



Building the law firm of the future

HOW TECHNOLOGY WILL HELP MANAGE AND RESHAPE YOUR LAW FIRM

In years to come, I believe that we will look back on the COVID-19 global pandemic as a marker in time that separates an old paradigm of business operations from a new one. These past months have provided us with a small glimpse of what the future will require of a law firm to succeed.

Before the pandemic, law firms could operate successfully in much the same way they had for the last decade. With the arrival of 2020 and all of its surprises, law firm operations have had to radically shift to survive.

Many firms, from solo practitioners to large national firms, have had to scale back their practices or suspend normal operations, while they rethink their systems and processes. In contrast to this, more “progressive” firms have thrived through this period – discovering new opportunities and efficiencies along the way.

I consider myself very fortunate to lead a firm that has not only weathered the stay-at-home mandate but has continued to grow through it. Below, I outline many of the technology decisions and investments we have made, that have helped our firm progress through these unprecedented times.

Good planning and good fortune

I can recall with great clarity the moment I realized that we were about to experience an unprecedented interruption in the way we go about our daily lives. No official stay-at-home announcement had been made, but I could see the writing on the wall.

Expecting an official order to close our office doors to come down at any time, we acted quickly to ready ourselves for remote work. With dozens of staff, each with different home situations, this could have presented many potential challenges.

Considering all of the variables that come into play, with an interruption at the scale we have experienced, our

transition to remote work was nearly seamless. This was in large part due to the technology investments we had made over the years. The only downtime we experienced was the time it took our staff to pack up their in-office workstations and take them home. Most of our staff were up the same day, and all of our staff were fully operational the next morning, working remotely from their homes.

One thing that we were committed to, from the beginning of the statewide shutdown, was to ensure that we would have no lay-offs and that every staff member would continue to be paid as expected. As if there wasn't enough stress and anxiety in everyone's lives, the last thing I wanted our team to worry about was their paychecks. It was important for me to deliver this message to our team in no uncertain terms.

Proper planning allowed us to provide security, stability and certainty to our entire team, during an incredibly uncertain time. Team members spent no time or energy wondering whether they would have their jobs. This allowed us to focus our energies on the task at hand – representing our clients and moving their cases forward in this new reality.

The future is now

At the time of this writing, our world is still filled with uncertainty. There is no end to the pandemic in sight. The courts are working at minimal capacity and there is no plan to bring back civil jury trials anytime in the near future. Further adding to the stress of what the future holds for our clients and our cases is the backlog that the courts will have to go through. It could be years before the courts catch up.

Given the current state of things, we must no longer consider the law firm of the future some theoretical far-off ideal to strive for, but rather an imperative that must be implemented today. Without radical change to tools, methodologies

and approach, many law firms will simply not survive.

Fundamentals remain the same

While change is necessary, it is not always easy. If the task at hand seems overwhelming, it is important to take a step back and recognize that the law firm of today and of the future still adheres to the same fundamentals as it has over the last century. It is only how those fundamentals are achieved, that changes.

There was a time when the fax machine was seen as a progressive threat to the established way of doing things. Scary at first, the fax machine is no longer a threatening device. Similarly, today's technology may be intimidating to the uninitiated, but there will come a day when its benefit is understood and accepted. If you think about it, most law firms today don't have physical fax machines, but they do have the ability, through technology to send and receive faxes. It is this exact adoption of technology that will help drive continuity in an industry that has traditionally been the slowest to innovate.

We are very intentional about our approach when it comes to technology. Over the years, the goal with all of our technology investments has been not to chase shiny new trends, but to facilitate the fundamental needs of our firm in an efficient and cost-effective way. It is important to watch and have an open mind in the developing technologies and how you can use them in your practice.

You may find that some new technologies are not a good fit for your firm, but you can only know that if you test and understand the ways in which the solutions are designed to function. A sure way to stay behind is to outright dismiss technology because the current way you've been operating is easy or comfortable and worst of all what you are currently doing “works.”

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Communication with potential clients

The world is becoming increasingly connected, and with the explosion of this interconnectedness has come a plethora of new channels through which we can be contacted.

