

THE BOTTOM LINE

The newsletter of the ISBA's Standing Committee on Law Office Management and Economics

Exceptional client service in law firms: Tips for rewarding and recognizing employees

By John W. Olmstead, MBA Ph.D CMC, of Olmstead & Associates in Saint Louis, Missouri.

ur firm is often asked to help law firms design and implement client service improvement plans. A key ingredient of such plans involves helping attorneys and staff change their client service behaviors—one behavior at a time—into permanent positive client service habits.

In many law firms attorney and staff reward and recognition practices have been counter-cultural and failed to reinforce (motivate and encourage) positive client-service behaviors. As more law firms move toward improving client service many are looking for new ways to reward and recognize attorneys and staff that demonstrate positive client service behaviors. Exceptional client service goals are being linked to business plans and

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compensation is linked to achieving these goals.

Everyone has a need to feel good about the work that they do. By regularly rewarding and recognizing your attorneys and staff when they exhibit positive client service behaviors, rather than only noticing and commenting when they do something wrong, you help motivate them to keep up the good work and internalize the behavior. You can let your attorneys and staff know that they have done a good job in two ways:

• Informal Recognition

This is the spontaneous, everyday type of recognition that lets your employees know that you appreciate the job they are doing, and it takes very little time, money, or planning to execute.

Formal Reward Program

This is a pre-planned, firm-wide program for rewarding individuals, departments, practice groups, and teams who achieve outstanding results in client service. In general, they take time, money, and a good deal of planning to implement.

Studies and experience have shown that people thrive when they receive personal recognition for the work they do. While money is important, it will never replace the need for genuine appreciation for the efforts your attorneys and staff put in. While everyone is expected to do their job well, recog-

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nition encourages and motivates staff to exceed what is expected of them.

Informal Recognition

Studies have shown that regularly giving informal recognition to an employee is a stronger motivator than providing him or her with formal rewards. Simple praise is remembered long after the event because it tells your employees that you noticed their efforts and took the time and trouble to personally thank them.

Although informal recognition is effective, inexpensive, and convenient, many attorneys don't give their fellow attorneys or their staff as many pats on the back as they could. Consequently, when they do praise, their inexperience often shows through and is interpreted as a lack of genuine appreciation. Here are a few hints that you can use to complement your compliments.

Don't Do It In The Hallway

Always make sure that you have the other person's full attention before you praise him or her. Don't try to give your staff a compliment when they (or you) are scurrying down the hall, rushing to a meeting, or trying to meet a deadline. Instead, setup a time and place that is convenient for them. If you are acknowledging

a group of people for their efforts, set up a time when you can meet with them all in one place and praise them as a group.

Go To Them

Talk to your staff on their own turf or some place where they will feel comfortable and relaxed such as their desks or the lunch room. Don't ask your staff to come to your office because they may mistakenly think that something is wrong.

• Maintain Eye Contact

Because people can perceive lack of eye contact to mean insecurity or lying, looking at your employees when you recognize them is critical. On the other hand, your employees are quite likely to look away from you because they probably haven't had a lot of practice at accepting honest, straightforward praise. Remember, you don't want to be standing up and looking down on your staff when you praise them. Stay level with them by taking a seat next to them.

• Do It Now—Don't Delay

In order to have the biggest impact, you should recognize your staff as quickly as possible after the achievement has occurred. Don't wait until the Christmas party to praise performance that occurred last year. The further away you get from the event, the less impact the acknowledgement has.

Tips For Recognizing Employees

Often we find that once a law firm finally decides to implement a recognition program they want to go whole hog and spend a fortune. However, many other things can be done that don't cost an arm and a leg. Often the simplest, most spontaneous ideas yield the best results and the most fun. Here a just a few tips:

- TIP #1: Send a personal handwritten thank you note.
- TIP #2: Have the managing partner personally thank the employee.
- TIP #3: Send a letter of praise from the managing partner.
- TIP #4: Put up clients' letters of praise on the firm bulletin board.
- TIP #5: Recognize employees that have demonstrated outstanding client service in the firm's newsletter.
- TIP #6: Take employees to lunch.
- TIP #7: Have a lunchtime pizza

- party at the office to celebrate outstanding client service results achieved during the week.
- TIP #8: Send flowers.
- TIP #9: Buy a plant.
- TIP #10: Give away tickets to a sporting event. Make them available in pairs so the staff member can take a friend or family member.
- TIP #11: Let the employee come to work an hour late with pay.
- TIP #12: Buy a magazine subscription.
- TIP #13: Give a free tank of gasoline.
- TIP #14: Give a gift certificate.
- TIP #15: Treat an employee to dinner for two.
- TIP #16: Send the employee to an outside training program.

