

Why is it so hard to embed Legal Project Management?

Stand out from the crowd by delivering on time, on budget and delighting clients

Critical skills that ALL lawyers need today and tomorrow...

Current Situation

As a leading global expert in Legal Project Management, I have worked with thousands of lawyers over the last decade to raise awareness and develop capabilities in Legal Project Management.

It is interesting, that despite client pressure and radical changes within the legal sector, most law firms and internal legal departments are still struggling to implement Legal Project Management. This is due to the phenomenon known as 'change resistance' and the challenges of affecting change within an industry that has been largely the same for centuries. There are defined tools and techniques from the field of Organisational Change Management that can be applied to facilitate more broad adoption of LPM.

The current situation is that almost all global firms, and many large national firms, now have dedicated positions for Legal Project Managers or have embedded the capability requirements into senior legal support roles. In the UK and Europe, we have seen Practice Support Lawyers transitioning into Legal Project Manager roles, and in the US we see the same transition with senior Paralegals. In Australia we see business services professionals with project management expertise transition into Legal Project Manager roles and in some cases Senior Associates are making the leap. The interest and adoption in Asia is generally lower due to the lack of access to training.

Mid-tier and smaller firms struggle to have the funding for dedicated roles and also lack access to LPM frameworks and high quality training in LPM. In-house teams are interested in LPM but generally expect their external counsel to have these skills and sometimes they can rely on internal project management professionals to manage overarching programs of work, of which the legal work is simply a work stream (the needs of internal legal teams also include other disciplines such as Legal Portfolio Management, informed purchasing concepts and Legal Operations Management).

There is also a lack of understanding of the types of changes that will be required after the training has been undertaken to ensure that LPM is integrated into the ways of working of all lawyers and legal teams.

Why is there a need to change?

The Global Financial Crisis (GFC) triggered revolutionary change in the legal services industry. Up until this point there had been numerous books, research studies and high profile debates about the changing nature of client expectations and the structural changes for law firms that would follow. The pace of change up until the GFC was slower, but the GFC switched the pace of change from evolutionary to revolutionary. We saw major firms go out of business and intense pressure to provide alternative billing, as well as expectations of higher quality and more predictable legal outcomes.



In summary there is less legal work and lower budgets; an increased tendency to move towards in-house counsel; a much faster pace of business and information flow; and higher expectations from clients. The practice of law and the make-up of law firms have been relatively consistent for hundreds of years but since the GFC the industry has been subject to revolutionary, rather than evolutionary change.

One of the key findings from the 2012 ALM Legal Intelligence survey was that “Partners most willing to adopt LPM should lead efforts in an incremental manner. The quicker there are demonstrable positive benefits, the faster other partners will take notice.” (Legal Project Management: Much Promise, Many Hurdles, ALM Legal Intelligence, August 2012, p. 17). It also revealed that Chief Legal Officers want law firms to do things differently - “Of the following service improvements and innovations, please select the three you would most like to see from your outside counsel.” The top three responses in 2012 were improved budget forecasting (57%), greater cost reduction (52%) and more efficient project management (52%). All of these changes can be achieved through the application of the tools and techniques that provide the foundation for Legal Project Management. So what the CLOs were really asking for, without knowing it, was for law firms to adopt LPM.

Why do Lawyers Resist Change?

Richard Susskind, a renowned academic and thought leader in the area of changing legal practice is well known for his book – The End of Lawyers? Rethinking the nature of legal services (Sweet & Maxwell, 2005), has written much on the topic of change with respect to the practice of law and the structure of legal firms in the future. He alludes to the general change resistance of lawyers and this is backed up by several studies undertaken into the personality preferences and characteristics of lawyers (Herding Cats; The Lawyer Personality Revealed, Richards 2002 and The ‘Lawyer Personality’ and the five factor model; implications from personality neuroscience, Deveson, 2012).

These studies reveal that lawyers have certain personality traits and preferences that make them more highly change resistant than the general public, including –

- **A preference for lone working rather than team work** - 57% of lawyers were more introverted than extroverted (Richards, 2002) compared with 75% of people in the general population who were more extroverted than introverted and they have a much higher preference for autonomy scoring in the 89th percentile (Richards, 2002) which limits their desire for team based activities
- **A tendency towards perfectionism and self-doubt** – studies have found that on average lawyers are more excitable, self-critical and moody than the general population (Deveson, 2012). This manifests itself into perfectionistic behaviour which can sometimes inhibit any willingness to adopt new competencies due to anxiety around not being perfect and not doing it right first time
- **A higher than average tendency to be sceptical** – Lawyers surveyed in major firms score in the 90th percentile for scepticism (Richards, 2002) and are much more sceptical than the average population; this can make it difficult for them to acknowledge the expertise of others and thus inhibit their willingness to adopt new skills

- **A high degree of urgency** – Lawyers are more inclined towards a sense of urgency scoring in the 71st percentile (Richards, 2002) which inhibits their ability to undertake the planning activities which are necessary as part of Legal Project Management.

Susskind regularly tells a joke (although it is no laughing matter) that a lawyer will go off on a three-day project management training course, then return to the firm and say "Look, I'm a project manager now!" Susskind then asks how lawyers would like it if project managers went on three-day legal training course, then came back and declared they were lawyers! From the column Christian UnCut: run a project - how hard can it be? Asia Pacific Legal Technology Insider (3) April 2012. This insightful observation highlights the primary reason that law firms and in-house teams are struggling to gain traction with their Legal Project Management capability development efforts.

Observations from practice

There are many common resistance behaviours that have been identified to assist change agents to understand and overcome the obstacles they will encounter. The following list comes from both my understanding of the various change resistance frameworks and my observations in working with lawyers at all levels over the past 10 years.