If you are a firm that relies on advertising, it is no longer enough to only offer a phone number. To succeed, you must now be willing to engage your potential clients where they are and with their communication habits. Your potential clients have more information and options available to them than at any other time in history. If contacting you is too difficult, they can and will move on to the next option without giving it a second thought.

At our firm, potential clients can contact us by well-established means of business communications such as telephone, fax, mail, and email. But they can also reach us through a number of emerging channels – like our phone app, via text message, through social media, by web conference, or on a web chat. After all, you don't know where your next client will find you, and what their preferred method of communication is.

Whatever the mode of communication, you want to be there and available when a potential client decides they are ready to contact your firm. Discounting any of the above ways to engage potential clients can be a serious detriment and unimaginable missed opportunities to your practice.

If you can't measure it, you can't improve it

To be effective and efficient, I encourage you to leverage tools that aggregate and measure activity on these channels. If you are not measuring these channels, you are potentially wasting time and money to support something unnecessarily. Similarly, you may be inadequately resourcing channels that are working.

It is possible to monitor individual channels at their source, but there are a

number of tools that will centralize these communications in a single place. In our firm, we have dozens of social media profiles and directory listings. Watching each one and responding promptly is just not feasible. We utilize Sprout Social to do this for us, but there are other similar tools – Buffer and Hootsuite are two big players in the space that come to mind.

Communication with clients by phone

When we were forced to leave our office, the principal concern that we had was how we would be able to remain accessible to our existing clients. Fortunately, we were well-positioned for the task.

Years prior, we had elected to use a cloud-based VOIP (voice over IP) phone system. One of the offerings of our particular system is an app for mobile phones. With the app on, each staff member's mobile phone is indistinguishable from their desk extension. This allows our team to take calls wherever they are. We elected to use a system called Jive that was acquired by Go-To-Connect in the last year. The option we selected has worked well for us, but there are a number of similar options like Nextiva, Grasshopper, Ooma, and Ring Central.

Whichever option you choose, this is one of the most important technology decisions you can make immediately. Cut the cord and don't look back. The days of having a desktop phone that can only be answered while you are at a desk, or having to manually forward and unforward, are over.

Cloud-based phone options allow you and your entire team to work seamlessly from anywhere in the world. Each team member's cell phone is now as powerful, if not more so, than the traditional wired desktop phones. Most of these solutions have reporting functionalities that will also provide you with incredible data from which you can take action.

Communication with providers

Like many of you reading this, our firm has to deal with a very large volume of faxes. While we would prefer that this

was not the case, it is the reality of doing business with medical providers, hospitals, opposing counsel and courts. Like our phone system, we tackled this by opting for a cloud-based solution. Our firm went with a virtual fax solution product offered by RingCentral.

By liberating faxes from the confines of a local machine, our entire staff has access to faxes sent to our firm. There are many other alternatives to virtual fax vendors. You need a virtual fax solution where all of your faxes can be accessed online or in your email and by as many staff members as you need.

Internal communication and collaboration – video conference

Operationally, internal communication was by far the biggest challenge we faced as a firm when we began working from home. One of the many conveniences afforded to you in an office setting, is the ability for meaningful and complex communication. You can meet one on one, in groups, with supporting documents, and so on. In a remote setting, these conveniences are largely lost.

Our phone system allowed us the ability to speak one-on-one. The problems began to arise when multiple people needed to be involved in a conversation – whether it was a strategy session among our leadership team, a huddle within a department, or a creative collaboration among the marketing team. For this, we turned to the video conferencing platform, Zoom.

Regardless of the video conferencing platform (of which there are many), the important thing is that you are able to converse as a group, share screens, and restore much of the non-verbal dialogue that is lost in voice-only calls or written words.

What we found effective is to set a schedule of regular meetings and stick to it. That way every team member knows to block out a specific day(s) and time(s) for these critical meetings. Our department leads meet regularly several times a week

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and each attorney team meets twice daily with the rest of their support staff – once in the morning and a close-out meeting at the end of the day.

Messaging

When we switched working context, we found that many of our staff began using email as an asynchronous method of communication between one another. This quickly became problematic for a number of reasons – speed at which information was conveyed, people being excluded, attachments disappearing, and information and document versions getting out of sync.