Tips For Rewarding Employees— Formal Reward Programs

Although they don't have the same everyday impact as informal recognition, formal rewards are an important part of your strategy for service improvement. Quarterly and yearly award presentations should be highly publicized and send a clear message about what client service values and behaviors your firm holds in high esteem.

Formal reward programs take time and planning as the firm must come up with a simple and practical way to measure who wins. Typically, we use a combination of ongoing client satisfaction surveys and supervisor nomination to identify client service employee of the quarter and year winners.

When designing formal reward programs it is important to:

- Keep the rewards interesting
- Vary the rewards to suit the person
- Make the size of the reward appropriate to the achievement
- Make it fun

Here are a few tips:

- TIP #1: Identify a client service employee of the quarter. Give them a day off with pay and a letter of appreciation which is filed in their personnel file and presented at a firm meeting. Have their photo taken and put on the bulletin board and in the firm's newsletter.
- TIP #2: Identify a client service employee of the year. Give them a week off with pay and a letter of appreciation which is filed in

- theirs personnel file and presented at a firm meeting. Have their photo taken and put on the bulletin board and in the firm's newsletter.
- TIP #3: Have honorable mentions for the client service employee of the quarter and year and give for special mentions such as award trophies, pen and pencil sets, notepads, T-shirts, paperweights, and award pins.
- TIP #4: Travel trips ranging from weekend getaways at a nearby bed and breakfast to a week-long vacation at a resort. Includes travel and lodging expenses for two.
- TIP #5: Cash awards.

Insure that the size of the award is appropriate to the achievement. Be careful not to cheapen the value of the award by making it less significant than the achievement calls for.

The most successful reward programs are simple to administer. They give everyone a change to win—those who serve either internal or external clients—and have simple, easy-to-understand rules and goals that everyone considers attainable.

Make it fun.

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Exceptional client service in law firms: Tips on creating a client-focused culture

By John W. Olmstead, MBA Ph.D CMC of Olmstead & Associates in Saint Louis, Missouri.

awyers and law firms are in the business of selling services. Their product is their intellectual capital, which is the professional talent, skills and capabilities of the entire service team—lawyers and non-lawyers alike. Then why don't lawyers embrace client service and realize that exceptional client service may be the most effective way of differentiating themselves from other lawyers and maintaining a competitive advantage.

In our visits to law firm clients of all sizes across the country we typically observe the following:

- Everything from office hours, location, noontime availability and coverage, and general availability is designed to serve what is best for the firm and not for the client.
- Law firms are spending tons of money on advertising then failing to provide adequate client service training for receptionist and switchboard operators. The result dropped calls, poor initial impression of the firm, lost opportunities as prospective clients are either lost or hang up in frustration.
- The receptionist position, if it exists at all, is filled with the cheapest person the firm can find. The receptionist, while serving on the front lines of client service and the initial point of contact, is typically considered the least valuable position in the firm.
- Lawyers are arrogant and act as if they are better than their clients and know what is best for them.
 They seem to think that the legal matter is their case rather than the client's case.
- Client service standards are nonexistent.
- Client surveys are not conducted and there is no client feedback system in place.
- Law firms are unwilling to make any investments in client service.
 Client service training is not provid-

- ed for the receptionist, other staff members and attorneys in the firm.
- No one in the firm knows how to properly answer the phone or effectively listen to client problems.
- Clients and employees are treated rudely and not respected.

Delivering great client service is extremely important in today's legal marketplace. More and more lawyers and law firms are competing for fewer clients while client loyalty continues to drop. It is no longer sufficient to simply be competent or even expert in today's competitive legal environment—law firms must distinguish themselves by the service they provide. Lawyers and law firms must strive for 100 percent client satisfaction. Service is how many clients can tell one lawyer or law firm from another.

