

THE ART OF EFFECTIVE DELEGATION (OR, COULD SOMEONE ELSE DO THIS?)

By Irwin D. Karp



Irwin D. Karp

IF YOU ARE CONSTANTLY JUGGLING CLIENT DEMANDS, CONFLICTING PRIORITIES AND MULTIPLE DEADLINES IN YOUR PRACTICE, YOU NEED ALL THE HELP YOU CAN MUSTER TO GAIN CONTROL OVER YOUR WORKLOAD. THE LAWYER'S COMMON BELIEF THAT "I COULD DO IT BETTER OR FASTER MYSELF" MAY BE CORRECT IN THE VERY SHORT-TERM. BUT IT COULD CAUSE YOU TO MISS AN IMPORTANT OPPORTUNITY TO LEVERAGE YOUR TIME OVER THE LONG-TERM. TIME IS A VALUABLE RESOURCE FOR AN ATTORNEY. IF YOU REGULARLY PERFORM WORK THAT COULD BE HANDLED JUST AS WELL BY AN ASSOCIATE, LEGAL ASSISTANT OR SECRETARY YOU ARE WASTING YOUR TIME.

I saw a bumper sticker several months ago that said "The Best Way to Lighten Your Load is to Dump it on Someone Else." The art of effective delegation falls somewhere between the extremes of complete abdication of responsibility and micro-management of tasks. While assisting you in managing your work-

load, delegation also provides the opportunity to develop the skills and confidence of associates, legal assistants and support staff.

In his classic book on time management, *The Time Trap*, Alec Mackenzie identified ineffective delegation as one of the biggest time wasters. It follows that effective delegation allows you to be more productive. Let's identify some of the blocks to delegation. In addition to the belief that they could do it better or faster themselves instead of delegating, lawyers are concerned about mistakes, loss of control or achieving perfection. Learning to overcome those blocks to delegation will improve your personal productivity and your firm's bottom line. Delegation of meaningful and interesting work pays dividends in attorney and legal assistant retention. Delegation can also be used for reallocation of workload among associates. Your objective in effective delegation is not just short-term workload relief for you, but long-term productivity and satisfaction for you and your staff.

There are four major components to effective delegation: decide what work you will dele-

continued on page 9

**The Art of Effective
Delegation**
Page 1

From the Chair
Page 2

**Don't Ignore the
Macintosh**
Page 3

**LPMT Survey
Results**
Page 4

Solos Take a Vacation
Page 6

**The New and
Improved LPMT
Website**
Page 7

**Our Mission:
To Improve the
Quality of Law
Practice Through
Effective
Management and
Technology**



State Bar of California
Law Practice Management
Technology Section
180 Howard Street
San Francisco, CA 94105

Our website can be found at—www.calbar.org/lpmt
the new user ID and password is your
Bar number for both.

gate, to whom you will delegate it, communicate the assignment clearly, and monitor performance.

Decide what work is to be delegated

As you plan your work and schedule your tasks, it is always legitimate to ask yourself: "Am I the best person to do this task or could someone else do it?" Start with a weekly review of your workload determining what was accomplished and what didn't go so well in the previous week and plan what needs to be accomplished in the upcoming week. This will allow you to review all your cases, projects and tasks.

Look at all of the tasks that you have to get done, including your multiple deadlines, and determine well enough in advance where you will need help. Break your projects down into their component tasks and sub-tasks. This is the time to decide what tasks you will retain because only you can handle them and what tasks can be delegated to others in your office.

Fight the tendency to keep all of the particularly challenging or enjoyable tasks for yourself and part only with the more boring assignments. Consult with your associates and legal assistants to determine what tasks they might enjoy. Make sure you part with some of the "good stuff" too. Give people who have earned your confidence the opportunity, with your guidance, to do things that they have never done before. This will have the added benefit of lightening your load while increasing employee morale and retention.

Choose the right people for the task

Once you have decided what to delegate, ask yourself who is the best person in the firm to handle this task. Consider other attorneys in the firm, associates, legal assistants and administrative support staff. Delegation encourages team development as you marshal all of your available resources for a project.

