



# Cultivate Your Innovation Mindsets to Build Your Future Practice Today

The legal services sectors are experiencing a period of rapid, significant change. With the COVID-19 pandemic shining a spotlight on the shortcomings of antiquated parts of our justice system and legal practice models, courts and law firms quickly shifted processes and practices throughout 2020. There's no turning back. To help you plan for the future of your practice, you can embrace innovation mindsets, which are different ways of thinking that help us create processes and ideas that improve our lives.

## Here are 20 innovation tips to:

- get you in an innovation frame of mind;
- help you find your innovation inspiration;
- give you practical tips to succeed in any innovation project; and
- equip you for long term success.



## Getting into the innovation frame of mind

### Choose your own adventure

You get to choose your adventures in law. You decide how you want to practice and who you wish to serve.

Especially when you're busy, it's hard to remember that you have agency over your tasks and priorities in your practice, and your personal life too. It can be hard to be honest about what you want to do, and what it may take to get there, but you get to choose. By taking ownership of your practice and where

it will go, you empower yourself to effect changes for the better. By embracing agency over passivity, we become open to change.

### Reflect on where you want to go

You're busy – but set time to reflect on your practice, including where you are, and where you want to be heading, including your innovation journey. Set time each month for self-reflection and self-assessment regarding your practice goals.

#### Self-reflection

What are your goals for:

- Client development
- Client pipelines and business development
- Client management
- The progress of your cases
- Your legal skills, practice management and innovation goals
- Your personal management

#### Self-assessment

For each area, how are you doing? For example:

- How did you apply your legal skills to a recent challenging situation?
  - ▷ What was the situation? What were pressures making this challenging for you?
  - ▷ How did you react?
  - ▷ How did you proceed?
  - ▷ What other options were available?
  - ▷ How *might* you proceed differently in similar situations?

- For your legal innovation journey
  - ▷ What's working?
  - ▷ What's an area you may wish to further refine?
  - ▷ What are areas you may wish to work on next?

### Use your diverse skills to drive change

A good lawyer doesn't just know the law - they use a host of skills to serve clients. The "lawyer mindset" is not just about understanding and applying the law - skills in business development, people and project management, leadership, emotional intelligence and empathy all play a part. Recognize the diverse skills and mindsets you use as a lawyer as described by the Canadian Centre for Professional Legal Education.

Harness all of your skills to advance your innovation mandate. If you're worried that some areas are not where they should be, that could be a sign there is room for growth and improvement.

## Innovation inspiration

### Take inspiration from other sectors

It's often said that imitation is the highest form of flattery. Lawyers should take inspiration from other sectors. If no-shows for client intakes are an issue, you can consider how doctors and dentists reduce the risk of no-shows for appointments through simple changes like calling the patient to confirm, to smart-phone apps that simplify and automate the confirmation process. Other service sectors are a great source of inspiration, and imitation.

### Get inspired by your clients: Focus on their experiences

Law practices exist to serve clients, and in today's markets clients have more choice than ever. To find clients, retain them, and grow your relationships, it's important to consider the client's perspective. Listen to them, as they are a great source of ideas for what changes will help most.

When thinking about your client and prospective clients, consider:

- How a potential client might first learn about your services (or why they might not learn about you at all)?
- The prospective client's first touchpoint with your firm? The initial impression?
- The client intake experience - What kind of client onboarding experience do you provide? How do you prepare clients before their first meeting? How do you work towards building trust from the outset?

- How does the client feel about when and how they receive communications from you?
- Are fees clear, and are clients able to understand their bills? Will the client feel like they received value for service, or at least not be surprised by your bill?
- What's the offboarding experience like for the client? How do you leave the client satisfied where possible?
- Do you keep in touch with former clients? Why? How? Do clients feel connected to you and your practice through these touchpoints?

## Daring to dream: Moonshots and minimum viable products

You might be at a point where you're dreaming big, or you have an idea whose time may have come. Everyone fears failure, but we should sometimes allow for moonshots.

If you aren't sure whether your idea could reasonably become a reality, try to model it out using the concept of the minimum viable product ("MVP"). Think about the service you would hope to provide and the need it would meet or problem it would address. Then ask yourself:

- Who would be the target market for the service?
- The minimum reasonable expenses to launch?
- The minimum number of clients / average fee per client required to make the practice viable?

Perhaps now more than ever, lawyers can explore new ways of delivering legal services. With the ability to deliver services remotely, the traditional geographical limitations on providing services have been eroded, which enables lawyers to attract clients from both near and further afar. Remote practice opportunities also reduce overhead associated with traditional bricks-and-mortar law offices.