In a survey of 600 corporate counsels, 69.7 percent state that they have hired a new credible, major law firm in the past year and in 2003, only 26.5 percent said that their firm is the "best." When asked what client focus means to them, the following responses (ranked in order of importance) illustrate the client service gap.

- Understand My Company Needs 20.6 percent
- Understand My Business 20.6 percent
- **Responsive** 19.1 percent
- Communications 9.2 percent
- Anticipate Needs 8.4 percent
- Availability
 6.1 percent
- Value Motivated 4.6 percent
- Best for Client

3.1 percent

Individual clients are advising of similar service gaps:

According to Jay Foonberg, 67 percent of clients who stop using a

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particular lawyer do so because they feel they were treated poorly or indifferently and 27 percent changed lawyers because their previous lawyers weren't available.

Clearly, from what law firms' clients are telling us, lawyers and law firms need to improve client service by integrating a client-first service focus into everyday practice and getting feedback.

Most clients can't evaluate the quality of your legal work. What they can and do is evaluate the experience of working with you.

Lets face it—customer and client expectations have changed across all industries. It is a buyers market and they know it. Today clients want it all - better, faster and cheaper.

If you can't provide it they will go somewhere else.

Tips For Implementing A Client- Focused Culture In Your Firm

- TIP #1: Realize that exceptional client service is the name of the game.
 Your law firm exists to serve clients.
 They pay your bills and if you don't perform they will take their business to another firm.
- TIP #2: Make a commitment to providing exceptional client service.
 Not talk or slogans, but action-orientated client-first behavior that become part of the firm's culture, a habit and part of daily life exhibited by everyone in the firm. In other words, walk the talk. This commitment must come from top management, which must also demonstrate, by example that the firm is serious about providing excellent client service.
- TIP #3: Determine where you presently stand in the eyes of your clients and how they perceive you. Conduct a professional client satisfaction survey to solicit feedback and identify needed improvement areas. Insure that the mail survey or telephone survey is professionally done and that the results of the study are valid, reliable, and meaningful. A follow-up/problem resolution system must be part of the program.
- TIP #4: Based upon feedback received from your clients and your own assessments design and implement a client service improvement program. The program should focus on long-term behavioral change and not just a one-shot quick fix. It

should be established as a six to 12-month campaign designed to burn new client-first habits into the fabric of the firm's culture. The campaign should include:

- √ A client service improvement plan
- √ Client service standards
- A kickoff meeting (or series) for all employees sharing with them the results of the client satisfaction survey, the firm's dedication to exceptional client service, and client service improvement plan.
- An ongoing abbreviated random client satisfaction telephone interview program. (Permanent program)
- A series of client service training workshops for all attorneys and staff.
- √ Incentives, bonuses, and special rewards for employees that have provided exceptional client service. (Permanent program)
- √ Linkage of customer satisfaction to employee performance evaluations. (Permanent program)
- Incorporation of client-first in all internal and external communications.
- √ Design of internal scripts, graphic, and other support vehicles designed to remind employees of the firm's commitment to exceptional client service.
- √ Review of results and level of improvement in client satisfaction at the conclusion of the campaign.
- TIP #5: Establish client service standards. For example:
 - √ Phone calls will be returned within two hours.
 - √ Be client friendly. Treat clients like you would like to be treated. Eliminate arrogance in manner and tone.
 - √ Answer phone calls by the third ring.
 - √ Provide status updates monthly.
 - √ Send out billing statements monthly.
 - √ Send clients copies of all documents created or received on his
 or her behalf.
 - √ Ask clients how you are doing.
 - √ Smile—whether on the phone or in person.
 - √ Ask a client their name and always use it.
 - √ Thank clients for their business.

- √ Go out of your way to make it easy for clients to do business with the firm.
- √ Do what you promise and when you promised.
- √ Don't make promises you can't keep.
- TIP #6: Ask attorneys and staff to put themselves in the client's shoes and think like a client.
- TIP #7: Ask attorneys and staff to think about how they would like to treated and service that they expect from others.
- TIP #8: Ask attorneys and staff to make an inventory of positive common sense client service behaviors and have them practice these behaviors until they become common habits.
- TIP #9: Give clients what they want. For example:
 - Help clients feel comfortable working with you and your staff.
 - Treat your clients with respect.
 - Be accessible to your clients.
 - Demonstrate that you understand your client's concerns and you are their ally.
 - Ongoing communication and information regarding the status of their matters.
- TIP #10: Hire the best receptionist that you can afford. Invest in training. If you are a small firm consider enriching her job by putting her in charge of client service and have her serve as marketing coordinator. Reward and pay your receptionist well.
- TIP #11: It takes 30 days or longer to form new habits. PRACTICE, PRACTICE, PRACTICE. Celebrate your successes, reward employees, and continually strive for improvement in client satisfaction. Your goal should be 100 percent client satisfaction.

