

Legal Practice Management News

...adding value to the business of law



Old President Peter Scanlan makes a fast getaway with from left Gill Duffy, Mary Hockaday, Ted Cripps and Jenny Watson at the July 03 conference.

Gold Coast Conference - a resounding success

The third ALPMA national conference held at the Sheraton Mirage Resort in July was a resounding success. Delegates from all over Australia enjoyed not only the great weather and venue, but highly interactive seminars and workshops over a two day program.

Built around the theme "Implementing for Success" delegates were inspired by presentations that were based on implementing what we know we should do. We all know the saying "The road to hell is paved with good intentions". This conference steered and inspired managers to focus on implementing their 'good intentions', starting first thing Monday.

Special guests included Austin Powers, Ab Fab, Basil Faulty and Manuel and the Mad Hatter. Not to mention the roaring success of the Roaring 20's Theme closing dinner.

ALPMA Legal Management Summit 2004

The winning edge - Overtake your competition

The fourth ALPMA Legal Management Summit will be held November 5th & 6th at the fabulous Park Hyatt Hotel in Melbourne. "The winning edge - Overtake your competition" will feature key note speaker Blane Prescott of Hildebrandt International presenting Trends in International Law Firms, profitable teams, high performing groups and what the keys to their success was. Accomplished presenter Debby King-Rowley will workshop three aspects vital to success through customer intimacy, operational excellence and how to package it to your client.

Emotional Intelligence - The concept; the research and what it means for lawyers. Terry Lee will outline what this concept means for strategic differentiation

Who should lead Camelot? An interactive forum designed to discuss the issues faced by Corporate Governance and the Partner Model.

The ALPMA Dinner will feature the inaugural innovative awards ceremony. A night filled with entertainment - pack your party shoes and get ready to dance the night away to the GHB Band and 100% Kylie.

The conference takes place on Melbourne Cup week, so why not take the opportunity to tie in a trip to the spring racing carnival and a value packed conference that will motivate, inspire and provide ideas to place into any size practice. [Click here](#) to view the conference brochure.

2004 Legal Management Summit
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Inaugural ALPMA Innovation Awards

ALPMA are thrilled to introduce the concept of the 2004 Innovation awards. We're taking the opportunity to promote, encourage and recognise excellence and achievements in all areas of Management within Australian Law Firms. [Click here](#) for more information.

The Awards are

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SOLUTION 6

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President's Column

As the 2003/4 membership year draws to a close, we can take the opportunity to reflect on how the National Association has continued to add value to the business of law.

Our second Workshop Road Show was rolled out to Sydney, Brisbane, Melbourne, Adelaide and included a both well attended and received in Cairns. Duncan Hart presented to over 80 members and non-members "Growing Your Firm – A Roadmap." The Association has planned for 2 of these workshops to be undertaken in the next membership year.

The Queensland Chapter of the ALPMA successfully organised the 2003 conference "Implementing for Success". Congratulations to the Queensland group for their efforts and the successful result.

Our web site has both changed and expanded over the last year. The new look web site was launched in the first half of the year with very positive feedback from our members. The web site has allowed us to provide members with details of upcoming events, relevant articles and easy access to a myriad of resources. Only recently a members database was added and an extension of the New South Wales members forum has now rolled out Nationally. This feature allows members to pose questions to their state members via email from the state secretariat. Members are then asked to provide their comments/feedbacks directly onto the web site.

Thanks to resigning board members Murray Goode and Graeme McFadyen. Also a sincere thank you to the our former National Secretariat and Marilyn Penhall.

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2004 National Professional Development Program Growing Your Firm – A Roadmap

Duncan Hart facilitated the ALPMA National half day strategic development program. Duncan's hands on, down to earth approach to strategic management provided specific case studies to attendees and a realistic look at the problems of practices and the direction in which their firm was heading. Take home tools allowed attendees theory to be converted into reality.

THE BEST WAY TO ADVANCE MAY BE TO HAVE A GOOD RETREAT! Duncan S. Hart LL.B MBA

Retreats have increasingly become an important weapon in the armoury of more profitable firms, both large and small. They use them to lay and sustain important groundwork for future success.

Retreats are peculiarly desirable in the professional service environment where firms often make little effort to exploit their collective talents, preferring to pursue individual objectives under the misnomer of operating as a 'partnership'. Even in larger firms, there is often so little productive collaboration between teams that such teams can almost be considered as separate 'firms' within the larger firm.

