

A Model for LPM Success: The Case of Bilzin Sumberg



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Executive summary

This white paper describes the process that Bilzin Sumberg has used to implement legal project management (LPM) over the past few years, and it provides examples of the benefits they have achieved in six major areas:

1. Increased new business and profitability
2. Meeting client needs for cost reduction
3. Meeting client needs for predictable budgets
4. Improved alternative fee arrangements (AFAs)
5. Improved definitions of scope
6. Improved communication

As this white paper will make clear, Bilzin Sumberg has had many successes in changing the way they practice law to better meet client needs, and their LPM initiative has paid for itself several times over. But their work is not done.

The final section of this paper describes implications for other law firms based on Bilzin Sumberg's experience with LPM. Some of the tactics Bilzin Sumberg found to be effective are quite simple to implement. For example, in the early stages of implementation there was some lawyer resistance to the term "legal project management." By changing the terminology, using the less intimidating term "efficiency," Bilzin Sumberg was able to overcome lawyer pushback and develop broader buy-in.

Other Bilzin Sumberg strategies required more effort, such as unrelenting support from senior management, bringing in external consultants, and a gradual increase of internal LPM staff.

Nobody at Bilzin Sumberg – or any other law firm we've talked to – has ever said LPM is easy. But they do say that well-planned LPM investments will pay off for their firm and their clients. Greater efficiency and predictability is an absolute necessity for law firms to survive and prosper in an increasingly competitive legal marketplace.

Introduction

Lawyers often ask us to name law firms that serve as models for the most cost-effective ways to implement LPM.

Our first public answer to this question appeared in our blog in 2013,¹ when we wrote "no law firm on the planet has achieved more [LPM] behavior change, more quickly or more efficiently" than Bilzin Sumberg, a Miami-based law firm with more than 100 lawyers. Now, five years later, this paper will explain how the unrelenting support and follow-up by Bilzin Sumberg's

¹ http://adverselling.typepad.com/how_law_firms_sell/2013/12/how-to-sustain-lpm-progress-the-case-of-bilzin-sumberg-part-1-of-2.html

management has enabled it to hold the number one spot, and to achieve substantial benefits both for clients and for the firm.

Some firms are sure to disagree with this assessment, and a few may lay claim to the title for themselves. It is certainly true that some groups at other firms have made greater progress in particular sub-areas of LPM, such as process improvement, pricing, and knowledge management. But based on our research and consulting with hundreds of firms, we believe that no other firm has achieved greater LPM progress and experienced greater benefits across the board. And the reason is simple: Bilzin Sumberg has produced more behavior change among its lawyers than any other firm.

Last fall, LegalBizDev CEO Tim Batdorf facilitated a 90-minute panel discussion at Bilzin Sumberg, in which eight of the firm's leading LPM champions described what they had achieved to date, and what they had planned for the future. Every lawyer in the firm was invited, and the discussion also provided a brief overview of two new LPM resources that Bilzin Sumberg recently adopted: the digital tools and templates in the fifth edition of our *Legal Project Management Quick Reference Guide*, and Prosperoware's Umbria² software to improve budgeting, tracking, and more.

The first speaker was the firm's managing partner elect, Al Dotson, who spoke about the benefits already experienced through the firm's adoption of LPM as well as the expected benefits with future progress. When Dotson held his first LPM meetings with each practice group leader:

Every practice group said LPM didn't apply to them. Every practice group said that they were unique. Every practice group said they could not use LPM. Every single one.

In the final section of this paper – “Implications for other firms” – we will explain that this sort of initial resistance is almost universal. To overcome this resistance, in our experience, the support of key leaders is an absolute prerequisite for success.

In some cases, we have worked with firms that made significant progress when they were led by a partner who strongly believed in LPM. But then the leader left, and the initiative fizzled as new management stressed new priorities.

At Bilzin Sumberg, Dotson, along with managing partner John Sumberg and COO Michelle Weber, have persisted in gently prodding partners to see how LPM could help them, following the five key approaches explained in our white paper “The Keys to LPM Success.”³

1. Focus on changing behavior and solving problems
2. Aim for quick wins to create internal champions
3. Publicize successes within the firm
4. Use just-in-time training materials
5. Take action now and follow up relentlessly

² <https://www.prosperoware.com/umbria>

³ <http://www.legalbizdev.com/files/The-Keys-to-LPM-Success-Dx.pdf>

Although these approaches are important for success, LPM is not a “one-size-fits-all,” well-defined linear process or a simple set of steps. It is a mindset which must be constantly reinforced. And the behaviors that lawyers change as a result of this new mindset evolve over time in response to changes in the legal marketplace.

