

# STANDARDIZING RATES—UNIFYING FIRM PROCESSES

## WORLD DOMINATION

SERIES - 3 / ARTICLE - 6  
SEPTEMBER 22, 2022

By **Jeffrey Brochin, Esq.**

**GreenPoint**>  
ESR

**EXECUTIVE SEARCH AND RECRUITMENT**

[william.anderson@greenpointglobal.com](mailto:william.anderson@greenpointglobal.com) | [pranav.menon@greenpointglobal.com](mailto:pranav.menon@greenpointglobal.com)  
International Corporate Center, 555 Theodore Fremd Avenue, Suite A102 Rye, NY 10580  
[www.gpesr.com](http://www.gpesr.com)

**Standardization—it's what makes sure that all of our 'USB devices' are, in fact, compatible across platforms and manufacturers anywhere in the world, and it's what makes sure the order of our car transmissions are P-R-N-D regardless of what car we own or rent.**

Wouldn't it be great to have such standardization across law firm processes? In fact, that is now the trend in law office management, and the benefits for both workflow administration and client billing are paying off. If your firm is still suffering from a lack of uniformity and unity in the provision of legal services, read on.

## The Original Efficiency Standard

In 1986, a young engineer working for Motorola developed a set of processing tools for manufacturing that would revolutionize industrial methodology and minimize errors. Known as 'Six Sigma', the statistics-based management method reduced manufacturing errors down to 3.2 parts per million pieces produced. However, Six Sigma concepts were soon expanded beyond manufacturing and became useful methodologies for everything from disbursing health services to accounts receivable processing.

Law firms too have developed standardized practices covering everything from initial client intake to issuing the final statement for legal fees and all steps in between. But a key factor in standardizing firm practices is to 'keep it simple'; experts have found that the more complex the requirements that staff have to keep track of, the less productive the standardization process becomes.

## Meeting Client Needs

There is a maxim in business management courses that 'if a business cannot attract and meet the needs of clients, then it's not really a business.' Determining what processes are needed to run a law practice in a highly competitive market, therefore, becomes essential. But before the firm's Executive Committee decides to adopt certain processes,

the primary concern should be: *will this change bring improvement?*

Standardization of law firm operations generally falls into two categories of: providing the actual legal service (meaning, the accumulating vast, useful, legal knowledge), and all of the support that backs that up and gets it smoothly supplied to the client. In fact, according to one law firm consultancy, all work related to the delivery of legal services can be viewed—and marketed—not only as a professional service but also as a 'deliverable' product.

## The Role of Automation

The practice of law largely centers around document production, whether it be documents related to litigation, estate planning, mergers, and acquisitions, protecting Intellectual Property, or any other solution the client has hired you to perfect. The concept of the document as a 'legal product', therefore, has distinct advantages in that most repeat documents can be built around a standard template and then tailored as needed for the client. Automation plays a key role in creating the document, tracking its movement through the system (whether that 'system' is the courts, the USPTO, an administrative body, or your firm's internal mechanisms), and coordinating that movement with calendaring of deadlines, attorney-client conferences, client updates, and periodic billing for its

## Executive Summary

### › The Issue

Standardization of law firm processes is a given in the contemporary practice environment.

### › The Gravamen

Standardization cuts across all aspects of your practice, from systematizing firm knowledge to delivering documents and other product results for your clients.

### › The Path Forward

Automation throughout the process, from intake to delivery to billing, is now obligatory for firms of any size.

creation and ongoing management. Workflow automation applications are now considered commonplace in even small-sized law firms.

## Knowledge As a Deliverable

As noted above, the practice of law is also a matter of deploying useful knowledge. In the law firm scenario, it is not just the knowledge of one individual but rather the 'collective knowledge' of the firm as a holistic whole. By systematizing that knowledge, the firm can benefit from a proprietary knowledge base that every employee—from partner to associate to law clerk and secretary—can readily access in order to make sure that the 'deliverable' gets smoothly delivered in the best interests of the client.