Organisations that consider such retreats 'old fashioned' or unnecessary have not capitalised on the most fundamental advantage they possess; that they are more likely to enjoy a profitable, secure future and cement real competitive advantage, by actively combining their strengths and talents.

Such neglect is not only inefficient but results all too often in high levels of misunderstanding, stress and outright hostility between partners who often have little appreciation of what other members of the firm do and why. Clients' needs are often claimed to be paramount, but a collective rather than an individual approach best serves those needs. Why did you join a firm in the first place? What do the clients expect if not the benefit of the firm's *collective* strengths and expertise?

A retreat sets management the challenge and provides the opportunity for harnessing those diverse strengths and talents. Further, it challenges its participants to take more responsibility, and to be willing to be held accountable for their collective decisions. These are skills that are central to the success of any collective endeavour and lie at the heart of providing 'professional services'.

It is the ability to identify, harness and deploy such *organisational* strengths, (as are present in every firm) on a consistent basis that very often separates the winners from the losers in the professional services environment.

So what role can a retreat play in building a more profitable and engaging future for your firm? Here are a few thoughts to consider before embarking on your next retreat.

Objectives

A clear purpose – Retreats must have a clear purpose – what do you want to be different following the retreat – what will change on Monday?

Some good reasons to hold a retreat include:

- Getting the firm to recognise and devise a collective action plan to address a specific issue – loss/gain of a major client, personnel retention, team dysfunction etc.
- To change attitudes and behaviours – to allow concerns and questions to be raised which, left unanswered, may injure the firm. To clear up misunderstandings and review how such attitudes/behaviours can be changed for the firm's benefit.
- To create or review the firm's vision and review its strategy – this can be a very powerful tool in giving the management team or managing partner a clear mandate as to where the partners want the firm to go.
- To make difficult or touch decisions – a retreat environment can assist management in getting support for what might otherwise be seen to be 'solutions imposed from above'.
- To get benefit of the group's creative energy – to devise new services, revamp old ones and give partners a sense of influencing the direction of the firm.

Poor reasons for having a retreat include:

- We just want to improve morale – this has a high risk of being perceived as being anything from 'a waste of time' through to an exercise that 'avoided the real issues' – only 'good news' was discussed while issues of concern were avoided.
- Pursuing a hidden agenda – another high-risk strategy of disaffecting many and undermining the convenor's credibility. Feelings of resentment will surface once the 'real agenda' becomes obvious.
- I want to make my position clear on specific issues – again the purpose of a retreat is to gain constructive feedback and to listen to what others have to say and contribute – not merely to 'rally the troops'.
- When there is no commitment to take the outcome of the retreat forward – participants will have an expectation that their contribution will be valued and above all acted upon, or at least seriously considered. To make the opportunity and then ignore their contributions is to run the risk of simply using the retreat to 'rubber stamp' a preconceived outcome that predictably leads to widespread cynicism.

continued.....

THE BEST WAY TO ADVANCE

MAY BE TO HAVE A GOOD RETREAT! (continued)

Processes

Processes - As important as deciding what the purpose of the retreat is, are the processes which contribute to a successful retreat taking place.

Some points to consider are:

- Who is going to be responsible for setting the agenda? – Is this the hands of an individual or a committee – if the agenda is unclear, how is the content going to be finalised?
- How long should the program be? – Consider having the first day on, say, a Friday and a half-day on the Saturday followed by a recreational break.
- Would the retreat be assisted by the use of an outside facilitator? – This often encourages a more frank and open debate and allows the gathering of critical partner views prior to the agenda being set to ensure material issues are addressed.
- What information needs to be put together before the retreat, how much will be sent out as preliminary reading? – it is essential that any facts, and particularly figures, are collected and if necessary distributed in time for them to be intelligently absorbed if they are critical to the retreat's outcomes.
- Would an outside 'expert' on the issues to be addressed be a useful contributor to the discussion? – Consider an after-dinner speaker for the first evening, perhaps even a client.
- Would the retreat benefit from direct client comment/survey or input? – Such properly conducted surveys can overcome what are often 'anecdotal' and inaccurate comments from participants.
- Is one such an event going to be sufficient or should a follow-up be considered? – Beware of attempting to achieve too much in one retreat. Consider the desirability of a follow-up event – a meeting or various sub-committees to take forward initiatives may be sufficient.
- Is the venue sufficiently distant to prevent partner 'leakage', particularly in the evenings? – Try and ensure partner interruptions and 'excuses' that result in to only 'partial participations are kept to a minimum – make the sessions 'phone-free-zones'.