Keep up the good work.

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Using Outlook 2003 to organize your e-mail

By Alan Pearlman, "The Electronic Lawyer"™

id you ever take the time in your practice day to think about just exactly how much time you spend looking for those very elusive BUT important e-mails? Most, if not all of us, spend far too much time doing just that and know that it's not time well spent. Yet, when you organize your e-mail reference system into a useful folder hierarchy, it's easy to file messages for later reference.

Setting up e-mail reference folders

The key to keeping e-mails organized is to create an effective e-mail folder hierarchy. When you create this hierarchy in advance and base it on your meaningful objectives and supporting projects, then and only then, can you more easily discern what is worth keeping and what should be discarded!

When working in Outlook you do so by pointing your mouse to New in the File menu, and then clicking on Folder. Now in the Create New Folder dialog box, in the Name box, type your name for the folder, i.e., Divorce Law Issues. Always keep in mind what your objectives are for these folders and/or subfolders.

Now in the Create New Folder dialog box in the Folder Contains box, click the type of folder that you want to create, i.e., for storing e-mail items, then just click on Mail and Post Items. Now in the Select Where to Place folder list, select a location for the folder and then click OK.

Moving your e-mail messages

Now, you should know when your e-mail messages arrive they go directly into your Inbox. So in order for you to organize the messages that you wish to retain in your newly created e-mail reference system, you need to move them to the folders that you have just created.

To do so you simply click on the message you want to move and drag it over to the folder you have developed for it. Likewise, if you desire to move a range of messages merely click the first message and hold down your shift key and then click to the last message in the range. If the messages are nonadjacent just hold down the CTRL key and click each message. If you desire your e-mails to go directly into your created folders, you simply create a rule for those specific e-mails. After the rule has been created, messages with those specific criteria will automatically appear in your specified folders.

Rule creation is a simple matter of clicking on Actions and then Create Rule after you have the e-mail open. You can then specify the criteria for the e-mail such as the header of it or the subject of it. You can create a lot of conditions to allow only certain items into certain folders.

Many times e-mails have attachments and in those cases you may decide that you need the entire e-mail for its context or only the document, which can stand alone. If the e-mail is of no importance, simply save the document in your my Documents folder and delete the e-mail message. If you need the information of the e-mail then save it to your Outlook folder reference systems folders. However, if the document and the e-mail need each other so as to be meaningful to you, I suggest that you save both items in your e-mail reference system.

As an added tip I recommend that you store your documents on your hard drive whenever possible. First off, you

have more storage space there and, more importantly, the search function in your e-mail reference system searches only through e-mail items and not any of the documents attached to them, while in the My Documents folders search function does a search through documents!

Conclusion

Keep in mind that an effective e-mail system of reference will help you to find critical data much more easily and it will dramatically reduce the amount of time you spend trying to manage all of your e-mails. Most statistics show that, if used properly, an organized e-mail system such as this can save you up to 50 minutes or more each day, and that comes to approximately three weeks a year! Just think—now you have three more weeks every year of billable hours. But frankly, you should just spend it relaxing and knowing that your e-mails are taking care of themselves.

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How do you measure success?

By Terry Rosenthal

Il law firms have their own way to measure productivity, profitability and performance. As a matter of fact, these numbers are calculated and interpreted many different ways, in various firms and types of practices. This article is intended to break down some of the variables to help you better understand and evaluate lawyers contribution to a firm's success.