## Best Business Practices

Aside from the delivery of documentation and utilizing accumulated knowledge, the standardizing of best practices also applies to the 'unbundling' aspect of your practice whereby the delivery of legal services and products can be segmented into orderly steps. And, part of that well-organized process requires that behind-the-scenes support systems also run smoothly. Faulty processes in the business end of the practice can have just as catastrophic effects as malpractice by a partner or associate and can result in a lost client. In fact, even defective technology and other confidentiality breaches, whether in the area of cybersecurity or otherwise, can be grounds for a professional responsibility liability claim.

## Standardization and Rates

Although hourly rate billing continues to dominate remuneration arrangements in the legal profession, a shift is underway to adopt more flexibility in terms of delivering value. New pricing models, including fixed-fee (flat-fee) retainer agreements and other alternative billing methods, are now offered by 74% of AmLaw 100 law firms. While not all areas of practice lend themselves to such arrangements, 'value billing' is being increasingly demanded by business clients who are less willing to go with open-ended time and billing scenarios. By agreeing to what the value of a file is upfront, and, scheduling payments for the assignment, an element of certainty as to expense and revenue is provided for the client and attorney respectively.

A hybrid billing regimen in a firm can provide for a standard fee for what is considered more routine and predictable services and products while reserving the more traditional hourly billing method for litigation which is of an indeterminate nature. Different rates for different areas of practice can also open up a firm's market to a segment of the population that might otherwise find itself foreclosed from affordable legal services, thereby further democratizing the practice of law.

## Action

### 1 Improvement As a Goal:

Before embarking on the adoption of new processes for your firm, make a realistic assessment as to what processes will improve the delivery of services and products to your client.

### 2 The Business End:

Standardization does not begin with your attorneys but rather with your office administration and support staff, whose onboarding of employees, technology, and the day-to-day productivity systems, will be crucial to your firm's carrying out its responsibility to clients.

### 3 Client-facing Steps:

Even before a client walks through the door, your marketing and client-facing approach should all be subject to a standard procedure adhered to by all of your staff.

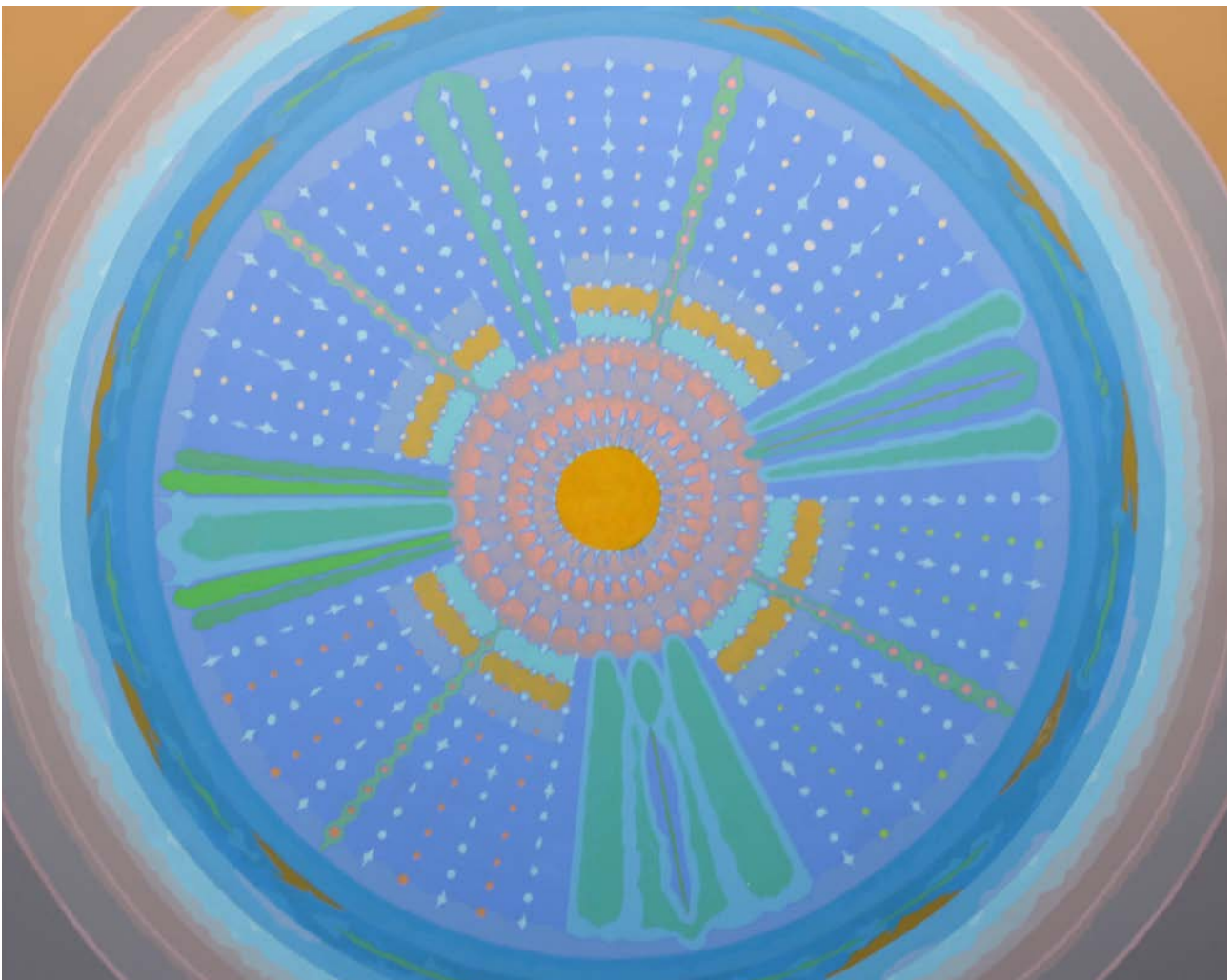
### 4 Keep It Simple:

Complex systems are rarely efficient. Rather, they actually tend to bog down productivity. Make sure that the automation and overall technology adopted by your firm is of a user-friendly design that can be quickly and productively employed.

## The Future of Practice Processes

The reality is that between rapid changes in the regulatory environment facing your clients, economic pressures on them to cut legal-spend, and disruptors such as the COVID-19 pandemic, 21<sup>st</sup> Century challenges in the practice of law demand the ability to make sudden changes.

While standardization and automation allow for quick response times, outmoded, manual systems do not. The aforementioned forces—to one degree or another—will be with us for a long time, and those firms that prepare processes for ‘tomorrow’s law’ today, will be best positioned to meet those future demands.



## Further Reading

1. <https://www.aderant.com/think-tank/law-firm-business-process/>
2. <https://www.clio.com/resources/start-a-law-firm/processes-and-systems/>
3. <https://www.lawyaw.com/articles/8-steps-to-repeatable-law-firm-processes>
4. <https://www.legal-suite.com/categories/blog-12830/articles/the-secret-to-simple-effective-management-of-legal-processes-1436.htm>
5. <https://link.springer.com/article/10.1007/s11151-022-09868-9>
6. <https://www.gartner.com/en/newsroom/press-releases/2019-09-05-gartner-says-cost-effective-legal-departments-invest->







## Jeffrey Brochin, Esq.

GREENPOINT STAFF COUNSEL AND  
CONTENT EDITOR

After receiving his Juris Doctor degree from The John Marshall Law School in Chicago, Mr. Brochin served as an Administrative Law Judge with the Illinois Department of Labor for six years where he presided over cases dealing with job separation issues and matters pertaining to contested Unemployment Insurance claims. He also co-wrote the agency's administrative rules, and periodically served as a 'ghost writer' for Board of Review decisions.

Following that position, he was Director of Development for a Chicago-area non-profit college where he was responsible for High Net Worth donations to the institution. For the next eighteen years he practiced as a solo practitioner attorney with an emphasis in the fields of Real Estate law and Commercial Contracts transactions, and was an agent for several national title insurance agencies.