As Bilzin Sumberg COO Michelle Weber summed it up: “LPM is not a silver bullet. It is an ongoing and continual process of gradually modifying behavior, with little moments of clarity. To create LPM acceptance in a law firm culture, you have to keep reinforcing it.”

LPM Benefits

A major part of creating a culture that embraces LPM is to reinforce awareness of its benefits, including:

1. Increased new business and profitability
2. Meeting client needs for cost reduction
3. Meeting client needs for predictable budgets
4. Improved AFAs
5. Improved definitions of scope
6. Improved communication

1. Increased new business and profitability

To evaluate any LPM initiative, it makes sense to start by going directly to the bottom line, to see whether LPM has increased new business and/or improved profitability.

At the panel discussion last fall, Al Dotson, Bilzin Sumberg’s managing partner elect and head of the firm’s Land Development & Government Relations Practice Group, began the discussion by saying:

I have successfully used legal project management to generate business many times.

In a previous LPM panel discussion – held to kick off their firm-wide LPM initiative in 2012 – Dotson described how one of his clients was so impressed by the legal project plan he had produced in his coaching that the client awarded Bilzin Sumberg a significant amount of new work.

This success encouraged other partners to volunteer for coaching, which in turn has led to many other examples of new business which can be directly attributed to LPM. To cite just one example from the 2017 panel, real estate chair Jim Shindell described how a new client needing a series of condominium construction loans had first heard of Bilzin Sumberg:

We had just saved another client with that same bank a ton of money with the speed and efficiency in which we were able to do the deal.

The new client then hired Bilzin Sumberg because of their proven efficiency on this same subject matter with the exact same lender.

Proof of new business from LPM is relatively easy to find, but exact figures for how much the LPM initiative has increased realization and profitability is harder to come by. Like most firms, Bilzin Sumberg does not publicize its exact realization or profitability figures. But there can be no doubt that many of the changes described in this paper have increased both figures. As COO Michelle Weber summed it up:

As a result of LPM, we have definitely decreased write-offs and reduced the number of times we need to go back to clients to discuss budget changes.

2. Meeting client needs for cost reduction

In its 2017 Chief Legal Officers (CLO) Survey,⁴ Altman Weil provided 280 CLOs with a list of ten possible service improvements and asked them to “please select ... [the improvements] that you would most like to see from your outside counsel.” The top three needs were:

- A. Greater cost reduction (51%)
- B. Improved budget forecasting (46%)
- C. Non-hourly based pricing structures (39%)

When clients ask for lower costs, the first thing many lawyers think of offering is a discount on their hourly rates. This may be necessary in some cases, but it should be the last thing lawyers consider, not the first. Lower hourly rates lead to lower realization and profitability. (Unfortunately, many lawyers do not understand that a 10% discount on a particular matter may cut profits by 20% or 50% or more, depending on the firm’s economics. Very few lawyers know the exact implications of a particular discount at their firm, as discussed at length in Chapter 3 of our book *Client Value and Law Firm Profitability*.⁵)

A much better approach is to use LPM to improve planning and management. At Bilzin Sumberg, most significant matters now start with the responsible partner specifying a complete list of major steps in the process (a matter plan), and then estimating the cost for each step. Once this budget is in place, tracking systems compare actual costs to budgeted costs as the matter proceeds. Then, if actual costs are higher than planned, the partner can work with the client to manage and reduce future costs.

To ensure consistency of data and to provide additional eyes on the target, Bilzin Sumberg now has a centralized process supported by finance staff who input information into their budgeting software. LPM staff then provide partners with “ticklers” when certain milestones are reached.

⁴ <http://www.altmanweil.com/CLO2017/>, 37

⁵ Jim Hassett, *Client Value and Law Firm Profitability* (LegalBizDev, 2014), 193

In many cases, this analysis is based on lawyers tracking the work they do by means of task codes.⁶ As the number of lawyers using these task codes has grown, information about the true costs of past matters, by task and phase, has become more accurate. This enables lawyers to produce better budgets in the first place and to determine which steps can be accomplished at a lower cost without affecting quality.

For example, litigation partner Jose Ferrer noted:

If you see that in the past 30 days you have used only the discovery task codes, it forces you to think, “Did this discovery add or detract from your progress in the case?”

