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# STAY ON TOP OF YOUR WORKLOAD: MANAGE YOUR CASES LIKE PROJECTS

By Irwin D. Karp

When I ask attorneys if they are staying on top of their workload, the usual answer is “no.” Lawyers tend to work in a crisis management mode, proceeding from due date to due date. The calendar of filing deadlines drives the practice and rush jobs are common. Lawyers could benefit from applying project management techniques prevalent in the business world to managing their case load. This effort requires planning, teamwork, cooperation, effective delegation, clear communications and scheduling.

A project is any complex task that involves many subtasks, scheduling of work and staff and monitoring of progress. Typical projects in a law office can be pleadings & briefs, transactional documents, legal opinions, preparation of a marketing plan, or purchase of a new computer system. Lawyers have a tendency to look at due dates for their deliverables rather than figuring out when to actually do the work.

Project management skills are essential to successful litigation, successful deals and successful resolution of all matters. Project management is simply thinking a case through in advance, breaking down a large or complex project into smaller tasks and subtasks, assigning interim deadlines and being accountable. We really don’t work on “a case,” we work on the myriad number of tasks that need to be done to complete the matter.

Following the stages of the project management process can help you take control of your workload to accomplish long lead-time items without self-generated crises. It can help you turn “due” dates into “do” dates and minimize the number of times that you are performing last-minute rushes.

## **Step 1: Scope—Establish the purpose of the project and the end result.**

Understand what your client really wants when they retain you to handle their legal matter. Seek to understand their underlying issues or business objectives. Try to determine what they would view as a successful outcome to the matter. When the potential end result is clear at the beginning, to both lawyer and client, you will know how to proceed with the plan for achieving that result.

## **Step 2: Set a final deadline or note an externally imposed deadline.**

There are several different ways to set an outside timeline for a legal matter. A client may ask how long a matter will take, litigation has certain procedural deadlines, or in transactional matters, for example, the client may have a schedule in mind for completing a deal. If the client doesn’t have a schedule, you can start from the beginning and estimate how long it will take to complete each step of the matter to completion. Even recognizing that there will be unexpected events along the way, having a preliminary schedule will provide some focus. It’s important to revisit the plan periodically to adapt to the inevitable changing circumstances.

## **Step 3: Planning—Break the project down into tasks and subtasks.**

Sometimes we are just so busy we don’t take a step back and plan the matter adequately. If you’re just going from rush to rush, who has time to plan? Yet, it’s an old adage that planning up front will save time in the long run. In fact, you don’t have the time not to plan.

Take some time up front to define all of the necessary steps to achieve the end result that

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you identified in the scope of the matter. Determine what information is needed. How will it be gathered? Determine what assistance you will need. Write it down! It still amazes me when I work with attorneys who have due dates or filing dates recorded in their calendaring systems, but don't have a written list of all the tasks necessary to meet the due date. Having the plan in writing allows you to see missing steps.

Get your team together to brainstorm the tasks and subtasks that will be necessary to complete the matter. I know, if you're a solo practitioner, you're saying: "what team?" This would be the time to determine where you need assistance and get that help from investigators, contract associates, paralegals, etc. If you're in a medium size or larger firm, look for the appropriate resources within.

**Step 4: Organize all the tasks and subtasks into a specific order of action.**

Once you've laid out the work to proceed with the matter, it's time to organize these steps into a sequence of events.

There's a tendency to be overwhelmed by the magnitude of a specific case when looked at as a whole and, when compared to all else you have to do, there's a tendency to procrastinate until the due date pops up for the last time. While the calendar may tell you that a brief is due, it doesn't tell you all of the steps you need to do to get it filed. Organizing the tasks in sequence makes it easier to approach a case in bite-sized pieces (one task at a time) as you move from one action to another.

Have you ever been well into a matter when you realized that there is missing information or some event that needs to take place before you can proceed? Laying out the tasks and sequence provides you with a picture of all the steps involved in the process and shows the interdependencies of the pieces. It helps you to determine whether the steps are sequential (one at a time with each task a necessary pre-condition to the next) or parallel (several tasks handled simultaneously). I suggest that this be done graphically with yellow post-it notes on a wall or board. Seeing the steps in a flow chart form allows you to see any missing pieces. It also gives you a picture of all the people involved, the relationships and reliance upon others, and the need for communication. The steps can be committed to a list and entered into a calendar later.

**Step 5: Set interim deadlines for completion of each task and subtask.**

Once you have prepared the list of tasks and subtasks, assign dates for completion. The completion dates allow you to work backwards and, using your calendar (considering all of the other work you have to do), block in necessary time to do the work and allow for production time. One of the major complaints from legal secretaries is that they do not have enough time to produce the document carefully when it comes to them at the last minute.

Set review dates to evaluate progress and determine whether revision to the plan and timetable is needed. Make the necessary adjustments as the project unfolds. Based on your experience, try to anticipate what may go wrong and see if you can develop a risk management plan for how you will react. This falls under the category of tasks always taking longer than you anticipate.

**Step 6: Delegate certain tasks; make assignments to yourself.**

If you are in a larger or medium size firm, this is the time to make assignments to the project team. When delegating, be sure to put the assignment in the context of the whole project—people do better work when they understand precisely where it fits. Maintain a delegation log by noting the task assigned, the due date and the responsible person. If you assign a task to yourself, add it to your personal action plan and schedule time to work on the task. (For a detailed discussion of "The Art of Effective Delegation" see the June 2001 issue of *The Bottom Line*, Vol. 22, No. 3).

**Step 7: Communicate effectively.**

Have you ever provided an instruction or a task to an associate only to have the product come back without following your guidance? Have you ever been the recipient of an instruction that you didn't fully understand? Unclear communication creates problems and wastes time. It's important, even when you're very busy, to take the time in assigning a task to explain and to listen. Make sure that you "close a feedback loop" in every exchange—the message is successful only when understood by the receiver. Therefore, it's necessary to have the instruction repeated and to summarize action items and understandings in every encounter.

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### **Step 8: Perform the work and monitor progress until the project is completed.**

This is where the work gets done. The project manager (i.e., partner) should list tasks, responsible parties and due dates on a time line. Don't assume anything—tracking performance and deadlines is one of the keys to successful project management. This allows you to follow-up, issue reminders and make up time on items lagging behind.

Partners, associates, paralegals and support staff should all play a role in monitoring progress. It's important to hold brief, periodic team meetings. If you are a solo practitioner, take time each week to hold a case review meeting with yourself to track performance.

### **Step 9: Evaluate the process—project closing.**

One of the most important aspects of project management is the final stage—the project closing. We are often so busy that we just move on to the next matter without taking any time to evaluate what went well and what didn't go so well in the matter just completed. I recommend that you take the time to review the process to see if areas can be improved next time. Evaluate reasons for any crises and deter-

mine whether they can be avoided or minimized in the future. Get feedback from your clients when the project is completed.

Project management techniques offer an approach to minimizing last minute rushes and allow you to get a handle on your case load. Rather than focusing entirely on due dates to manage your practice, it helps you to focus on when you will do the work. It requires up front planning, working the plan and making the inevitable adjustments when necessary. Try to implement some of the steps in the project management process in your law practice and the next time someone asks if you are staying on top of your work load you will have a better chance of saying "yes."

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