online library.

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Jacquie Champagne has spent over fifteen years in the legal industry, first practicing as a litigator in an Am Law 200 firm and then serving as General Counsel and Business Development Executive for a recruiting firm. She founded The Champagne Group, an executive search and consulting firm, to assist clients in staying competitive in a rapidly-changing legal services market. The Champagne Group partners with clients to work on strategic hiring and retention, diversity issues and adapting to changes in legal through technology adoption, process improvement and pricing strategies. She blogs about the latest developments in legal and is committed to highlighting and promoting industry change, technology adoption and innovation in the delivery of legal services.

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