Litigation partner Scott Wagner added that this type of planning and tracking can also reduce costs right from the start:

Perhaps instead of two associates assigned to a task, you may find that you need just one, or you might conclude that a partner could complete a task for a lower total cost even if his or her hourly rate is much higher.

Wagner went on to describe how this type of planning and tracking applied to one matter:

We had spent a lot more money on discovery than we had planned. When I went back to look at it, I realized that we had budgeted ten hours for meet and confers in this phase, which at the time seemed like a very reasonable estimate. But we had actually spent over 100 hours on meet and confers. The truth was, it was time that was very well spent, and we were able to accomplish a lot with it. But I never envisioned that the meet and confers would be as extensive as they were.

Real estate practice group leader Suzanne Amaducci-Adams commented that:

Although our practices are completely different, “meet and confer” was the exact same hole we had in our budget on all of our initial loans budgets.

While some issues were similar across practice groups, in other cases different practice groups required different approaches to LPM and different solutions. Consider, for example, the idea of having all partners begin with the same standard forms for routine matters.

At Bilzin Sumberg, this has been quite effective in the corporate practice, where many lawyers work with similar sales and financing transactions every day. By adopting a standard set of forms and agreements as their starting point, they have been able to reduce costs and avoid “reinventing the wheel.” Bilzin Sumberg is in the process of redeveloping its intranet site so that each department has its own home page, which includes approved standard forms. Within the real estate group, however, the idea of standard forms has proven more useful to some lawyers than others. Lawyers who focus on Commercial Mortgage Backed Securities have

⁶ http://adverselling.typepad.com/how_law_firms_sell/2016/05/task-codes-and-budgeting-what-works-and-what-doesnt-part-1-of-7.html

developed a very solid set of starting forms. But other lawyers in real estate, like partner Adam Lustig, more often represent borrowers than lenders. His practice does not require a standard set of starting documents:

These documents are usually drafted by banks. So the idea of starting from forms isn't all that useful to me. More often than not, I'm the one reviewing and responding to documents prepared by opposing counsel.

In this case, the LPM initiative led in a different direction. As Amaducci-Adams explained:

We came up with the idea of checklists and issues lists. For example, when you review a borrower's contract, what are the 50 or more things you need to know? We developed a borrower's issue list so none of the key issues would fall through the cracks. Then we started adding in the best language we had seen for certain provisions. Our borrower issues list worked so well that we started breaking it down for different types of loans. For example, there are unique issues with construction loans, leasing, hotel management agreements, franchise agreements and more. So we gradually rolled out issues lists for each major category.

The lists not only led to lower costs, Amaducci-Adams explained, but:

They became helpful in quality assurance. When we had an associate who reviewed a set of loan documents for us, they had to refer back to our list, and they had to confirm that every single thing in there either did not apply or was already in the documents. So our work product became better.

3. Meeting client needs for predictable budgets

This was the second most important need identified in Altman Weil's 2017 CLO Survey⁷ and another major benefit of LPM. The same matter planning process that yields lower costs also leads to more predictable budgets and fewer client surprises.

According to litigation partner Scott Wagner:

The conventional wisdom is that budgeting is not possible in litigation. But based on my LPM coaching and subsequent discussions with my colleagues, we have found that you can indeed come up with a budget that is useful to your client and can lay out all the contingencies to know what a particular litigation will likely cost. The result is that we became much better at giving both clients and the internal team a more realistic estimate of what a case will cost.

This type of budgeting has become a standard operating procedure for Wagner, who offered the following example:

⁷ <http://www.altmanweil.com/CLO2017/>, 37

A few weeks ago, a long-term client described a new case and asked for “an idea of what this is going to cost.” I said, I really need to go back and sit down and look at the numbers. And he really, really pushed. I said, let me go back and sit down and figure this out. I saw two immediate benefits. First, when clients realize that you’ve given some thought to it, they take your estimate a lot more seriously, and that can lead to a detailed discussion. If clients are going to push back on cost, it is much better to do this in an informed negotiation before the work begins than at the end of the matter when the client gets a surprise in the bill. Second, you just do a lot better job. If you do off-the-cuff estimates, you always forget to include something.

