



Karen MacKay

Perfection in client service — from the ground up

The perfect client service law firm – is it possible?

Would it be like Field of Dreams¹: “If you build it they will come?”

Would it be more like The Stepford Wives², where everything appears perfect but really isn't? Or would it be more like Lake Wobegon³, “where all the women are strong, all the men are good looking and all the children are above average?”

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If we could dream about the *art of the possible* – what shape would that dream take? What sort of leader would be in place? How would future leaders be developed and retained? How could we deliver service profitably in ways valued by clients? How would we use technology to collaborate and to anticipate clients' needs? What about culture – how could we create the desired culture and then build the components toward that desired end state? How would we differentiate this perfect firm from its competitors, in the eyes of both talent and clients, for whom we all compete?

Leadership

Leadership is influence – nothing more, nothing less. People don't want to be managed, they want to be led. Leadership is about having followers – whether you are in a firm of three or 300. Above all else, leaders must have integrity.

Organizations with superb client service are typically led by individuals who will tolerate nothing less. In the best-selling business book *Good to Great*, Jim Collins calls this Level 5 Leadership (see Figure 1). "A Level 5 Leader builds enduring greatness through a paradoxical blend of personal humility and professional will."⁴

These leaders attract and retain the next generation because they provide opportunities for future leaders to be *continually challenged* and to *grow professionally*. These leaders effectively communicate their vision and make the next generation feel that they are *part of a winning team*. These leaders *respect* their colleagues, as individuals, and respect their time while working hard and *leading by example*. These leaders attract and retain the next generation by *apportioning credit for success appropriately* and by setting them up for success.

When I asked a seasoned law firm managing partner what he would like if he had the opportunity to build a client service focused firm from scratch, he said, "I'd build a corporate model that would enable execution without worrying about cajoling, stroking or convincing partners to go along. Building consensus is incredibly time-consuming and gets in the way of implementation, given the speed necessary to anticipate client needs."

When I asked a senior associate who had worked in a number of very large firms, he said he would want to be led by partners who understand financial, marketing and people management, not just those who happened to become leaders solely because of their legal talents and billable contributions.

FIGURE 1: THE TWO SIDES OF LEVEL 5 LEADERSHIP⁵

Professional Will	Personal Humility
Creates superb results , a clear catalyst in the transition from good to great.	Demonstrates compelling modesty , shunning public adulation; never boastful.
Demonstrates an unwavering resolve to do whatever must be done to produce the best long-term results, no matter how difficult.	Acts with quiet, calm determination ; relies principally on inspired standards , not inspiring charisma, to motivate.
Sets the standard of building an enduring great company; will settle for nothing less.	Channels ambition into the company, not the self; sets up successors for even greater success in the next generation .
Looks in the mirror , not out the window, to apportion responsibility for poor results , never blaming other people, external factors, or bad luck.	Looks out the window , not in the mirror, to apportion credit for success of the company – to other people, external factors, and good luck.

The “connected” Rob Hyndman

“Plug into me.”

For most lawyers, that would be offbeat opening pitch. But it's perfectly in character for Toronto business law lawyer – and self-professed technology geek – Rob Hyndman.

Rob's office is virtual, amorphous, portable: Equipped with a wireless enabled laptop, a thumbdrive, Blackberry and blog that helps spread the latest word on the technology front, he puts anything and everything at his client's fingertips – whether the meeting is in the client's boardroom, waiting room or favourite pub.

Need to look at a just-reported precedent-setting matter or the latest market knowledge that could affect a planned deal? Want to access the full client file and deep search all documents for a specific reference? Looking for a network of users who have experienced a similar e-commerce issue to yours? No matter what the need or request, Rob can likely plug you into the answer.

“Because of technology I can offer clients more today, as a sole practitioner, than I could when I worked in a corporate environment,” says Rob. “I can be more thorough, faster, and more responsive. If a client e-mails me at 11 p.m. with a problem, I can have an answer in his in-box before he hits the pillow. Understand technology and what it can do for you, and you'll be able to service your clients in ways you never thought possible.”

Technology and technology law are both his passion and the focus of his practice: “My mission is to help my clients create change with the transformative power of technology, and to provide personalized services to my clients without the distance, formality, and administrative pressures common to large law firms,” reads his a posting on his website.

Rob makes it a point to walk that technology talk: In his office, paper is an anomaly. “I work only with electronic documents; everything is scanned, all my docketing and billing systems are automated. Everything is on my computer so that I can access anything anywhere and at any time” He's set up a VPN (Virtual Private Network) into his office, to secure the confidentiality of client communication; he uses voice recognition software and optical character recognition software to expedite document production.