Outcomes

Outcomes - In the final analysis however the purpose of having a retreat is because you want to achieve some specific outcome – the initial question posed was, "What do you want to be different following the retreat?"

If the retreat is properly constructed and is genuinely successful in generating ideas, building consensus around specific initiatives and encouraging constructive criticism, then those outputs must be captured. Not only must these thoughts be recorded, they must materialise as quickly as possible into concrete initiatives and documented plans, designed to guide the participants in understanding exactly how things *will* be different. The outcomes must plainly identify, "Who is going to do what and by when?"

There are distinct differences in the disciplines involved in convening and leading such events as opposed to facilitating the event itself and documenting its various outputs. Convenors of such events should give serious consideration to utilising such facilitation skills earlier rather than later in the organisation of such retreats. There is much to be gained in not only ensuring that the retreat achieves its stated objectives but also permitting the convenor to actively participate in the retreat rather than be seen to be directing its outcomes from the chair.

Retreats, far from being an unavoidable 'annual talk fests,' should be carefully constructed exercises in leadership and facilitation skills. Given the considerable opportunity they can present to utilise the intellectual capital the firm possesses, not to mention the financial and emotional investment they represent, retreats warrant careful planning and execution.

So what will be different at your firm next Monday?

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The Rhett Butler Guide to Client Service...

Alan Slater

In the old days of the Soviet Union, when almost everything was in short supply, there was a tale that Russians used to tell involving a man who had waited 5 years to rise to the top of the list of those entitled to buy a car. He fills out twenty forms and makes the deposit at the Department of Transport and is told that his car will be delivered in three years time. "Will that be in the morning or the afternoon?" he asks politely. "What possible difference could that make?" comes the officious reply. "Well", says our man, with some concern, "The plumber is coming in the morning!"

Even today, we've all been there, haven't we? We phoned with a query and "they" promised to call us back, so we wait...and wait...and wait! Or "they" promised us a quotation by yesterday, at the latest, and there's no sign of it coming. Or "they" said that the paperwork is being done and it's out of "their" hands.

I call it the "Rhett Butler School of Client Service" – or the "Frankly, my dear, I don't give a damn!" frame of mind

It's never actually spoken, or at least, not in those words, but then it really doesn't need to be, does it? It's implicit in every in-action, in every non-communication and in every un-satisfactory result.

And let us be clear here – this is NOT the sole problem of retailers and manufacturers. It is becoming even more prevalent among service businesses. Those lawyers, those accountants, those bankers and brokers on whose specialities we rely so much, also have a responsibility to provide not just "The Service" required, but all the other emotional factors that clients expect, and increasingly DEMAND, as part of the package they are buying.

I genuinely believe that in today's competitive market place, where we are swimming in a sea of sameness, that exceptional client service is not just **A** competitive advantage – it is **THE** competitive advantage. Most service providers can, and often do, lay claim to being THE Specialist in a particular field. But are they really? Or are they just so very specialised in a particular field that only one client on a thousand will ever take advantage of that specialism? That's great for that singular client, but the rest of them have to shop around – and they are increasingly looking at the reputation for service as a prime indicator of "Value-for-Money"

One of the main problems is that services companies in particular find it challenging, and often impossible, to balance the supply of, and demand for their services. Such is the nature of their business. They cannot store services like manufacturers or retailers. They cannot offer a "Sale" if they find themselves overstocked. Quite simply, if not consumed, their services perish. This is where planning and forecasting is crucial – but this is also where a certain level of arrogance can creep in.

A client cannot download free legal advice from the Internet, or at least none that is really worth having. Nor will the Internet provide an accurate balance sheet or personalised financial advice – they all need professionals for those services. But these same clients also have a right to expect a level of service that both reflects and re-enforces that professionalism. The service provided may well have exceeded the clients' expectations but if the way in which was delivered was below those expectations, then they will not be satisfied, let alone "delighted".