If you implement project management techniques when planning a matter to be handled by your firm (for example, a case, a legal opinion, a transaction, or a management decision such as upgrading your computer system), consider the deadline, tasks and sub-tasks, a sequence of events with interim deadlines, and all of the staff you will need on the project team. Part of this effort involves determining who is most appropriate to perform each of these tasks and sub-tasks. Consider each individual's experience and strengths as well as

areas for professional growth. Look for the best match for the particular task commensurate with their skills. Involve your team in the planning. They will always have insights that you don't have.

In addition to a more effective flow of work, and equalization of workload, it is incumbent upon supervisory attorneys to provide meaningful and interesting work to associates, legal assistants and support staff. Partners should be encouraged to delegate challenging work to associates. They must be aware, however, not to consistently go to the same associate. I recently attended a local bar association's time management workshop where a senior associate at a large firm mentioned that all of the partners in his department assigned work to him. This associate was so good, that he was overburdened and approaching burnout from the volume of work delegated to him. So, another aspect of delegation is asking the person receiving the assignment what other jobs are already on their plate with what deadlines, so work can be equitably distributed among the associates.

Communicate clearly

Once you've decided what tasks to delegate and to whom, establishing and maintaining clear communication is the next critical step to successful project completion. There is a direct relationship between high performance and clear communication. Unclear communication is a major time waster. Don't assume that the other person knows or can intuitively determine what you want. Therefore, in delegating any task you need to communicate the objective of the task and make sure that your instructions are complete, clear and have been understood. Take the necessary time to explain the specific job, the context of where it fits into the overall work product, the scope of the person's authority and your expectations.

We have so many ways to communicate now that you need to consider not only what message you want to convey, but how to do so. Tasks can be delegated via email, memos, notes on the top of other documents, voice mail messages, telephone conversations or meetings. However you do it, clarity and recording of the task is key. While delegation by email, memos or notes offers the plus of a written record, it does not afford the feedback whereby you know that

continued on page 10

your assignment has in fact been understood. Voice mail has no feedback and no written record so you should at least ask for a return voice message indicating that the recipient has understood your assignment and time frame.

If there is someone to whom you delegate regularly (a secretary, legal assistant, associate), it is most efficient to develop a folder of items for that individual rather than to interrupt them with each item as it comes to you. More can be accomplished if a number of assignments are “saved up” for one meeting.

Delegate the objective, not the process.

Ask for a completed job, but don’t dictate the procedure to get there. Give your staff the leeway to complete the job in their own manner as long as it meets the objectives and guidelines that you have provided. This affords staff the opportunity to expand their skills under your tutelage, but not under your thumb. Little by little, staff will develop their own style and approach to achieve the objectives you have set forth.

Create a feedback loop. Do not assume that you have been understood without verifying that point. Ask the person to whom you are giving the assignment to repeat the assignment so you both have the same understanding of the task.

Allow questioning. Sometimes people leave with an assignment, but are afraid to come back with questions that arise in the course of the work because they are concerned about leaving a bad impression. Don’t be dismissive of someone who comes to you for clarification. Allow questioning and be open and responsive. Perhaps your instruction was not clear at the outset despite your best efforts. Perhaps it was, but just needs reinforcement. While this may take a little longer up front than “just doing it yourself,” it will save you time in the long run. I once worked on a case with another firm where an associate was instructed to prepare points and authorities for a motion as the partner was walking out the door to catch a plane. The end result was not at all what the partner had in mind and three days of effort were wasted. Therefore, your firm should have a culture that encourages people to ask when an instruction was not clear or they didn’t understand something.

Provide context. Take a little time to explain the nature of the matter and the importance of the assigned work. Let people know where the task assigned to

them fits into the overall project and they will feel like they are in the loop.

Be clear about the scope of authority.

This is the time to set any limits and constraints on the assignee’s authority. You also need to let the person know precisely how often they need to check in. With a younger associate, you may want to discuss the project at several interim steps. Let your staff know how much authority they have in completing their task. Are they able to contact the client directly? Do you need to see drafts or just the finished product? How often do you want to be informed and by what medium? Make sure that you set up clear ground rules, but resist any temptation to micro-manage the task.

Set a realistic, negotiated deadline for completion.