Carter McDowell, a partner in the Land Development & Government Relations Practice Group, reported a similar experience:

For us, it began when one large client asked us to produce a budget for the upcoming year. This request forced us to sit down and take each of the hearings we were going to have and to break down each of the component parts of how we went about processing an application to get to hearing, who we met with – neighbors, staff, board members, etc. – and to assign essentially ranges of time for each of those. That gave us a framework that we’ve subsequently used to talk to other clients about the process that we go through to process an application. It’s broken down in writing, in chart form, with hourly projections for each of the tasks.

Meeting clients’ needs for predictable budgets can also lead to new business. Dotson described a recent matter in which a large international client asked for an estimate:

We took a look at the sheet that we have been keeping and updating on an annual basis that brings forward all of our matters using today’s rates, and the manner which we staffed it, to give them a range of what we thought this would cost. They got the legal spend approved, and we came within pennies, literally pennies, of the budget that we set for them without writing off a single dime of time. And that was simply because we actively use our task codes, apply the historical information we have, and then manage the process carefully.

4. Improved AFAs

The third most important need identified in Altman Weil’s 2017 CLO Survey⁸ is also addressed by LPM. In an era when some clients are increasingly asking for non-hourly alternative fee arrangements (AFAs), firms that are able to accurately predict budgets and stick to them will be in a much stronger position than their competitors.

Litigation partner Jose Ferrer offered an example from one long-term client that was concerned with runaway litigation costs. When a new case was opened, Ferrer asked the client very directly “How much do you think the value of this litigation is?” The client gave a number, and Ferrer went to Bilzin Sumberg’s financial analyst to review past tasks and spending for the client to see

⁸ <http://www.altmanweil.com/CLO2017/>, 37

if they could develop a high-value solution that fit within that budget. They dug deep into the details of what was required and what wasn't. Then they created a task plan and budget for each phase, based on the billing rates of the lawyers who would work on the case, and the number of hours expected. Then Ferrer went back to the client and proposed a detailed task plan that fit within their requested budget:

We're going to handle the case in three phases. In the pleadings phase, we're going to address motions to dismiss. Then we're going to have a discovery phase, and a trial phase. Our budget specifically excludes certain steps which we feel are not required in this case. We're not going to include motions to strike pleadings or motions for sanctions. And we're not going to do motions for summary judgment because they're rarely granted in the county where this case is pending.

They then offered a capped fee for each phase, with a total cost that matched the client's original assessment of the value of the case. Bilzin Sumberg got the business, and then:

We limited the task phases in our budgeting software to just three. If you go in to put in your time, there's pleadings, discovery, and trial. You can't pick anything else, because that's how we're tracking it.

The case is still in progress. To date, the client is happy and Bilzin Sumberg has completed the work within budget.

In another example, Jay Sakalo, the Business Finance & Restructuring and Corporate Practice Group Leader, described a fixed price bid to review 30 to 50 potential deals a year for another long-term client.

We recognized that on some of these flat fees we would win, and on some of them we would lose.

This was a new type of work for this client, so it was difficult to come up with a solid number for the first few deals, but the total revenue potential justified taking some risk, so the firm came up with a fee per deal:

We agreed with the client that after the first eight reviews, we would revisit the fee, because we didn't know if the requirements would turn out to be wildly different from what we expected.

The first eight cases were reasonably close to the budget, so Bilzin Sumberg stuck by its original bid. The work on this substantial AFA project is now in its fourth year, and it has created both a highly satisfied client and substantial revenue for the firm. Due to the constant tracking of estimated vs. actual costs, the client recently approved an increase in the fixed fee per review without any hesitation.

5. Improved definitions of scope

This LPM benefit was rated #1 in one of our studies. When we asked managing partners and other leaders from 50 of the AmLaw 200 to identify the most critical short-term LPM issues at their firm, the top answer given (by 50% of respondents) was “Set objectives and define scope.”⁹

In the last few years, Bilzin Sumberg has made substantial progress in this area. As Al Dotson said:

Before I started on our firm’s LPM initiative, I approached new client engagements with a simple thought: “You, the client, have engaged me. My hourly rate is X.” That was the end of the discussion. Now I approach new engagements more in terms of developing a mutual understanding with the client about the services we will provide, the time it will take, the team required, the budget, and the relevant reporting milestones.

Detailed planning is the key to accurate estimates, and such planning also has many other benefits. Carter McDowell, who works with Dotson, noted that:

Defining scope is particularly important in dealing with new clients who haven’t been through the process, because I can hand them a document that they can walk through for themselves. And, as a result, clients will sometimes say, “Now I understand why it’s going to cost that much, or what the range is and what the effort is.”

