

Ally or adversary?

Improve your relationship with
your senior partner

Unified front

Form a strong new
leadership team

Beware temptation

The perils of
low-cost volume work

Lean and agile

Use LPM to transform
client services

CASE STUDY

Lean and agile

KEY TAKEAWAY POINTS

- 1 **Address lawyer resistance to project management.** Convincing some lawyers to embrace change by using any sort of project management approach can be daunting. Many lawyers feel that thorough planning slows them down and may not be efficient due to the many unknowns in legal. In reality, that is exactly why they need project managers who use the 'agile' framework.
- 2 **Be selective when hiring legal project managers.** One of the biggest challenges can be finding people with the right skill set to perform the role of legal project manager. They need to have a legal background, strong project management skills and some exposure to 'agile'. You cannot judge by résumés alone when interviewing candidates – you will need to consider some intangible qualities.
- 3 **Get comfortable with 'agile'.** The agile development model may have its roots in software development, but it has proven valuable in many industries, including legal. One of the core tenants of the agile framework is flexibility. Success requires a willingness to live in the grey and getting comfortable with being uncomfortable. If a particular approach or tool is not working, don't be afraid to change course until you achieve your goal.
- 4 **Choose tools carefully.** Lawyers may roll their eyes at some project management tools such as Gantt or PERT charts. Fortunately, there are a host of low-cost tools that lawyers will find more complimentary to the way they work.

Karen Dalton and John Duggan reveal how Seyfarth Shaw's client services have evolved to embrace 'lean' and 'agile' legal project management

Imagine working in an industry where opposing forces are trying to derail you each step of the way on most of the projects you are managing. Welcome to the world of legal project management.

Our legal project management office (LPMO) has been faced with the seemingly insurmountable challenge of managing an ever-growing portfolio of legal projects, where formal and traditional project management approaches didn't quite fit the adversity we encountered from external parties (such as opposing counsel and government regulators). It became obvious very quickly that flexibility and agility were going to be critical.

Picture this: 76 projects, five experienced project managers and constantly-changing requirements and expectations, with new projects being proposed every day and no end in sight. Traditional project management techniques would bury even the best of project management offices (PMOs).

Our firm's commitment to the principles and practices of lean six sigma (a process and data-driven approach to performance improvement) led to the creation of our own client service model, branded *SeyfarthLean*. The programme combines the core principles of lean six sigma with robust technology, knowledge management, process management techniques, alternative fee structures and practical tools.

Project management principles and expertise have played an important role in the overall success of the *SeyfarthLean* programme. The firm's journey to become a leader in the legal project management (LPM) arena has been a circuitous

one that has led us through a variety of approaches and disciplines.

Creating the LPMO

The firm's venture into project management began by setting up a small PMO, with the simple goal of improving the overall success of several large-scale internal-facing projects. The natural place to start was with project managers skilled in the principles and practices of project management, based on the de facto industry standard: the PMI's *Project Management Body of Knowledge* (PMBOK) (hereafter referred to as traditional project management).

Shortly after the introduction of the PMO, Seyfarth embarked on its lean six sigma journey. Our entire PMO was invited to join the inaugural class of six sigma green belts (the initial certification). During this initiative, the value and importance of project management and project managers became readily apparent.

Our project managers integrated the disciplines of project and process management. Voice of the client, process mapping, data analysis, metrics, root cause analysis, $y=f(x)$ and kaizen became a part of our daily lexicon.

With our green belt certification and a couple of proven successes in partnering with attorneys and their clients, our PMO slowly transitioned from inward facing to outward/client facing. Not only did we transition in function and focus, but we also transitioned from being the PMO to being the LPMO.

As we did so, we began to realise that some of the traditional project management disciplines – while valuable in some instances – were contributing to our



“Some of the traditional project management disciplines were contributing to our growing pains”

outside of software development. There is no one set of agile methods – in fact, there are dozens of new methodologies that have adopted the agile principles.

As the name implies, agile management is flexible. The agile principles are akin to the theory of ‘less is more’. Agile is characterised by short iterations, regular feedback cycles, less emphasis on documentation, early and continuous delivery of value, and self-organising and self-managing teams. These characteristics, while difficult for some legal professionals to accept, are precisely why they can be so effective in the delivery of legal services.

One of the primary tenants of agile is that we can’t possibly know everything at the beginning of a project and hence trying to build an end-to-end plan is often futile. Rather than developing detailed project plans broken into discrete phases (also known as waterfall planning), agile promotes the identification of near-term deliverables and getting started just as soon as you know enough to begin. The project team then reviews any backlog and commits to delivering as much as is possible within the next time iteration. Each iteration focuses on the delivery of a potentially fully-functional work product.

