Ep #15: Mastering Effective Handoffs in Your Legal Practice

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John E. Grant

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Handing off work, and especially multiple back and forth handoffs can be a huge source of delay and rework in your law practice. In today's episode, I'm going to give you some practical strategies for how to optimize handoffs, the ones that happen internally with your team and the ones that happen externally with clients and third parties. I'm also going to teach you about a third type of handoff that is definitely happening in your law practice but it can be kind of hard for you to notice in the moment.

And like all handoffs, that third one can be really detrimental to the smooth and predictable flow of work through your practice. So today you'll learn how to be more effective when handing off work and how to minimize the negative effects of those handoffs. Ready to become a more agile attorney? Let's go.

Welcome to *The Agile Attorney* podcast powered by Agile Attorney Consulting. I'm John Grant and I've spent the last decade helping lawyers and legal teams harness the tools of modern entrepreneurship to build practices that are profitable, scalable, and sustainable for themselves and their communities. Each episode I offer principles, practices, and other ideas to help legal professionals of all kinds be more agile in your legal practice.

Today I want to talk about handoffs and specifically why handoffs can be a significant source of delay and rework in a legal practice. And I want you to keep in mind that under the lean methodology, rework is a particularly harmful form of waste. Because not only do you need to throw out some work that you've already done, you lose all that time and energy that you spent doing it the first time. So having to come back and rework something is really problematic. And handoffs are often something that leads to rework, in my opinion and in my experience.

And this probably goes without saying but a handoff is obviously any time that you are doing a piece of work and you need to actually pass it off to some other person or some other resource in order to do their part of the work, oftentimes so you can get it back and complete your thing, but not always, sometimes you're just sending it on down the line. At a high level, I usually break this down to three types of handoffs.

There are handoffs with internal resources. These are your co-workers, your team members, people that you're working with on a regular basis that you sort of have a more frequent opportunity to communicate with. You might even have some sort of management authority over them, although, as I'll talk about in a little bit, relying on authority to do these handoffs isn't really the best practice.

The other one, the next one is handing off things with an external resource and this happens a lot. Your client is a great example of this. Sometimes you will be going back and forth with subject matter experts, accountants or experts or other service providers. And you need them to do something in order for you to do your chunk of the work. And then of course, there's all of the external resources that you have very little control or even influence over and that's like opposing counsel or tribunals or things like that.

The third type of handoff is the sneaky one, and that is a handoff to future you. This is when you begin a chunk of work and you run out of time for whatever reason. Maybe something else more urgent comes up, or maybe you just didn't allot enough time on your calendar to actually get it all the way to done. And you have to put it down knowing that you're counting on some version of future you to pick it up later. And I'm going to talk about some reasons that that can be a particularly insidious one in a little bit.

But before I get into specific strategies, I want to talk a minute about why reducing handoffs matters. And the biggest thing is that every time you hand something off, you're entering that resource's queue. You're no longer in the realm of working time, you're now just waiting for that resource, including future you to become available. And if you go back to the Dave Maxfield episode, I think that was episode eight. He had a specific name for this. He called it, waiting for no reason or WNR.

And it's not it's no reason at all, you're waiting for capacity to come available. But that's often a symptom of a team that is overcapacity or maybe not managing their capacity well. And again, it's a very real source of delay.

The next thing is that when it does get to the top of the queue the handoff often requires time for that recipient to sort of context switch and ramp up and understand the work that you're asking of them. And that's a necessary part of handoffs but if that has to happen more than once in order to have the sort of back and forth conversation, then that can lead to another source of delay.

Another problem is that handoffs increase the risk of miscommunication and errors. It's that classic game of telephone. And this is one of the things I was trying to address a couple of weeks ago in episode 13 around taming email overwhelm when I suggested that you're often better off writing your emails more like a structured memo. So that you're making sure that you give the recipient as much context as possible to try to avoid that miscommunication but doing that obviously isn't free.

And in fact some of the feedback I got is, I don't have time to write these perfect memo emails. And I get it and I get that instinct but you also don't have time to engage in a whole lot of back and forths because you weren't clear the first time. So it's a definite tradeoff.

And then of course, if you don't give that context and people either misunderstand what you were trying to communicate, or they introduce their own assumptions into the process. Those errors or those crossed wires require rework.

And as I already said, that is the worst part of waste. It just is the most frustrating where not only are you further delaying the work and its ability to flow to its next sort of active state. But you are tying up your capacity, doing something that should have been done right the first time. That's the classic form of failure demand that I've talked about in previous episodes.

The last thing I'll talk about for now is that handoffs often lead to a loss of visibility and accountability. When work gets passed back and forth, it's easier for tasks to fall through the cracks. It's simple for someone to sort of lose track of whose court is this in right now. Is this actually on my plate? Is it on somebody else's plate? And that can lead to losing track of things. It also creates this sort of world where no one person feels fully responsible for seeing that work all the way through to completion. And so that's another version of the accountability problem.

And I'll go ahead and admit, I'm a big fan of Kanban, organizing work on a Kanban board can help with visibility. But when there's a ton of work on there, it can still be challenging, especially at the little task level. So what are some strategies for either reducing handoffs or certainly improving the quality of a handoff so that you don't have a lot of back and forth when you do have to pass something off to somebody else?

Number one, I think be really clear about your definition of ready. When you pass a piece of work off to someone else, you want to make sure that you're meeting their definition of ready. And you also want to be really clear about communicating what your expectations are that you're going to get back from that person, which is the definition of done. And I talked about those things in episode 11, if you want to go back and listen to that. But making sure that not just all the necessary information, but also the resources are lined up.