The real estate practice group has developed a similar process. According to Suzanne Amaducci-Adams, before they applied LPM, the group typically wasted a lot of time developing “back of the envelope” estimates, which were not always accurate. These days, they have developed checklists of the key issues for their most common types of deals, and a cost range for each. When a new deal comes in, they print out a one-page list of issues that affect scope, and the responsible attorney crosses out the issues that don’t apply. A surprisingly accurate bid can be created from this simple list. As Amaducci-Adams notes:

We now have a list of all the components that go into a loan deal. And then, when we go to quote a fee for the loan, we put a range for each element. For example, the term sheet should cost A, the loan agreement should cost B, and the ancillary document should cost C. Does the client have a cash management system? Then there is an additional cost. Are we doing the org docs? That, too, will lead to requiring additional time.... The system is not perfect. But you get a much better idea of all the things that go into the transaction up front when you’re quoting a fee.

Some Bilzin Sumberg lawyers have gone a step further and require team members to use a special task code for any work that falls outside the scope as defined in the engagement letter. Having a system that requires lawyers to classify some hours as “out of scope” creates an enormous benefit, simply by requiring lawyers to be clear about what tasks are in scope, and what tasks are not. This also serves as a flag if a change process is in place to negotiate changes in scope.

⁹ Hassett, *Client Value*, 97

6. Improved communication

According to managing partners and other law firm leaders in our research on *Client Value and Law Firm Profitability*, the second most critical short-term LPM issue (after defining scope) was “Manage client communications and expectations” (38%).¹⁰

Managing partner elect Al Dotson explained how this applies at Bilzin Sumberg:

Early communication with the client is absolutely essential for us to mutually understand what the expectations are. In addition, I routinely set up non-billable team meetings to ascertain the status of the work at any given stage, to avoid duplication of effort, to identify issues sooner rather than later, and to communicate quickly with the client if there are any issues.

According to partner Carter McDowell:

The primary benefit of this communication for clients is that it helps them understand the process in an organized fashion, as opposed to just a ten minute discussion of how do we go through this process and what the requirements are. Clear agreement on project plans has also enabled us on more than one occasion to go back to the client and say, “Here’s a hearing that we hadn’t anticipated, so we updated the budget to include that process.”

Similarly, Suzanne Amaducci-Adams reported that:

Communication serves as a tool to educate clients. Some clients underestimate cost because they think you are “just closing a loan,” and they don’t realize you have to draft corporate resolutions, write three or four different opinion letters, and more. But once they see it broken down, then many are more willing to pay a fair fee.

In the spring of 2013, COO Michelle Weber reviewed the final reports from 26 partners who had completed their first round of LPM coaching with LegalBizDev. She said: “If I were to distill the entire program into one highlight, one thing that everyone learned and changed, it was improved communication. It sounds so simple, but improving communication with clients and within the firm is very hard, and we still have a lot of work to do.”

¹⁰ Hassett, *Client Value*, 97

Bilzin Sumberg's approach to LPM

A full account of Bilzin Sumberg's LPM initiatives could be the topic for an entire book. This table provides a high level overview of the firm's approach.

2011	<ul style="list-style-type: none"> • Managing partner John Sumberg and COO Michelle Weber attend several conferences, and become convinced that Bilzin Sumberg would benefit by becoming a national leader in LPM. • In November 2011, LegalBizDev was hired to coach three key lawyers to begin to create the firm's first LPM champions.
2012-2014	<ul style="list-style-type: none"> • At the firm's annual retreat in March 2012, these three LPM champions described their "quick wins" from coaching and encouraged lawyers who were interested to take the same LPM coaching program. • In May 2013, 26 lawyers completed coaching (representing more than half of the firm's 51 partners). • Bilzin Sumberg's LPM committee is formed. • Internal LPM staffing is strengthened when Paul VanderMeer is promoted to the new position of Chief Knowledge Officer.
2014-2017	<ul style="list-style-type: none"> • Bilzin Sumberg's LPM committee meets regularly with practice group leaders to monitor and encourage the use of LPM. • Practice group leaders build regular discussions of LPM successes and best practices into their meetings. • To simplify and improve reporting on project finances and progress, Bilzin Sumberg purchases Prosperoware's Umbria software.¹¹ • To improve LPM just-in-time training, the firm purchases LegalBizDev's digital fifth edition of <i>Legal Project Management Quick Reference Guide</i>.¹² • In October 2017, a panel discussion is held for the entire firm, in which eight partners who have become LPM champions describe its benefits. • Nine more lawyers begin LegalBizDev coaching.
2018 and beyond	<ul style="list-style-type: none"> • Bilzin Sumberg commits to continue to support and enhance its leadership position through additional LPM initiatives.