If there is one word that aptly described our LPMO, it is agile. We did not set out to adopt agile project management, nor did we try to retrofit our PMO to utilise agile. In a manner of speaking, we were accidentally agile.

Challenges faced

Our journey and evolution into becoming a lean and agile law firm was not without its challenges. These included:

1. building a model without precedence;
2. lawyers’ inherently change-resistant nature; and

growing pains. The rigours of traditional project management, with its detailed documentation, waterfall-based phases, change control and paperwork, were interfering with delivery in the fast-paced and often unpredictable world of legal service delivery.

Lean implies simplicity and efficiency, and our LPMO needed to become more efficient if we were going to be able to keep up with the demand for our services being fuelled by the Seyfarth *Lean* initiative.

Success begets success and competency attracts work. Soon our project managers were spending close to 80 per cent of their time on client-facing projects and more of our time became billable to clients. We spent countless hours on process mapping and setting up client extranets, matter dashboards and project task lists.

Gone were the multi-page project charters, detailed project plans laying out in detail a project in its entirety from beginning to end and robust status reports. In their place were simple one-page forms and web-based tracking tools.

Three-day planning meetings were replaced with one-hour kick-off meetings.

Status reports changed from detailed ‘stop light’ rollup reports to emails with bullet lists, which were designed for easy consumption by our internal and external clients using mobile devices.

Our LPMO barely resembled the PMO of the past. We had entered somewhat uncharted territory. There were no models for us to follow, no industry best practices to draw from, but what we were doing was working and we knew that we were headed in the right direction.

Our team discovered and utilised various tools and techniques that would allow us to be flexible in our approach to satisfy varying client expectations, while still demonstrating good project management protocols and concepts. As we looked around the world of project management, we discovered, quite by accident, agile project management.

Agile project management

Agile project management is based upon a set of simple principles (see box: Principles of agile legal project management). Although agile was conceived with software development in mind, its principles and concepts have been applied in numerous industries

SEYFARTHLEAN PRINCIPLES OF AGILE LEGAL PROJECT MANAGEMENT

- ✓ Delight clients through early and continuous delivery of valuable solutions that meet or exceed their needs and/or solve their problems
- ✓ The best solutions and improvements emerge from carefully examining the 'voice of the client'
- ✓ Welcome changing or evolving needs throughout the project. Agile processes harness change for the client's competitive advantage
- ✓ Aim to deliver solutions and/or improvements frequently, from daily incremental improvements to weekly or monthly, with a preference to the shorter timescale
- ✓ Business people, legal resources and the client must work together throughout the project
- ✓ Deliver projects through motivated individuals – give them the environment, tools and support they need, and trust them to get the job done
- ✓ Client engagement and feedback is the primary measure of progress
- ✓ Continuous attention to excellence and client satisfaction enhances agility
- ✓ Regularly reflect on how to become more effective (through the use of lessons learned), then tune and adjust behaviour accordingly

Note: With acknowledgements to the Principles of Agile Software Development

3. finding and grooming qualified project managers.

1. Lack of precedence

We likened our department's efforts to a start-up company: the biggest challenge being that there was no existing model for our SeyfarthLean agile legal project management approach.

One of the core tenants of our LPMO philosophy and of the agile framework is flexibility. We found success through our willingness to live in the grey area and being comfortable with being uncomfortable. If a particular approach or tool was not working, we were not afraid to change course until we achieved our goal.

Depending upon a project's complexity, the project management sophistication of our internal and external clients as well as our formal 'voice of client' interviews, we select the appropriate solutions from our SeyfarthLean LPMO toolbox: the right resources, processes and tools. We then use a 'sense and respond' approach to managing the project, often swapping out tools and approaches as needed to add value and ensure success.

One might think that approach resembles chaos and disorganisation.

However, the essence of agile is to embrace and respond to change. We do not just conduct one voice of client session, but are constantly soliciting feedback from the client. This encapsulates the sense and respond approach which has been a cornerstone of our success.

2. Lawyers' nature

In our efforts to make matters more efficient under our SeyfarthLean programme, we were reminded that lawyers are trained to:

- a. challenge everything; and
- b. base decisions on precedence.

Convincing some lawyers to embrace change by using any sort of project management approach can be daunting. Many feel that thorough planning slows them down and may not be efficient because of the many unknowns in legal.