To solve the asynchronous communication problem, we turned to Slack – a collaboration and communication messaging platform. Slack and its competitors allow you to create one-on-one chats, as well as channels for larger groups to communicate within. It supports the sharing of documents and rich media and allows participants to quickly scan for information relevant to them. This has been a critical part of our internal communication and an effective way to deliver important messages across 50+ team members in real time.

Case, client lead and document management systems

At the center of our firm are three applications that are all web based, meaning they can be accessed in a web browser from anywhere in the world with an internet connection (or on our cell phones if there is no internet connection). They are our case management system, our new client lead management system, and our document management system.

From day one, we recognized the value of web-based technologies. By leaning into them and investing heavily into web-based solutions, it has made our firm more nimble. I encourage you to look at your existing software and if you have to remotely log into a server or rely on a third-party server to access your information, seriously consider a web-based alternative.

The limitations of physical paper files has been made abundantly clear by the COVID-19 pandemic, as has the limitations of on-premises (server-based) case management software. While much of this can be overcome through the use of VPNs, it falls short of the nimbleness and flexibility you get with a cloud-based system.

Security

One aspect that is easier to control in an office setting, is information security. The law office of tomorrow will not only be concerned with how work gets done, but how it is done in a way that safeguards sensitive information. As a firm, we have implemented tight controls on who can and cannot access certain information, and who can and cannot add or revoke that access. We have also set up timeouts, password controls, and other measures to mitigate risks.

If you have not already made it a part of your processes, regular auditing of security protocols is something that should not be neglected and should be calendared to revisit on a regular basis. There are many security solutions available which can track, monitor and notify you of suspicious activities on your systems. These solutions can record web activity, keystrokes and much more. It is certainly worth the time to determine if such a solution is right for your firm.

Driving growth

Healthy things grow – whether it is growth in income, growth in staff, or growth in reputation – healthy things grow. Legendary College and NFL head coach Lou Holtz said, “In this world you’re either growing or you’re dying, so get in motion and grow.”

As a firm, we do not want to simply get through the current global crisis, we want to come out of it better than when we went in. So, whether you are navigating your firm through today’s challenges, or envisioning the firm of tomorrow, you should not only be looking for how to survive, but how to thrive.

Casting vision and team alignment

I have found that most of the people you actually want on your team, want to be a part of something greater than themselves. They are looking for opportunities to play a part in something much bigger than they can achieve on their own.

In a law firm setting, the grind of the day-to-day tasks can blind us, and them, from the truth that we are actually making a meaningful impact in people’s lives and helping them through the hardest periods of their life.

Whether your law firm of the future is remote or centralized in an office, you should find ways to address your team, to remind them of the role they are playing in helping others. And, paint a picture before them of how much more the firm can do and how they can contribute to having a positive impact on your clients and our communities.

In my firm’s current context, vision-casting happens on a bi-weekly all-hands huddle over Zoom. It has been a powerful and effective way for staff to see their larger team of co-workers, to remind them of the important work we are doing, and to cast vision for what is to come. Having this team alignment and understanding is an absolute must for every firm. The vision you have for your practice must be shared with the most important people who are going to help get you there – your team.

Toward a data-centric firm

Technology plays a critical role in helping us monitor the effectiveness of our staff and processes. Measurement and reporting is always a key consideration when we evaluate potential technology for our firm. When evaluating solutions for your own firm, the tools measurement and reporting capabilities should not be overlooked. If you don’t have an easy way to run reports or export data, it may not be the best solution as you look to build your law firm of the future.

In our firm, the effectiveness of each department is measured against a set of

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key performance indicators (KPIs). The purpose of the KPIs is not to micromanage, but to identify trends of under-performance and inefficiencies. The KPI we have set, and the KPIs you set at your firm, should not be a burden to you or your staff to calculate. They should be reportable by your software or be something that is quickly calculable or automated.

What we have found is that the most valuable data, that provides the clearest insight into the health of the firm, is not data from a single system, but the output that we get when we marry two or more data sets together. For that reason, we have invested heavily in bespoke reporting automation and data visualization.

The firms of tomorrow will certainly recognize the value of data and will make investments to make their data work for them — and that the health of their firm can be read from a dashboard.