¹¹ <https://www.prosperoware.com/umbria>

¹² <http://www.legalbizdev.com/projectmanagement/index.html>

Throughout this process, the firm has built its approach around the five recommendations explained in our white paper “The Keys to LPM Success”:¹³

1. *Focus on changing behavior and solving problems* – As seen in the examples throughout this paper, right from the start Bilzin Sumberg’s coaching and internal support programs have focused not on abstract principles but on how to help each lawyer solve the problems that they want to solve. COO Michelle Weber summed up the advantage of this approach: “This is one of the parts of the program that I appreciated the most: Lawyers don’t have to change their world. They just have to change what they do a little bit.”
2. *Aim for quick wins to create internal champions* – The first quick wins were reported by the three senior partners who spoke at the March 2012 retreat (Al Dotson, Jon Chassen and Mitch Widom). Twenty-three additional partners gradually signed up for coaching based on what they heard, and most of them became champions as well.
3. *Publicize successes within the firm* – Practice group leaders have been encouraged to include LPM in their regular meetings to publicize successes. On a firm-wide basis, LPM has been discussed at most major firm events in this period (including the 2012 retreat and the 2017 panel described in this paper). Bilzin Sumberg is constantly looking for new ways to get the word out, and they recently began circulating “LPM Tips of the Month” memos, which call attention to key LPM issues and the online tools and templates that can help partners address these issues.
4. *Use just-in-time training materials* – This is the “secret sauce” for the program, and it is described in detail below.
5. *Take action now and follow up relentlessly* – When clients are asking for change, delay is the enemy. Senior managers and champions must never lose sight of the fact that LPM will continue to evolve as the legal marketplace changes.

Just-in-time training materials

Just-in-time training provides learners with exactly the information they need, precisely when they need it. In most professions, this has become the standard way to teach new skills. For example, when lawyers need to use an unfamiliar feature of Microsoft Word, very few would consider taking a class or looking it up in a book. Instead, they simply look up the information they need in online help files.

Since the start of the LPM initiatives described in this paper, LegalBizDev coaching has been structured around the tools and templates which appear in the fourth edition of our *Legal Project Management Quick Reference Guide*.¹⁴ For the past several years, Bilzin Sumberg has provided a copy of this book to each new lawyer who joined the firm.

¹³ <http://www.legalbizdev.com/files/The-Keys-to-LPM-Success-Dx.pdf>

¹⁴ <http://www.legalbizdev.com/projectmanagement/index.html>

In 2017, the fifth edition of these LPM tools became available in digital form. This edition allows lawyers to access these tools from anywhere, whenever they need to, and the tools are immediately available to every lawyer in the firm. Moreover, new tools can be easily added as they become available, and firms can customize key tools to their unique needs and procedures.

Bilzin Sumberg was one of the first firms to purchase a license for these materials.¹⁵ The online version of the tools was formally introduced at Bilzin Sumberg during the October 2017 panel discussion described above. Going forward, LPM staff, practice group leaders and others will use these new digital tools to efficiently provide lawyers with more help more quickly.

For more details about these digital tools, you can attend a panel discussion entitled, “How LPM Directors Can Increase Their Impact with Just-In-Time Tools and Templates,” at the Legal Marketing Associations’ P3 practice innovation conference¹⁶ in Chicago in May 2018. LegalBizDev CEO Tim Batdorf will facilitate this discussion with Scott Wagner of Bilzin Sumberg and Dave Clark, the LPM partner described in our case study of Lathrop Gage.¹⁷ Audience members will also be encouraged to discuss any custom tools or templates their firms have developed, and how best to implement an online LPM tool library to ensure lawyer usage.

Implications for other law firms

First and foremost, to maximize LPM success while minimizing its cost, law firms would be wise to follow the same five steps that Bilzin Sumberg followed when implementing LPM:

1. Focus on changing behavior and solving problems
2. Aim for quick wins to create internal champions
3. Publicize successes within the firm
4. Use just-in-time training materials
5. Take action now and follow up relentlessly

But these come with an important caveat: To maximize results, the initiative requires strong support at the executive committee level. At Bilzin Sumberg, the key champions included managing partner John Sumberg, managing partner elect Al Dotson, and COO Michelle Weber. Their follow up over the last few years has been patient but relentless.