Self Confidence and High Intelligence – this can make it difficult for lawyers to accept the expertise of others and also to learn from others as they think of themselves as the smartest person in the room. This doesn't mean that they are the most experienced person in the room.

Lack of Experience – many lawyers have no appreciation of the emerging professions and key management skills such as project management, people leadership, team management etc. Often they have no concept of how they can adopt these practices and skills to provide better client outcomes, manage teams more effectively and reduce stress.

Introversion – when combined with a high preference for autonomy it makes it challenging for lawyers to work in teams and to appreciate the needs of others. This is a particular challenge as the majority of project based work requires strong team work and collaboration.

Perfectionism – this manifests itself as a high need for mastery which can block their willingness to try new things and to develop new skills as they will not be able to master them as quickly as they would like. I have seen groups of lawyers talk themselves out of doing something really critical simply because they didn't think they would do it perfectly. This resulted in not getting it done at all.

Poor Role Models – the lack of management development in many firms often leads to sub optimal people management techniques and poor role models. People tend to manage others in the way they have been managed and lawyers seem particularly unaware of alternative approaches that promote better outcomes and more fulfilled people.

A comprehensive change management program is the key!

LPM provides the framework for Lawyers to change their ways of working in order to provide transparency of costs and timeframes to clients. It also creates the basis for process improvement and precedent creation to ensure that quality is maintained and improved.

By clearly documenting and agreeing the matter scope, including assumptions and external factors many cost overruns can be avoided. Or they can be managed as part of a formal variation process allowing for clear communication and compensation for the variations.

It is critical to tackle the root cause and NOT the symptom – LPM is not about cost cutting it's about working differently to deliver higher quality and better value for less. The major components of a successful change program are as follows -

1. Create the burning platform – change or die!
2. Encourage a Growth Mindset
3. Use Motivational Interviewing Techniques
4. Spend wisely on genuine experts
5. Provide training and coaching
6. Reinforce and Reward
7. Make it mandatory to work in the new way!

A small shift to the right lever will achieve exponential gains!

How to build Legal Project Management Competencies?

The type of penetrating behaviour change that is required will not be achieved until LPM competencies are included in the basic tertiary education that lawyers receive at University and then further enhanced through mandatory post graduate practical experience. So the challenge is to convince Universities and Law Schools to include Legal Project Management, Legal Portfolio Management and People Management courses as mandatory units within legal degrees and post graduate programs. This type of practical training will equip lawyers to satisfy the expectations of their clients and key stakeholders. It is a shame that so many universities still focus on black letter law, whilst overlooking the practical training and competency development that will support lawyers to be both satisfied and successful in their careers.

The other, even better way to embed LPM is to undertake internal training and coaching programs led by a true expert. As a project management expert, lecturer, author and trainer – I have worked with thousands of lawyers and I know exactly how to short cut the competency building process to select and tailor the LPM disciplines and tools that work best for your practice area and preferred ways of working.

IS THERE A CHANGE MODEL THAT WORKS WITH LAWYERS?

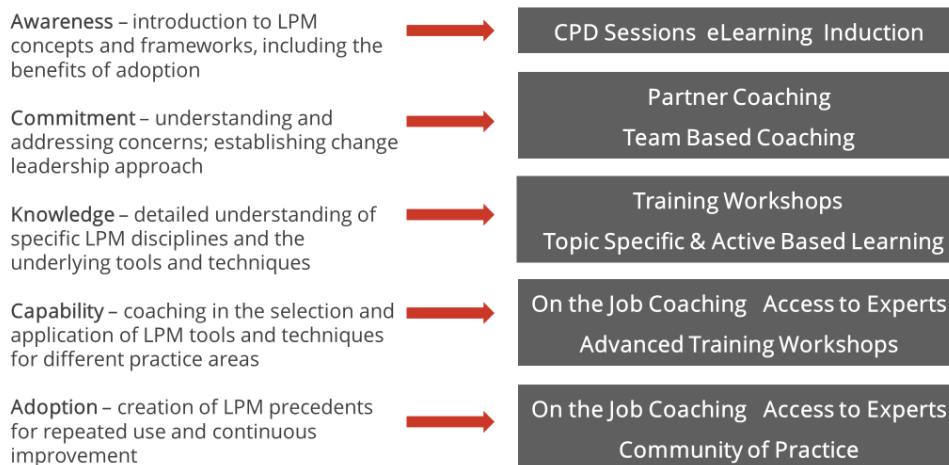


Legal Project Management is here to stay and yet so many firms and in-house legal teams are struggling to introduce the concepts and very few have been able to change ways of working sufficiently to embed the new approach to legal work. The leading lawyers who are doing it well are delighting their clients, delivering on time and budget, stressing less and achieving a far better work-life balance!

Other articles provide an overview of [Legal Project Management](#), [Legal Process Improvement](#) and [Legal Portfolio Management](#), along with practical tips on how to implement these two key disciplines.

LPM COMPETENCY DEVELOPMENT FRAMEWORK

Specific techniques to achieve each level of individual and organisational



About the author...



This article was written by Therese Linton, Founder and Principal Consultant of The BASALT Group® encompassing The Positive Lawyer® and the Academy of Legal Leadership®. She is a global leader in the field of Legal Project Management and literally wrote the book. She also has unique expertise in Legal Process Improvement, Legal Portfolio Management, Legal Transformation and Legal Operations.

As a leading global expert in Legal Project Management, she has worked with thousands of lawyers to develop their capabilities and skills. As part of this work, she developed a ground breaking Legal Project Management Competency Framework and you can access it here

<https://products.basaltgroup.global/lpmcf1> or checkout the training programs and tools offered at www.basaltgroup.global

My aim is to inspire you to achieve great things and I look forward to joining you on your journey! Cheers....T