And the cost of failing to delight is so very high. The alternative is that clients will continue to "vote with their feet". Failure to establish and maintain a focus, not just on the services provided, but increasingly on the WAY in which they are provided, will result in lost clients. And most practises do not know the true cost of lost clients or even the real reason for their defection. Remember that less than 5% of dissatisfied clients will actually go back to the service provider and officially complain. Of these, on average, half will defect. How many clients is that in your practise, who may be planning to defect, even as you are sitting reading this article? How good is your complaints procedure, for example, in encouraging clients to complain? The old adage that "You can't sell to them if you're not talking to them" is still as true today!

So what can be done about it? I believe that the answer does not lie in the "Inner Sanctum" of the Partners Offices. Nor does it lie in the front-line "Hi, how are you today?" arena either. It lies in the Corporate Culture – in the very heart of each and every practice. And, even worse, it has to be believed in, in order to become a reality. The Practice Manager's role is crucial in this area. If the Managers have commitment from the Partners and can really invest in their staff, if they can develop and deliver a Service Silhouette which will help to find, get and keep clients and if that Silhouette is consistent throughout the whole Customer – Service interaction, then clients' expectations will not only be met, but will be exceeded to the point where real and genuine Client Champions will emerge

Scarlett O'Hara's hope to win Rhett back again was that "After all. Tomorrow's another day!" But for service providers, whose clients have expectations way beyond the ability of the provider to deliver, tomorrow may already be to late! They may have already "Gone With the Wind"...

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AROUND THE STATES

Throughout the states many different programs have been undertaken. All of which clearly identify the Associations ability to coordinate the sharing of knowledge with the focus of improving the quality of the management of law firms within Australia.

Queensland

The Queensland chapters started off the year with a bang by hosting the National Conference on the Gold Coast. Throughout the year, many members have attended a series of presentation and workshops. The seminars have included topics such as risk management issues and the role practice managers could play in reducing claims notification, "Organisational Value and the Law, the Connection" which focused on how values in an organisation can be measured and applied systematically to identifying suitable candidates for employment within your organisation. The June presentation "How to make your Practice Fly" included a panel of practice managers who talked about what one thing they would change that could dramatically improve their firm's performance.

Victoria

The Victorian Chapter of ALPMA has had a very successful year with a significant increase in membership and member services. All seminars have been well attended enabling managers to keep abreast with changes and developments in the industry, as well as the all important opportunity to network. This years topics have featured changes in government legislation to superannuation and awards, change management, mergers and acquisitions, the demands of IT in management, the corporate athlete, working capital management and Three intensive workshops in Melbourne include "Leadership", FMRC and the Human Resources, where all of the tricky questions are answered. A special breakfast to bring Victorian managers up to speed with the industrial relations act and the impact of new legislation was very well attended. A workshop program has now been launched in Tasmania. We're please to report that two workshops have also been successfully run in Hobart and have been well attended by both members and non-members.

South Australia

At National level, ALPMA ran a half-day workshop with Duncan Hart "Growing your Law Firm - A Roadmap" on 8 April.

At State level, the Law Society's Practice Management Advisory Committee has also been busy this year. Peter Nicholls presented a seminar on Work / Life Balance in February. Seminars on Leadership and Networking will be held soon. Plans for the remainder of the year include sessions on customer service, staff retention, conflict resolution and issues in trust accounting. The Human Resources group meets regularly, and has developed a list of topics that would be of interest to members either as formal presentations or as issues for discussion. The Information Technology group is planning a trade display as part of the SA Legal Convention in July.

New South Wales

The New South Wales chapter of the ALPMA has seen a successful year with strong member participation.

This year has seen an expansion in the Learning & Development opportunities offered to members and non-members with the introduction of our Twilight Seminar Series. This series of workshops is aimed at key areas of the legal profession with our first workshop 'Salary Trends & Performance in Legal Industry' presented by Arlene Wherrett from Mercer Consulting, being herald as a great success.

To ensure that all our members are well informed of current developments, upcoming events and networking opportunities 2004 saw the launch of 'Alpmatters' our monthly E-Newsletter. Our monthly seminars have focused on a broad range of areas ensuring that all areas of legal management gain educational benefits. These have been well attended and have included topics such as Disaster Recovery, Office Fit outs and Lessons for Law firms, and Coaching for Lawyers. Our Annual Law Week Breakfast Debate was once again a 'roaring' success with Lisa Wilkinson and Peter FitzSimons providing us with a humorous debate focusing on the topic "Single Life is Better than Marriage". This was adjudicated by the infamous Sir Laurence Street, former Justice of NSW and was attended by approximately 350 representatives of the legal fraternity.