At other firms, on more occasions than we care to remember, a managing partner or chair would begin an LPM program that achieved substantial successes, but momentum would be lost when they became distracted by other pressing priorities or left the firm.

¹⁵ http://adverselling.typepad.com/how_law_firms_sell/2017/03/six-law-firms-take-legal-project-management-just-in-time-training-to-the-next-level.html

¹⁶ <https://www.legalmarketing.org/P3-Conference>

¹⁷ www.legalbizdev.com/files/LegalBizDev-Case-Study-Lathrop-Gage-2017cx.pdf

Perhaps the most widely publicized effort in LPM has been at Seyfarth Shaw, which began its work on process improvement around 2006. Six years into their program, Steve Poor, then Seyfarth's Chairman and now its Chair Emeritus, wrote in the *New York Times DealBook* (May 7, 2012):¹⁸

Never underestimate the resistance to change from lawyers... The continuous move forward takes persistence and, perhaps, a bit of stubbornness.

So the vast majority of lawyers should be expected to resist LPM until they see "what's in it for me." It is up to the firm's leaders to keep initiatives moving forward.

Some of the things Bilzin Sumberg's law firm leaders did were very simple. For example, according to COO Michelle Weber, "we found that sometimes using the phrase LPM is a roadblock, so we used the word efficiency instead." As mentioned in this paper's introduction, Al Dotson found when he talked with lawyers across the firm that "every single practice group said they could not use LPM." So he decided a language change was necessary to remove the roadblock:

We took the acronym "LPM" off the table, and asked practice group leaders to instead think about what would make your group more efficient.

This simple change in terminology helped reduce resistance.

During the 2017 panel discussion that we facilitated for Bilzin Sumberg, several partners described how important it was to have management's assurance that they had LPM support available. This included hiring external consultants to conduct the initial coaching, obtaining new software, and hiring new staff or reassigning existing staff to focus more on LPM.

In July 2014, Paul VanderMeer became involved in the LPM effort as the Chief Knowledge Officer at Bilzin Sumberg (after working there since 2009). Suzanne Amaducci-Adams offered one example of how Paul helped her by creating a more efficient system for tracking all of her matters, which simplified looking up documents and project costs.

Paul came up with this whole system where I just hit a button, and I can get a quick list of every matter I'd worked on in the firm the last 20 years. I can tailor this list to find what I need in about 90 seconds or less. If that saves me 10 or 15 minutes of my day every day, that's a lot of time that I could be doing other things.

In the next few years, we expect most firms to expand their internal LPM staff. Unfortunately, as we explained in our blog post "How to Hire LPM Staff," it won't be easy. Just about every firm is looking for people who have combined expertise in two different areas: project management and law firm operations. But LPM is a new field, and there just aren't that many people around who have both. The result has been that too many law firms are pursuing too few people, leading to a great deal of mobility in positions that would benefit from stability.

¹⁸ <https://dealbook.nytimes.com/2012/05/07/re-engineering-the-business-of-law/>

In February 2016, we posted the results of interviews with 15 LPM Directors¹⁹ about their priorities and achievements. While researching this paper, we went to LinkedIn to see how many of the 15 had changed jobs in the two years since we conducted interviews. Almost half had: four to other law firms, two to in-house law departments, and one to start his own consulting company. In our view, this job mobility reflects not only the competition for experienced staff, but also the difficulty of a position which many law firms have not fully defined.

Our blog posts on “How to Hire LPM Staff” include the recommendation that “It takes much longer to understand a particular firm’s culture and operations than it does to learn the fundamentals of LPM... [Therefore] the best candidate may be someone who already works at your firm as a lawyer or a senior legal assistant...”

The details of how one firm followed this advice can be seen in our case study of LPM initiatives at Lathrop Gage.²⁰ In short, they appointed Dave Clark, an IP lawyer who had been at the firm for 30 years, to the new position of LPM Partner. As Clark put it in that case study (p. 7):

We felt it was very important to change lawyer behavior, and what better way to do that than to put someone in charge of the program who has been here more than 30 years and who knows all the lawyers and the pressures that they face on a daily basis?

