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## **Managing Your Law Office: Improving the quality of lawyers' services to clients**

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# Managing Your Law Office

## Improving the quality of lawyers' services to clients

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Much of the criticism of lawyers comes, not so much from their lack of legal knowledge, as from their incompetence in handling the *business* aspects of their own practice. Lawyers have been called the "weakest link" in the management of the law offices. To help our New York lawyers the *Journal* is publishing a series of articles by experts in this field in our Department, "Managing Your Law Office." These articles on law office economics and management were originally published by the *American Bar Association Journal*, whose permission to reprint them is gratefully acknowledged by your *Journal*.

We welcome readers' comments and suggestions. Our goal is to help New York lawyers to maintain their status and reputation as the nation's leaders in technical legal competence as well as business efficiency.

In *Baker v. Humphrey*, 101 U.S. 494 (1880), the Supreme Court stated that without the legal profession "society could not well go on." According to recent surveys and news items, much of the public wonders whether civilization can exist with lawyers. It is likely that a few years ago the public reputation of lawyers reached an all-time low in this country. Indeed, in the Law Poll in the *American Bar Association*

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*Journal*, January, 1979, lawyers emphasized that the single most important issue facing the legal profession is lawyer image/public credibility.

Most of the bad reputation comes from a few incompetent lawyers who taint the credibility of thousands of excellent ones. Further, there are a number of misconceptions about the profession which can only be cleared through a major public information program. There are, however, a number of impressions about the legal profession which demand the immediate attention of every individual law practitioner.

The American Bar Foundation study on *The Legal Needs of the Public* (American Bar Foundation, Chicago, 1977) notes that 50 per cent or more of the surveyed public respondents agreed with the following statements:

"(A) Lawyers are (not) prompt about getting things done;

"(B) Lawyers are generally not very good at keeping their clients informed of progress on their cases;

"(C) Lawyers' fees are (not) usually fair to their clients, regardless of how they figured the fee;

"(D) Most lawyers charge more for their services than they are worth, [and]

"(E) There are many things that lawyers handle—for example, tax matters or estate planning—that can be done as well and less expensively by non-lawyers—like tax accountants."

Thirty per cent or more of the respondents agreed that:

“(F) Lawyers will take a case . . . (even) if they (do not) feel sure they know enough about that area of the law to handle the case well;

“(G) Lawyers work harder at getting clients than in serving them;

“(H) Lawyers needlessly complicate clients’ problems (and)

“(I) Lawyers do not care whether their clients fully understand what needs to be done and why.”

While the survey found that the responding group had some good opinions of lawyers, the statements listed above constitute a serious indictment of the profession. Note that all of the opinions have to do with attorney-client relations, methods of managing the law practice, fees, etc.

In addition, note that many research projects have shown that the primary causes of complaints against lawyers in disciplinary proceedings are matters such as fee problems and disputes over quality and delay (see the *American Bar Foundation Research Journal*, “Lawyers, Clients and Professional Regulation,” by Eric H. Steele and Raymond T. Neimer).

Finally, it is important to realize that the inefficiency of their practices affects many lawyers’ enjoyment of their professional lives. “Law Poll respondents were asked to volunteer the circumstances of their professional lives they found most difficult. . . . The single largest category of responses related to problems of operating a law firm or law office and managing one’s time. All told, nearly one is every two respondents (48 per cent) referred to some aspect of the management problem.” (Law Poll, *American Bar Association Journal*, July, 1978.)

The message of all of the above should be clear. Every lawyer has a major responsibility to improve the efficiency and consistency of his or her practice. This is not a matter of making more money; it’s a question of survival. It is important both to the reputation of the profession and to that of

the individual lawyer. Few people doubt that the most effective protection against malpractice claims is better practice technique. Most important, quality practice at a price that the client can afford is an urgent need of the public, and there is an obligation in justice to provide that service.

This booklet is a primer on how to improve your practice. If you’ve already begun to streamline your office and your technique, it might well be too basic for you. The ambition of the following pages is a modest one—inspiring those readers who have not already done so to get started, and the booklet provides some valuable tips. Many of the ideas can be adopted immediately. The reader is welcome to reproduce any part of this book for his or her personal or office use.

In the event this book is too basic for you, or if you utilize some of the systems outlined in the following pages and you wish to proceed with many of the other subjects involved in building an efficient and client-oriented practice, we invite you to request your local bar to obtain the videotapes entitled “Quality Practice” (available August, 1979) to be used in local continuing legal education programs. The authors further urge you to attend an American Bar Association regional round-up on law office management when scheduled in your region.

Finally, the authors let you in on a little secret. They have developed their own techniques through information gained as members of one of the A.B.A. sections or divisions that developed this pamphlet. We hope you’ll join one or more of these activities.

The importance of the legal profession has not changed since the 1880 opinion of the Supreme Court cited earlier. The authors of this book dedicate it to keeping the legal profession on “the high plane it ought to occupy.”





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