Right now he's looking at sourcing offshore legal expertise: “If I need a large amount of manpower for a short period of time, I can get it for about \$60 per hour from very reputable services in India, for example; and I can have the results overnight. At minimal cost, I can replicate many of the benefits a large firm can offer a client.” And he's exploring the potential of offering his clients an extranet on which he could post and update typical documents that a specific client would need regularly: “I'd be able to make available various precedent versions, for example, at minimal cost and with very little effort.”

But it's his well-respected and widely quoted blog (www.robhyndman.com) that's both his best client service and marketing tool. Rob's recognized what the Globe and Mail recently wrote about: Blogs are quickly usurping resumes as a major source of information on people. “My blog lets others get to know me, how I think, and what I know,” he explains. It also helps him connect with others in technology, law, business and other fields – and plug his clients into his networks, inside and outside the field of law.

Delivery of client service

In the perfect client service firm everything would be designed around the client.

Where possible, all dealings with clients would be at the client's place of business. Yes, **lawyers would go to the client rather than the client going to the lawyer**. The benefits of being at the client site are many.

- Strategy meetings with the client executive team would enable a full understanding of the business issues from all perspectives so legal counsel can be part of the solution.
- Records that need to be reviewed are at the client site and accessible.
- The lawyer's relationship with the organization would have multiple links rather than a single link where everything is fed to outside counsel through the general counsel or someone on the executive team charged with that responsibility.

Members of the firm would be **organized around industries** (client-focused) rather than areas of practice (internally focused).

- Lawyers would be hired based on legal training and experience, but also based on their knowledge, experience and passion for the industry. Undergraduate degrees would be part of the consideration rather than simply a right of passage to get to law school. Outside interests and passions would be valuable – e.g. a lawyer with a passion for the automotive industry would be valued not only for his legal skills but also for his knowledge of the industry. When work becomes fun because our passions are valued will people flourish? You bet.

The perfect firm of any size would **leverage technology** in very powerful ways that would enable lawyers and clients to collaborate, use knowledge and anticipate client needs. Leveraging technology enables small firms to have a much stronger "punch" than their size would normally permit.

- Harnessing technology solutions enables the legal team to work at the client site. All documents would be available through extranets or other collaborative tools. All lawyers and others on the team would have the technological tools needed and know-how to use them.

There are still lawyers who believe that items such as notebook computers, Blackberries, Palm Pilots, cell phones, client relationship management applications and extranets are toys. They are simply tools in today's world – get them, understand them and use them.

- Technology would be used to anticipate client needs by monitoring competitive intelligence within the industries they serve so clients' needs can be anticipated. The entire client team would know about the client's current stock price, competitors, industry developments, and key contacts. Everyone on the team would be up-to-date on the latest communication. The mechanisms to do so are available and in place in many firms: We just can't get lawyers to contribute and collaborate.

The perfect firm would charge **flat fees** so that clients can budget and manage their costs. Hourly billing means that clients pay for law firm inefficiency – it's that simple. However, hourly billing is the driver of virtually all internal law firm measures including, but not limited to, personal compensation – it's that difficult. Flat fees require fee-based costing: That is you know what you are going to charge and you apply resources to the project in a way that generates appropriate profit.

The perfect firm would have a passion for **feedback**. We would have a link available on *every reporting letter, every invoice and every e-mail* where any client could log on and give us real time feedback. We would devour it, learn from it and act on it. We would not apportion blame but rather we would adjust our service model to meet client needs. We have two ears and one mouth for a reason – so we can listen twice as much as we speak. This is really, really tough but in our perfect firm we would do it.

In the perfect firm we would know what we are absolutely the best at and we would, with confidence, go after only that work and refer other work to colleagues across the street. Every file is not a good file, every client is not a good client but every referral sets up a *quid pro quo*. Our marketing material would not say that we regularly do this or that, when we don't. We would rather be the **pre-eminent firm in a few key areas** where we are worthy of our rates, than be mediocre and do many things where we profess proficiency. We would strive for domination in a few industries where we actually enjoy the people we are privileged to serve, doing work that we really enjoy. Life is too short to do otherwise.

Culture

Many lawyers describe the culture in their firm as collegial, while others describe their firm as toxic. In large firms the culture differs from practice group to practice group. In building the perfect client service firm could we actually define the culture and then design the firm to reach the desired end state? I believe the answer is yes. To do that, let's first take a look at a more meaningful definition of culture.