Clark’s LPM training, and the initial rounds of LPM coaching at Lathrop, were completed by LegalBizDev. Now that this foundation has been established, Clark is coaching more lawyers himself.

Whether a firm decides to build the foundation for its initiatives with external consultants, internal staff, or a combination of the two, it is important to begin reaping the benefits of LPM as soon as possible. As long as other firms continue to improve, the LPM bar will keep going up. As the chair of one AmLaw 200 firm we interviewed for our book *Client Value and Law Firm Profitability*²¹ said:

LPM is an evolving process. I don’t think there’s ever going to be a point at which you can say: “Now I’ve arrived.”

Firms can increase client satisfaction and profitability by following the principles outlined here. According to COO Michelle Weber, the most significant insight from their client satisfaction interviews is that:

Every client eats up LPM – better communication and budgets provide validation from the client perspective.

¹⁹ http://adverselling.typepad.com/how_law_firms_sell/2017/09/how-to-hire-lpm-staff-part-1-of-2.html

²⁰ <http://www.legalbizdev.com/files/LegalBizDev-Case-Study-Lathrop-Gage-2017cx.pdf>

²¹ Hassett, *Client Value*, 171

And based on their experience over the last several years, Weber believes that LPM is not just an interesting option for most law firms, but it is an absolute necessity:

If you fail to use LPM in the current environment, you will lose clients.

About the authors



Tim Batdorf is LegalBizDev’s Chief Executive Officer and manages the day-to-day operations of all coaching and training programs. After earning his JD at DePaul University College of Law and an LLM in Taxation from the University of Miami School of Law, Tim worked for a prominent Michigan law firm and later formed a solo law practice. At LegalBizDev, Tim has been certified to coach lawyers in both legal project management and business development, and he has supervised numerous coaching programs conducted by other LegalBizDev coaches. Tim is a contributing author of the *Legal Project Management Quick Reference Guide*, and for the last several years he has worked

closely with Jim Hassett to ensure the overall quality of LegalBizDev coaching programs and to develop new and innovative products and services.



Jim Hassett is the Chairman and founder of LegalBizDev, which helps law firms increase profitability by improving project management, business development, and alternative fees. Before he started working with lawyers, Jim had 20 years of experience as a sales trainer and consultant to companies from American Express to Zurich Financial Services. He is the author of 13 books, including the *Legal Project Management Quick Reference Guide*; *Legal Project Management, Pricing, and Alternative Fee Arrangements*; *Client Value and Law Firm Profitability*; and the *Legal Business Development Quick Reference Guide*. He has also published more than 80 articles in *The New York Times Magazine*;

Bloomberg Law; *Of Counsel*; *Legal Management*; *Strategies: The Journal of Legal Marketing*; and other publications. Jim has spoken frequently at law firms and at bar associations (including the New York City Bar, the New York State Bar, and the Massachusetts Bar); at institutions such as Harvard Law School, the Association of Corporate Counsel, the Defense Research Institute, and the Ark Group; at the P3 conference; and at Legal Marketing Association meetings in Boston, New York, Philadelphia, Washington, Savannah, and Vancouver. He has conducted webinars through the Ark Group, West LegalEdcenter, the National Law Journal, The International Lawyers Network, TAG Academy, and the Legal Marketing Association. Jim writes the blog “Legal Business Development,” which was featured at the ABA TECHSHOW (in its list of “60 Sites: Latest and Greatest Internet Hits”) and by TechnoLawyer (in its list of “the most influential legal blogs” in BlawgWorld). He received his Ph.D. in psychology from Harvard University.

About LegalBizDev

LegalBizDev helps law firms increase client satisfaction and profitability. We literally wrote the books that helped start the legal project management movement, and we are also widely recognized as leaders in legal business development.

While many competitors offer educational programs in these important areas, only LegalBizDev has developed proprietary processes to help lawyers change their behavior. LegalBizDev offers coaching, consulting, webinars, workshops, publications, just-in-time training tools, and more to help lawyers and law firms identify the action items that are most likely to produce immediate and practical results.

Through a strategic alliance with Altman Weil, we also offer clients a broad range of management consulting services in related areas, including strategic planning, practice group management, client surveys and custom benchmarking, lawyer compensation systems, marketing strategy, and much more.

LegalBizDev has developed and delivered award winning training since 1985. For more information, visit our web page at www.legalbizdev.com or contact us today to discuss the best way to meet your unique needs.



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