In 2003 he was recruited to head up a U.S. title insurance research office in Israel, a position he held for four years, and between 2007-2017 he participated in litigation support for several high-profile cases. He has taught Business Law as a faculty member of the Jerusalem College of Technology, and has authored a wide variety of legal White Papers and timely legal articles as a professional legal content writer for GPL clients. Separate from his legal writing, he has co-authored academic articles on Middle East security topics that have been published in peer-reviewed publications.



## William H. Anderson, Esq.

MANAGING DIRECTOR

William Anderson is Managing Director and Head of Law & Compliance. He leads the GreenPoint practice in providing regulatory, legal, and technology solutions to law firms, legal publishers, and in-house law departments around the world, overseeing our team of experienced US attorneys and data and technology experts. Will has over 25 years' experience working with corporations to improve the management of their legal and corporate compliance functions. Will began his legal career as a litigator with a predecessor firm to Drinker, Biddle LLP. He then served as in-house counsel to Andersen Consulting LLP, managing risk and working with outside counsel on active litigation involving the firm.

Will has leveraged his legal experience interpreting regulations and appearing before federal (DOJ, SEC, FTC) and state agencies (NYAG) to oversee research and other areas at Bear Stearns. In this capacity, he counseled analysts on regulatory risk and evolving compliance requirements. Will also consulted on the development of a proprietary tool to ensure effective documentation of compliance clearance of research reports. Will then went on to work in product development and content creation for a global online compliance development firm pioneering the dynamic updating of regulated firms' policies and procedures from online updates and resources. Will holds a Juris Doctorate with High Honors from the Washington University School of Law in Saint Louis and is admitted to state and federal bars. He lives in Pawling, NY, with his wife and daughter.



**Sanjay Sharma, PhD**  
FOUNDER AND CHAIRMAN



**Pranav Menon, Esq.**  
LEGAL RECRUITMENT MANAGER  
AND DATA PRIVACY SPECIALIST –  
LAW & COMPLIANCE | GPESR



## About GreenPoint Executive Search and Recruiting

- › Founded in 2001, GreenPoint Global offers a blend of proprietary technology and US-trained lawyers to provide advanced legal solutions to our clients. As part of GreenPoint Global, the GPESR team draws upon a deep knowledge base across multiple disciplines including Legal, Publishing, IT, Finance, and numerous other industries.
- › By virtue of our unique methods and a proven history of providing top-tier legal services to our clients, the GPESR team is capable of supporting a diverse client base both in the US and globally. From solo practitioners to AmLaw 100 firms, legal publishers, Fortune 1000 companies, and in-house law departments, our team offers legal staffing solutions to suit any business needs. GPESR provides skilled attorneys in either permanent placements or temporary contracts through a selective recruiting process. Adherence to quality, value, and flexibility are hallmarks of our offerings.
- › Ensuring privacy and security of client data is a critical component of our business. GreenPoint has instituted rigorous physical, administrative, and technical safeguards to protect the integrity, security, and privacy of client data, all of which comply with the most stringent US and global standards and regulations.

## About GreenPoint Law & Compliance

- › GreenPoint Global was founded in 2001 and since that time has faithfully served an expanding roster of clients. GreenPoint leverages a unique combination of US-trained attorneys and proprietary technology to deliver a unique offering of skill and flexibility to meet client needs.
- › Our core team of experienced US attorneys is based in Israel and works US hours. The breadth of experience of our attorneys ensures high-quality, cost-effective results across a wide range of legal, compliance, and regulatory matters.
- › GreenPoint's methodology and proven track record of achieving client objectives has resulted in a broad base of clients in the United States, ranging from Fortune 500 insurance companies to solo practitioners, law firms, in-house law departments, and legal publishers. GreenPoint attorneys are selectively recruited and deployed based on possessing demonstrable subject matter expertise covering a broad spectrum of substantive US laws and regulations. The work product of our attorneys is thoroughly vetted internally before delivery to client. Adherence to quality, value and flexibility is at the core of our foundation.