Consider not only your needs, but also the workload of the person to whom you are assigning the task. Remember that “as soon as possible” is not a due date. If you need the task performed before you can take the next action on the matter, make sure that you have allowed enough time in the schedule and that the person to whom you are delegating the assignment knows that. If you are new to delegation or giving added responsibility to a new individual, you may want to set an earlier internal deadline in the event the work product is not completely satisfactory. Always build in enough review time. Remember, associate attorneys, legal assistants, and administrative support staff often work for other partners. Plan with the total workload in mind.

Monitor progress, review results and give feedback

Supervision of associates, legal assistants and support staff provides opportunities for team building and mentoring along with assuring that the delegated tasks are completed with quality and timeliness. As mentioned at the outset, neither abdication nor micro-management represents either good supervisory skills or effective delegation.

You need to monitor progress until the task is completed by creating a tracking mechanism to make sure that the task is moving along smoothly. Decide up front on the best method and frequency of charting progress. Periodic check-ins can alert you to problems before they become crises. In general, lawyers are notorious for doing things at the last minute. This does

create stress for the administrative personnel—just ask them. I’ve heard so many secretaries say “they’ve known about this deadline for 30 days, why do they always have to wait for the last minute?”

As the delegator, it is your responsibility to maintain a record of assignments and due dates. Don’t rely on the others to remind you. Yes, they are professionals, but if you have delegated, you have the responsibility to assure that both the task and the entire project are completed on time. Hence a delegation log or record is essential. It doesn’t need to be complicated - a simple form with columns will do. Another option is to maintain a delegation log within the case file (or on a computer calendar) of all tasks delegated for that project.

Maintain a delegation log. The delegation log should be a record to keep track of all projects and tasks you have delegated to your staff. At a minimum, it should include:

- The date the assignment was made
- To whom you delegated the task
- A brief description of the task, identifying the project or case
- Dates for interim progress reports, if any
- The due date
- The date completed
- Any notes or comments.

The interim dates and due dates should be recorded in both your calendar (paper or digital) and your staff’s calendar so you can be reminded when you need to check on progress. If you are delegating tasks and sub-tasks of a large project to many different individuals, maintain a separate delegation log for that project to make sure that all tasks are completed in sequence and on time. Group calendars (such as Outlook or case management software) allow all members of the firm to see schedules for tasks and the workload of each individual.

In addition to recording assignments, the delegation log lets you know that you are waiting for a task to be completed by someone else (e.g., research, drafts, memoranda, consultant’s reports) before you can take the next action on particular matter.

Give periodic progress reports. You determine the guidelines for the progress reports depending on the project’s importance, the skill level of the person

assigned the task and your confidence in that person. Decide the best means for the person receiving the assignment to provide you with regular progress reports. Interim reports, or meetings where necessary, let you monitor progress of the work to assure that errors can be corrected in a timely fashion. This is where constructive feedback allows the employee to grow.

Foster an open environment for questioning and feedback. Be available for questions and brainstorming sessions with your staff. However, request that staff hold their questions and schedule an appointment, if necessary, so you don’t get interrupted when you are concentrating on a project. Give people the room to make mistakes because this is how they learn. Criticize constructively when necessary, but do so privately. Give reinforcement and recognition for a job well done.

Beware of upward delegation. While you are trying to leverage your time by delegation of tasks to your subordinate team members, some folks may try to turn to you to resolve their problems. While the open environment allows your staff to approach you for guidance and ideas, insist that they come prepared with proposed options to solve problems and not just the problems themselves.

Conclusion

Attorneys who practice the art of effective delegation will work with a more congenial, satisfied team, achieve better control over their work-flow and enhance productivity. As with all other organizing or time management techniques, you need to experiment to find a system that fits with your style. However you approach it, delegation will allow you to focus on the most important use of your time while training your staff to assume increasing responsibility.

Irwin Karp is an organizing and productivity consultant with Capital Organizing Solutions in Sacramento. He helps lawyers get organized and get things done. Irwin is an attorney, former managing partner of a small environmental law firm and a member of the Executive Committee of the Law Practice Management and Technology Section. He is also a member of National Association of Professional Organizers. Call him at (916) 446-6846 or email him at ikarp@ns.net