As a consultant who works extensively with time and billing, I am constantly being asked to run reports on "how much each attorney billed in a month." Even though that sounds like a straight forward request, it initiates a series of questions. What does "billed" mean to you? Here are some examples of interpretation:

- Billed time = all client time spent
 Firm A considers billed time to be
 all time spent and billed to a client
 during the month. Billable and nonbillable (no charge) time are both
 included in the "billed time per
 month" value. Administrative and
 overhead time are not included.
- Billed time = all billable client time spent

Firm B looks at all billable time recorded in their billing system during a month. Write-downs, because they are done at the time of billing, do not reduce billable time recorded. Time that is entered as "No Charge" is broken out as non-billable time. This type of report would show billable, unbillable and total time spent. Value of the time may or may not be included in the totals.

on client invoices regardless of when work was performed
Firm C only looks at the amount of billings that actually went out on invoices that month. Regardless of when the work was done, time billed to clients during a given month are what constitutes "billed time per month." In this case, dol-

Billed time = value of time billed

In addition to the above scenarios, firms evaluate performance and con-

lars are evaluated rather than time.

tribution using other criteria. Two most common basis for reporting are "originating attorney" and "working attorney." A third element is often "responsible attorney." Here are definitions for these terms:

- Originating attorney: The attorney who introduced the business to the firm. Who is the "rainmaker" for this matter, or client?
- Working attorney: The attorney who actually performs the work and is responsible for billing time is called the working attorney. Very often there are many "working attorneys" on a matter.
- Supervising attorney: Even though one individual may be responsible for bringing the business into the firm, often another attorney has primary responsibility for the case. For example, a partner who concentrates in estate planning may refer a new real estate client to a firm. The partner who manages the real estate group would be the supervising attorney; the supervising attorney is the person who manages the staff and reviews bills before being sent to the client.

Originating, working and supervising attorneys are usually evaluated based on collections, not on work performed. They will be credited for dollars collected and may even be compensated on a percentage basis. This might seem a bit unfair at times because the attorney performing the work is often an associate who has no control over whether or not fees are collected. Fair or not, some firms still choose to use this as one of their criteria for raises and for paying bonuses.

A note about flat fees: Typically, flat fee values are much different than the value of the time spent. For example, if an attorney bills a flat fee matter at \$10,000 and he spends 20 hours on matter, his hourly rate would calculate at \$500. So even though this attorney's standard hourly rate is \$250, the value of the time on this case would be \$500 per hour. Flat fees can greatly increase or decrease productivity. Straight hourly rate is irrelevant and the total

value of the matter is not able to be determined until after a final bill is sent. This too, needs to be taken into consideration when evaluating how much an individual is contributing to a firm!

All billing packages today include various types of quantitive reports. However, before you use these reports to evaluate performance, it is critical that you understand exactly what the numbers mean. And even more important, that you decide what types of numbers will help you best evaluate your firm's progress, performance and profitability.

In conclusion, my experience with hundreds of law firms throughout the Chicago area has taught me that every firm has a different idea of how to evaluate performance.

- My first question is: Are you looking at how much time was actually billed, or how much time was worked?
- 2. From there we determine whether the firm is looking at time spent, time billed or value of the time.
- After all of the billings are addressed, I continue to probe to see if managing partners are interested in tracking collections ... by originating, working and/or supervising attorneys.

As you can see, there are many ways to answer "How much did each attorney bill last month?" Hopefully this article provides tools for you to formulate your question accurately, and better evaluate staff performance, productivity and profitability.

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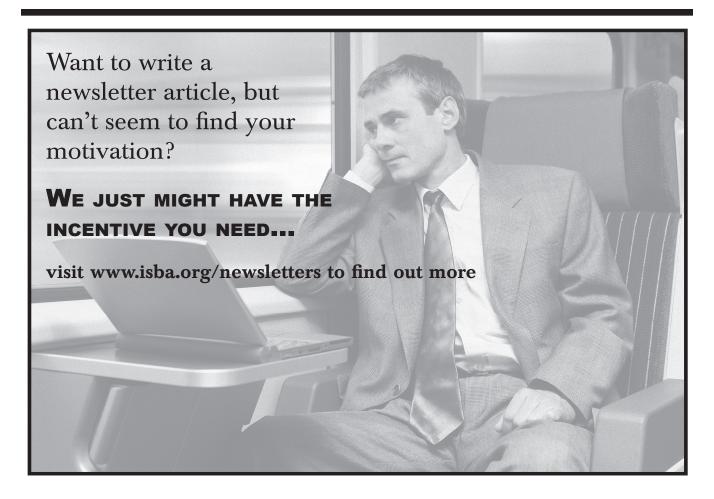
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