Striking the life/lawyer balance

Hamilton lawyer John Evans has a pretty simple formula for delivering excellent client service: Hire exceptional legal talent, give them room to grow and develop, and never forget that your A+ lawyers also have a life.

“Our challenge, as a firm, and my challenge as a senior member in this firm, is to find solutions and accommodations that allow the talented people we hire to contribute.”

In the case of Liza Sheard, who had a young family when she started with the firm 12 years ago, it meant finding ways to accommodate to her schedule while helping build her career at the same time.

“To my surprise, clients thought it fantastic that the firm was flexible and let me work part time,” says Liza. “Many of my clients could relate to my own reality – and respected how this firm was recognizing the need for lawyers to also have balance in their lives.”

Developing legal talent at Evans Sweeny Bordin LLP also means taking a more holistic approach to clients and client files: Mentoring juniors, for example, is not a special program but a way of doing business at the firm.

“I noticed early on that in this firm we did not compete over files. The attitude here is that it is in everyone’s interests for everyone to get good experience and training. Work is allocated to enhance and develop each of our strengths. This generosity of distributing work has allowed each of us to be the best we can be,” says Liza.

Similarly, remuneration is structured “so that it is in our individual interests to have the whole firm succeed,” says John. “We don’t ‘eat what we kill’ but rather share work so we can go out and find more work – it’s this team building that gets rewarded.”

Mentoring juniors, points out John, also means expecting more of them. “I expect them to explain to me what they are doing and how they are approaching an issue, so that I can ensure that all questions are getting asked, that the real issues are being addressed, that the junior lawyer is looking at how fees are charged and costs allocated. Our juniors benefit, because they get a wide range of experience. I benefit because I get to coach and get paid for it.

“Most importantly, clients benefit, not only because they’re paying at lower rate, but also because a junior often has different ideas and new approaches. Our clients know that they’re getting ‘hotshot’ young talent that is backed by seasoned professionals; it’s a winning combination for the firm and for our clients.”

A 40-year practitioner and now senior partner of the Hamilton-based law firm, John sees his job as balancing two interdependent mandates: “To ensure the firm consistently provides clients with first-class service. And to ensure that each of us lives a worthwhile life as a lawyer.

“I want people who will have dinner with their families. A lawyer is a better lawyer – and a better person – if she or he has a full and rich life.”

That’s not to say the firm’s lawyers don’t work hard: “Our expectations and service standards are high; and when necessary, we’ll put in that weekend or burn the midnight oil,” says John.

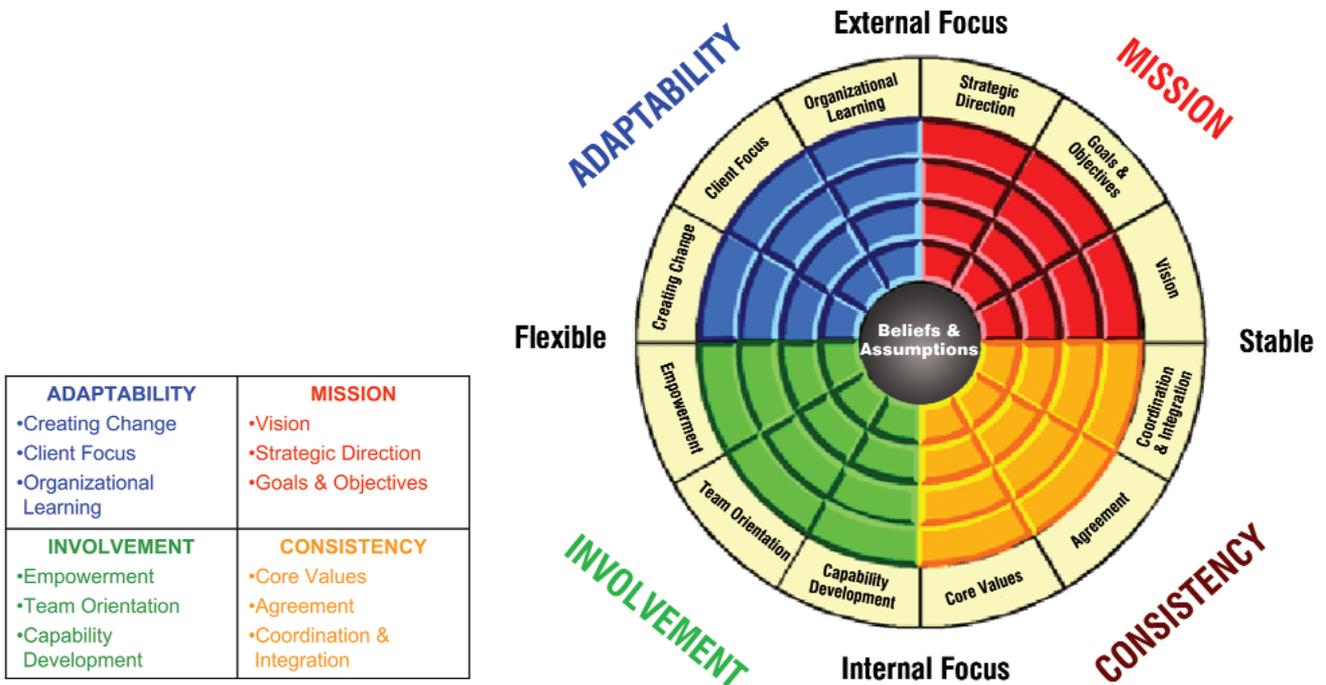
Delivering on the client first mandate also means looking forward – preparing the firm for the next generation of owners. The corporate entity that was the original Evans law firm has been sold to a new partnership – a move that “encourages the new partners to bring their vision, plans and energy to work for the firm’s future,” says John.