These changes also allow for super-specialization. Until recently, a small-town lawyer might only have been able to serve clients within a reasonable drive to and from the lawyer's office. That same small-town lawyer may now serve clients from all over the world.

## Finding your clients by gaining inspiration from the "1,000 Fans" concept

Given these opportunities, there are lots of ways to develop your MVP or otherwise test your moonshot. Kevin Kelly's 2008 essay on the concept of 1,000 True Fans is a helpful starting point. A lawyer with 1,000 dedicated clients, each paying \$100 for services, generates \$100,000 in revenue. A solid client base of 10, each spending \$10,000 on legal services, also generates \$100,000. Depending on your practice, the number of clients and spend per client will vary. The point is that you can consider how many clients you would ideally serve, and at what average price point per client to get a sense of your firm's niche, it's "true fan" client base, and your ideal revenue model.

Solo and small firms are well positioned to build services to service niche markets and have direct, meaningful relationships with clients. As just a few recent examples, there are lawyers focused on assisting with:

- Student debt related problems
- Issues related to horse ownership ("equine law")
- Protecting the rights of loved ones in long term care homes
- Surrogacy and other complex family law issues
- Developing new cryptocurrency payment solutions, wallets and navigating the cryptocurrency shifting regulatory landscape.

## Finding new markets: Responding to the access to justice crisis

It is clear there are significant unmet legal needs in North America. Whether it's proactive legal protections such as having an employment contract reviewed, a small business struggling to comply with its regulatory duties and compliance, or a DIY litigant looking for some general guidance, there are lots of underserved markets where, with the proper business modeling factoring in technology and innovation, legal services could be provided at affordable rates to help underserved legal markets. A lawyer or firm in private practice need not solve the access to justice crisis; it just takes opening up one untapped market for a firm to find success while helping meet unmet legal needs.

## Finding your dream clients: Using client personas

Do you have dream clients? Who are they? Get closer to a practice filled with only dream clients by reflecting on what a dream client is to you.

Consider developing client personas as ideal client archetype(s). Push yourself to really try to get to know what that ideal client looks like. Think about things like:

- Who have you enjoyed working with? What made this client a dream client?
- What kind of sector is the client in?
- Who would be the person instructing you?
  - ▷ Describe them in 1 sentence
  - ▷ How would they want to keep in contact with you?
  - ▷ What frustrates them? What inspires them?
  - ▷ What keeps them up at night?
  - ▷ What are the pain points for them? How can you help them solve them?

# Innovation in action: Tips for implementation

## Innovation as a project

An innovation project is like any other project. At the core of it, any innovation project involves:

- Conducting an environmental scan to see what's going on;
- Defining the issue you're going to address;
- Considering your options and choosing your solution;
- Planning for and launching your solution;
- Seeking feedback to continuously improve on your solution; and then
- Starting on the next project.

There are lots of project management and design thinking models you can use to map out the steps for your innovation project. While project management tools can help, creating a simple project plan identifying key steps, timing, and who needs to be involved can help you move forward.

## Start with one project

In your scan for problems, you will likely find more than one area where you could improve or lots of things you'd like to try. Pick one project. When you tackle innovation projects one at a time, they add up, and make your practice better with each change. It's also far less stressful to take small steps than trying to make everything happen at once.

As Atomic Habits author James Clear notes, the effects of our habits multiply over time. There is power in working continuously towards incremental improvements. By focusing on one step at a time, and continuously working on improving your practice, you're compounding your gains.

In the process, you're not only benefitting from the innovations you roll out, but also transforming your practice into one that embraces continuous improvement. When the next challenge arises, you will have the processes in place and confidence to embrace it and meet it head on. Innovation and continuous learning and improvement become part of your practice mindset. Minor setbacks become learning opportunities rather than full-blown crises.

## Call in your dream team

At the heart of it, innovation is about people. It may lead to changes in processes, or how services are delivered, but it starts with people and is about improving people's lives. Having a range of people on board

can help you build diversity of thought and keep you open to new possibilities. To spark innovation, call in your team. In a law firm setting, this includes all staff. Whether you are in a large firm or true solo with no staff, ask for input from suppliers, clients and colleagues.

## Innovate to identify and fix your pain points

Whether you're a solo lawyer or in a large firm, to get started you need to get started. Explore your current terrain and focus on your pain points. Bring in your dream team to determine what the key pain points and user-needs are for your practice.

If you're a solo, ask any staff and clients. If you're in a law firm setting, bring in your entire team and clients willing to give candid feedback.

For your "internal users," ask yourself and your team:

- If I could change one thing about my practice, what would it be?
- What's the most aggravating thing in my daily practice?
- What's one task that seems to cause frustration and/or delay?

Similarly ask your clients:

- What's one thing you wish we'd done differently for you?
- What's something that would have made things easier for you?