Setting goals

As intelligence in the tools we use increases, so too does our ability to lead our employees. By measuring their performance, we can compare this month's output to last month's, one employee's work product against another's. It helps us to identify points where we can praise, points where we can coach, and points where more significant actions can be taken.

With good intelligence, it becomes easier to set performance goals and monitor how an employee is tracking against those goals. Because most of this will be transparent, an employee knows when they are exceeding expectations, or failing to meet the standard. Numbers don't lie and there is nothing worse than a team member who believes they are doing a great job, but in reality, the numbers suggest otherwise.

At our firm, we believe in full transparency in this data and KPI reporting. Every Monday, a report is circulated firmwide for everyone to see. This report is broken up by department and is organized by each individual team member by name. A similar report, but in

greater detail is circulated on a monthly basis. Nobody likes to see their name at the bottom of their respective department. The power and motivation public accountability can have on a team member's performance is incredible and is often undervalued. I suggest you try this and watch as your staff works harder to get to the top of the weekly report — and for some, to avoid being at the bottom.

Hiring by the numbers

One place where the value of quality data may not be immediately apparent, is in the hiring of new employees. By measuring staff performance, it is easy to identify who your top performers are in each of your roles. When you are ready to bring a new recruit onto a given team, it makes sense to hire someone who tests similarly to the all-star on personality and IQ tests — this should increase the probability that the new recruit will find success.

It is impossible to assess a candidate's abilities through an interview and resume. Over the years, we have learned the hard lessons of this fact. One of the hardest things to do is to have to let go of a hire that wasn't a good fit. Often, it could be months, and unfortunately, maybe even years before you realize you have an ill-fitted team member.

Several years ago, we became very intentional with our hiring and recruitment. Our current recruitment and hiring process includes a 10-step process which includes four personality and cognition assessments, video-recorded interviews, phone interviews and assignments. At each one of these 10 steps there are indicators for which we eliminate candidates. While some may consider this overkill and burdensome, it has saved us from a tremendous amount of heartburn and allowed us to identify all-stars who we are fortunate enough to have on our team.

I suggest having a process in place other than just looking at a resume and conducting an interview, where you can identify key players who will join you and contribute to your vision and service to your clients.

Lastly, just because someone has experience, doesn't make them a good fit for your firm. Implement a way to filter candidates and make sure their personality is the right fit for you, the rest of the team and firm culture. It doesn't matter what Joe Smith or Jane Doe has done in the past for one of your competitors — are they a good fit for your firm and do they understand your vision?

The future, and the place of remote work

While restrictions have loosened around returning to offices, at this present moment, a new wave of COVID-19 is surging in the United States, with record numbers of people being infected each day. Our leadership team has made the decision not to have our full staff return to an office setting for the foreseeable future. In fact, I am now reconsidering the necessity of having all of our staff working from a single office.

While remote work presents some challenges, it also offers many benefits for both the firm and the employee. For the firm, the chief benefit is the ability to grow our staff without the physical limitations that come with an office building. Over the last four years, we have had to move our primary office three times as we reached the physical capacity of each of these spaces. With a remote workforce, physical space is no longer a concern. A firm that has embraced modern communication tools and connected technologies does not necessarily have to concern itself with the space limitations of conventional office work.

In 2019, I started a co-working office solution for lawyers called LawWorks to serve as an alternative to the traditional law office and embrace technology. Members have access to all of the technology solutions needed to plug-and-play an entire firm and run a practice. No more long-term leases or investments in furniture, printers and supplies. Members can use conference rooms, huddle rooms or use the open workspace or phone

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booths as they see fit and only pay for what they use. Forward-thinking office solutions like LawWorks in Irvine or JusticeHQ in Downtown Los Angeles and other cities will prove to be at the forefront of helping lawyers build the law firms of the future.

Final thoughts

The law firm of tomorrow is not about reinventing the practice of law.

It will always demand our focused effort, our creativity, our desire to uphold justice and service our clients. However, the tools we use to manage our practice will always be in a state of flux.

Today's world requires that we work remotely, and we must adapt to survive. Tomorrow may and most likely will place new, unforeseen demands on our practices. Regardless of what is to come, it is imperative that we continually seek out

processes and tools that keep us efficient, flexible and ready to adapt.

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