“A firm is more than the reputation of one lawyer. We have set up things so that our people are establishing reputations of their own, and so that this firm is positioned, in the clients’ eyes, to transcend the contribution and reputation of any one lawyer.”



John Evans, Liza Sheard

FIGURE 2: COMPONENTS OF CULTURE⁶



In no workplace is culture more defined and more prized than in a law firm. In Figure 2 the components of culture are set out along with a 'circumplex' on which a law firm's culture can be mapped.

- *Involvement* measures how a firm deals with its people. Do they feel empowered? Is the orientation towards team or towards sole practitioners? Does the firm develop the capability of its people?
- *Consistency* measures how a firm's people deal with each other. Are core values defined, talked about and supported? Do people deal with conflict and come to agreement in a healthy way? Is there coordination and integration between individuals, groups and offices?
- *Adaptability* measures how a firm deals with the outside world. Does the firm react quickly to changes in the environment? Do clients influence the way the firm operates – does the firm seek out feedback and act on it? Does the firm learn from its mistakes?

- *Mission* measures the degree to which members of the firm understand and share a direction.

In building the perfect client service firm we could actually define our desired culture and monitor how we are doing, then identify what we need to adjust. We would define our core values, publish them and live them. We would reward the things that are important and we would have the courage to deal with people who might need to find their success elsewhere because they simply don't fit our perfect firm. We would be truly client-focused and we would adjust our firm to meet our clients' needs rather than adjust our client service to fit our needs.

People

In researching this article several conversations ensued with several lawyers, as well as with some of my colleagues including Gerry Riskin, Rob Millard, Michael Roch, Nick Jarrett-Kerr and Ed Wesemann. The lawyers currently in practice shall remain

Connecting with community



Greg Goulin, Bonnie Patrick

Volunteering is the way Bonnie Patrick and Greg Goulin give back to their community – and maintain a sense of balance and perspective.

The fact that donating their legal services also helps the Windsor lawyers build their practice is, in their minds, an unexpected bonus.

Bonnie, who focuses on estates work, admits that it's not unusual for her to spend as much as half her week on volunteer "work" – only to then spend much of the weekend addressing the needs of her paying clients. Partner Greg Goulin, a 30-year practitioner whose focus now is criminal law, has been an activist and volunteer since his high school days.

Together and individually, they've taken on dozens of local causes, from incorporating a homeless centre so that it could issue tax receipts and more easily raise funds¹ to helping create the North American Black Historical Museum (based in

Windsor), to going to bat for a senior's right to keep her Beta fish in her condo. Greg's 25-year plus commitment to Scouting has earned him a Governor General's Award; Bonnie's gusto for social issues has put her on the front pages of the local newspaper.

They are, they admit, compelled to volunteer: "In our practice (Goulin & Patrick) we are up-close-and-personal with social injustices and the disadvantaged: Getting personally and professionally involved in these social issues is very rewarding, and relieves the frustrations of practice," says Greg. "At least you can go to bed at night and know that you tried to make a difference."

But volunteering has also paid off in very tangible ways – both to their practice's bottom line and to the kind of service they can offer their clients.

"We have never advertised, yet we're never short of clients," says Greg. "The many and meaningful contacts we make with community leaders (from cabinet ministers down), senior citizens, and others in the community become a constant source of referrals. So we can put our marketing dollars to better use through charitable donations – which is far more effective and rewarding."