## Take the time to properly define

Spend as much time as you can getting to know the issue. Ask follow-up questions from your clients and staff to make sure you will end up focusing on a root cause rather than a symptom of a problem. Clearly define the problem or issue you're trying to address before you jump to trying to solve it.

## Solutioning tip: tech isn't always the answer

Too often we rush how we will solve the problem. There are usually many options available to address a pain point. While there is often technology that can help, it may not be the easiest, most efficient or cost-conscious solution. If the problem does require a tech solution, think carefully about how different tech options can best work with your existing processes, workflows and technology.

## Implementing change: Don't forget training

There is a risk of mistakes being made any time a new process or technology is introduced in a workplace. You can reduce your risk by making sure that your rollout plan includes training. Budget for it (be it dollars, time, or both). Build in early-stage quality assurance checks, and assume training may need to happen in stages, with refreshers as required. Support your team and you'll get there faster and easier.

## Embrace continuous feedback loops

The innovation journey is never-ending. Gains lead to further gains. For each new shift in process, build-in opportunities for real-time feedback and debriefs about what worked and didn't work on both your innovation and your process for getting there. Ask everyone who was involved in the rollout and include opportunity for comment from any users. By embracing continuous feedback loops you can learn as you go, detect and prevent mistakes, correct mistakes at earlier stages, and improve both your products and processes. In adapting this approach, you'll also be embedding an openness to innovation, creativity and collaboration within your practice, which further accelerates opportunities for positive change.

## Celebrate wins

Legal practice has its ups and downs, so it's important to celebrate wins. It's a win when you introduce changes in your practice that make life better. Celebrate it. Make it a ritual to celebrate your successes. It may not be scientifically proven that law firms are more productive when there are cupcakes to celebrate milestones, but it couldn't hurt to have some.

## Tips for the long run

### Take your breaks and find supports when you need them

The practice of law is a marathon, not a sprint. It's important to take your breaks, both daily and throughout the year. During the day, don't forget to stretch. Go for walks, listen to music, or otherwise find your breaks that help you recharge and help enhance your overall productivity. Plan vacations in advance to have something to look forward to.

The practice of law can expose lawyers and staff to high levels of stress, and to the risk of vicarious trauma and burnout. It's important to recognize and understand the mental health stresses in the legal profession. Lawyers and law firms can encourage open discussions about mental health and promote mental health resources. We are all human and can all use help.

You can also explore what resources are available to you to proactively manage your stress, or to support you through difficulties. The Member Assistance Program provides a confidential service to help lawyers, family members of lawyers, law students and others. It provides a range of supports, including online resources and e-courses, counselling services and a peer support program.

## Set a learning plan to keep exploring and keep innovating

### Keep exploring to find your inspiration.

At least once a year create a learning plan that will focus on areas in which you wish to improve based on your self-reflection and self-assessment (see Tip #1). While it will be important to keep up with changes to the law, consider the other skills you need to develop, including skills to harness legal innovation. There are many ways to continue building your skills, including:

- Attending local bar association conferences, continuing legal education and technology conferences such as ABA TECHSHOW to learn more about innovation and practice management.
- Taking courses, reading practicePRO articles, or setting aside time each week to learn how to maximize the use of your everyday technology supports, such as Microsoft Outlook, Word and Teams.
- Exploring and building skills through executive education programs, or from lower-cost online learning platforms such as Coursera and Udemy.

Finally, while some of this learning will happen at the individual level, you can always learn with a buddy, or with colleagues in your firm or local bar association. Having a study buddy can keep you on track for your learning objectives and keep it fun.

Best of luck on your journey and building towards your future practice. ■

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⊕ There are also lots of places to keep reading to fuel your innovation dreams. As a starting point, here are a few resources that can help you continue to explore:

#### Articles, blogs and podcasts

- 57 Tips for Successful Innovation in Law (Dennis Kennedy)
- Attorney at Work
- Avoidaclaim.com
- From the Center Blog, North Carolina Bar Association (Catherine Reach)
- Practicepro.ca - Risk management, claims prevention and law practice management resources provided by LAWPRO
- There are lots of great podcasts focusing on legal innovation. For a sampling see our article here.

#### Books

- Jordan Furlong, Law is a Buyer's Market: Building a Client-First Law Firm (link to free PDF of the book)
- Jack Newton, The Client Centered Law Firm
- Richard Susskind and Daniel Susskind, The Future of the Professions, Oxford University Press, 2015
- Sharon D. Nelson, et al., The 2020 Solo and Small Firm Legal Technology Guide, American Bar Association
- Mike Whelan Jr., Lawyer Forward, Finding Your Place in the Future of Law