In reality, that is exactly why they need project managers who use the agile framework. We know that they can only plan so far ahead, that matters do not follow a defined path and that new evidence can change a game plan in a moment's notice. But we plan for those



variables in alignment with client-defined value and guidance.

One of the keys to successfully navigating this challenge is to introduce agile project management slowly. Start simple. Meet with your stakeholders and create a checklist of tasks and assignments. Continuously solicit feedback from your stakeholders and do not be afraid to change what is not working. The lawyers will appreciate that you are allowing them to focus on the area where they possess the highest value – the actual practice of law, while you take care of task management. You will achieve buy-in by demonstrating success.

3. Appointing project managers

Another one of our biggest challenges has been finding the people with the right skill set to perform the role of legal project manager. It is difficult to find people who have a legal background, strong project management skills and some exposure to agile.

We learned that we could not judge by résumés alone when interviewing candidates. We needed to consider some intangible qualities. Our sense and respond philosophy is so essential to our success that we have to make sure our new hires meet the following criteria.

- **Have a high level of emotional intelligence.** Are they self-aware? Can they process verbal and non-verbal cues appropriately? Do they appear to have good intuition? How will they handle constructive criticism and suggestions for change?
- **Are flexible in their approach to projects.** How well do they respond



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to fluid situations? If they have only practiced the traditional waterfall project management methodology, for example, we would have to consider whether they would have the ability to adapt to our environment.

- **Possess a mature sense of confidence** and the ability to influence a team of high-performing individuals to achieve success. Could we see them sitting alongside attorneys or across the table from our clients?

It is difficult to evaluate all of these qualities in an interview. The most important quality is flexibility and the ability to make good judgement calls in an ever-changing project environment. If you have a sharp person who is willing to listen and try new methods, you have won half the battle.

Impact on the firm

Our use of the SeyfarthLean agile framework has resulted in positive outcomes for the firm. We have found that:

- the ramp up time for projects is shorter, as we do not have the need to understand every bit of minutia before stepping in to assist;
- communications are more effective and efficient – we document the items that are essential to the project's success and do not get bogged down in templates, forms and procedures;
- with our streamlined approach, our staff are able to manage several projects at once, as opposed to being mired in the smallest of details on only

one or two projects;

- clients and lawyers are delighted with our right-sized approach, knowing that we are always focused on the efficient delivery of legal services – we are deft at avoiding the bulk; and
- there is an increase in the quality of our work product – by focusing on value-added tasks and continuous improvement, we are able to produce better results for our clients.

Lessons learned

1. Know your audience

While lawyers generally know their clients well, they are often surprised at how much their clients know about lean, six sigma, project management and even agile. Clients expect exceptional legal expertise, but what they are most interested in is how the firm is going to do their work.

Clients are very interested and receptive to innovative value-added services that deliver results. Project management, when done well, can be a key differentiator.

2. Relationships are critical to success

Lawyers can be very protective of their relationships with clients and consequently can be very reluctant to introduce project managers to their clients. In addition, lawyers are taught to challenge everything: proof is required. We had to win them over with innovative ideas, hard work and client-valued results.

Introducing agile, while innovative, can be seen as radical. Initially, it may be best to keep agile legal project management behind the scenes and concentrate on

the value delivery it facilitates. Eventually, building relationships through agile with both the firm's lawyers and clients can lead to dramatic results.

3. Flexibility and adaptability drive success

While it is generally common practice to develop an overall strategy in a legal matter, detailed project plans are often not effective with legal projects. While you are planning for success, opposing parties are planning for their success (which generally does not align with yours). Sometimes you never know what is going to happen next.

Agile embraces change and provides the mechanisms for early and regular delivery of value, no matter how the scope may change.

4. Adapt to the way your lawyers work

Lawyers like to get started right away with doing the lawyering. Traditional project management is perceived as slowing them down.

Agile frameworks like scrum (iterative and incremental frameworks for managing projects) support lawyers' mindset. As soon as you have enough information and knowledge about what is needed next, you can get started.

Agile's short iterations with regular feedback cycles fit right in with the lawyering mindset.

5. Look for tools that work

Traditional project management tools (like Microsoft Project) can be unnecessarily complicated and cumbersome for many legal projects. There are several easy to use, low-cost alternatives that lawyers seem to favour (despite their similarities to MS Project).

Some of the tools that we have found particularly useful are SmartSheet, One Pager Pro, Sharepoint, TaskMap, Quickbase and Mindview. Each serves a different purpose and may not be necessary on all legal projects. We continue to look for and evaluate new tools every day. ^{mp}

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