"In our volunteer work we come into contact with people from many different backgrounds and in many different areas of work," says Bonnie. "Inevitably you learn something from each of these people; it's a bit like free continuing legal education, in fact.

"You also get to know who can do what – whether its investments, banking, dentistry, mechanical or medical issues. Having those contacts, being connected to those networks lets you better assist your clients, because you know who to send them to, who can best help them – and even what kind of help they might need. You spend less time helping a client, but in a more productive fashion."

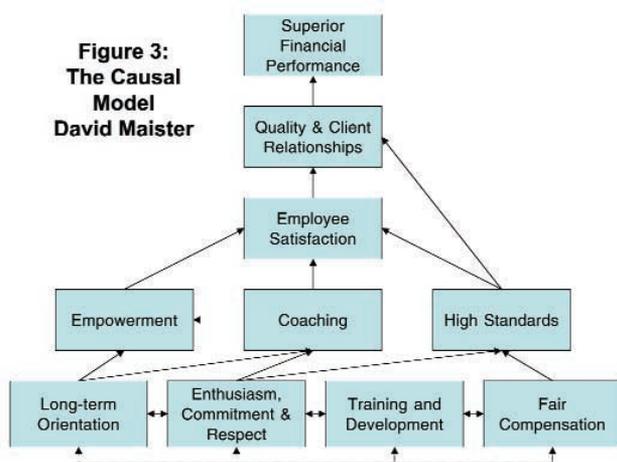
Their volunteer ethic has also earned Greg the respect of others in the legal arena: "As a criminal lawyer, having the respect of the crown, police, even sometimes members of juries, makes a difference. They know me in another context, they are often more predisposed to listen, and that often makes it easier for me as I try to make this justice system work for the people."

¹ With the assistance of another Windsor area lawyer, Dawn Melville

nameless so as to protect their innocence. I asked everyone to provide me with their three wishes for the perfect firm if indeed they had an opportunity to build a firm from scratch.

Overwhelmingly the wishes were about how people would be treated in this perfect firm. *People* include lawyers, staff and clients. As one lawyer said, “My first wish is that people would come first and that profits will follow.” Another wished for a coaching culture. It occurred to me that this had indeed been proven through the research of colleague David Maister in his book *Practice What You Preach* and as outlined in Figure 3 below.

FIGURE 3: THE CAUSAL MODEL, DAVID MAISTER



In the perfect firm lawyers would travel seamlessly between client engagements and personal responsibilities for three reasons.

First, they have the technological tools to do so.

Second, they have moved beyond valuing face time to valuing contribution, no matter where or when that contribution is made, so long as the client is well served.

And third, they will have the confidence to negotiate proper time frames to enable predictability in their lives while still providing superior client service.

“I cannot think about a more important problem facing the profession, than how to maintain the life of a young lawyer that will lead to satisfaction in his or her career, that will produce time for a family, and that will produce time for some form of community service ...It's like drinking from a fire hose. There is tremendous pressure on younger lawyers to produce 2000, 2200, 2400 billable hours. Well, that produces an unlivable kind of life.”

We would differentiate this perfect firm from its competitors by how people in all levels of the firm are treated, how they treat each other and how they treat our clients.

Conclusion

How many times have you thought about building the perfect firm from scratch? How many times have you talked with a colleague about how things *could be different*? We've all done it, though changing a law firm, particularly a large law firm, is a bit like turning an aircraft carrier – it takes time.

Sometimes lawyers make lateral moves in search of a better environment when indeed they could be part of the solution in their current firm. What can you do to turn your own practice, your own practice group or indeed your firm into an example of the perfect firm? What is the *art of the possible* in your firm?

Law firms compete for two things, talent and clients. Perhaps *Field of Dreams* is the best analogy. Perhaps if we did have the courage to build the perfect client service firm they would come.

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1 1989 movie directed by Phil Alden Robinson based on a book by W.P. Kinsella

2 2004 movie directed by Frank Oz, written by Paul Rudnick

3 A fictitious town in Minnesota, claimed to have been the boyhood home of Garrison Keillor, who reports the News from Lake Wobegon on the radio show A Prairie Home Companion, on Minnesota Public Radio.

4 *Good to Great*, Jim Collins, Harper Collins, 2001

5 *Good to Great*, Jim Collins, Harper Collins, 2001, Page 36

6 Components of the Edge International Cultural Inventory ® used in more than 300 law firms world-wide