You want to get some sort of an understanding that yes, I do in fact have capacity. So that you don't wind up waiting too long in that sort of waiting for no reason state or that queue state when you've got other resources that you need in order to get a piece of work done. Or the same thing is true when you're accepting a handoff. You need to make sure that you've actually blocked off some time or you understand when it is that you're going to get this thing done.

And this is especially true when you are the bottlenecked resource in your law practice and people keep trying to pass things off to you, being really clear about what your acceptance criteria are. I won't quality review this document you drafted until these three or five or seven things are true or accounted for. I'm not going to clean up your mess. I'm not going to take this and get it across the finish line for you. I need you to get it all the way there.

I need to make sure that you followed the agreed upon quality standard or the standard operating procedure that we have as a team in order to make sure that my review of your work is going to be as clean and efficient for me. And also that it's going to make it really likely or at least a lot more likely that I don't have to pass it back to you for rework. Because then it's just going to come back to me for another round of quality review and that's the game of tennis that we're really trying to avoid.

That of course means doing the work to create better internal resources and knowledge bases. And cross training your team members to use those resources so that they can effectively handle sort of a wider range of tasks while they are producing or delivering those tasks with the quality standards that you've all agreed to. So that's my second recommendation is, you've got to be really clear, this goes back to episode 10, around making policies explicit.

And that doesn't mean that you have to stop all of your work right now and develop this incredible library of policies. It can be a build as you go type of thing. But as you're doing these handoffs, if you don't already have a policy, you're often better off spending the extra 10 to 20 minutes of bulleting out, at least at a high level, these are the things that I need. These are the things that have to be true before you do that handoff. And then you can come back and turn that into a policy.

This is really the best way in my mind to go through this process of process improvement. It's not a standalone activity. It's something that you really do a better job of when you are doing it within the context of real work anyway. And again, the goal here is you really want work to be completed to that quality standard by a single resource as much as possible rather than get passed between a bunch of different people.

There's this funny thing that happens in a lot of law firms and you may be guilty of this. Where people will be like, "Oh yeah, that's not lawyer work, that's paralegal work or that's not paralegal work, that's admin work." And at the one level I get that. But that is classic resource efficiency thinking. It's like, I'm going to maximize my use of the lawyer resource, but it really is death to the flow of work through your system.

So what I want you to do, instead of maximizing resource efficiency is really think about maximizing flow efficiency. And so how can I make sure that a piece of work is getting all the way to done or to its next natural resting state as efficiently and as quickly and as smoothly and as predictably as possible as opposed to having all those little back and froths. Just because it is something that can be accomplished by a paralegal or an administrative assistant or whoever, doesn't mean it always should be.

The flip side of that is that you should be able to use policies and definitions of done and quality standards to empower the people on your team to practice to the top of their license, to the top of their ability. And yes, if you're the lawyer, you ultimately have responsibility for your team. And you're probably going to need to do a quality review, but you want to get them as far down that path as possible so that your review step is as simple as possible and again, isn't going to go back and forth for rework.

The third thing I'm going to suggest, and this might be a little controversial. But for reducing or improving the flow of work on internal handoffs, stop handing things off asynchronously. And what I mean by that is, don't hand something off via email. Don't assign work to some other person via a task assignment in your practice management tool or your project management system or even your Kanban setup.

When you assign work or when you just sort of hand things off via an impersonal way like email, I sometimes refer to that as fence checking. You're not really handing it off, you're just throwing it over the fence and sticking it in their lap. And then they have to figure out and sort out when they're going to do it, whether they have the tools they need to do it, whether they have the capacity to do it.

And I'll draw a distinction here. For handoffs that are part of a well-defined process where everyone knows their role and how the workflow is supposed to progress. Those sort of asynchronous handoffs can be a great form of efficiency. When you have the kind of work that lends itself to an assembly line style of passing work items along down to the next person in line. Getting to that assembly line style of work is actually a lot of work in and of itself.

Modern assembly lines are incredibly sophisticated. They're the result of years of documenting and implementing and adjusting standard operating procedures and policies and instruction sets. So the policies that guide those assembly lines tend to be really mature. And don't assume that you can achieve assembly line style efficiency even on relatively straightforward chunks of work without putting in the work to really make sure that you've defined what those quality standards look like, what those standard procedures look like.

So if you're not chucking things over the fence, if you're not handing things off via email or task assignment, what should you be doing? Well, you should be having conversations. One of the most effective ways to reduce the total number of back and froths from a handoff is to have your handoff in a face-to-face meeting, or at least in real time via a Zoom call or a phone call or a Teams call.

Sometimes that might be a team meeting. It's one of the reasons I love the daily standup is that it allows on a regular basis for the team to sync up on what the handoffs are, what the deliverables and the dependencies are. So that you can really make sure that people are on the same page about what the priorities for the team are that day. But sometimes you've got to do them on a one off basis, and sometimes you've got to schedule them.

And again, it's kind of like that suggestion I have around drafting your emails as more of a structured memo. I think even though it sometimes takes a little bit more time and effort and it may feel inefficient to schedule that meeting. The outcome and the result of that meeting is often going to be better.

It's kind of funny because there's this whole meme and you've probably come across it in the corporate world around, oh my God, this meeting could have been an email. There's a lot of talk around how much time people waste in meetings. And there's a whole, probably another series of episodes I could do around structuring effective meetings and meeting types and things like that. And I'll maybe get to that someday. I'm not going to promise anymore.

But I actually think that the other thing is true. I often run into situations where I'm saying, "This email should have been a meeting." As opposed to this meeting could have been an email. So what about some strategies for improving external handoffs. And I'll start by saying a lot of the same things apply. It's often better to make that handoff in real time. You want to be really clear about your definitions of ready and your definitions of done.

Another tool, and this is something that also could work internally, but I think I've seen a lot of benefit from doing this with external resources is to give people context for how their particular chunk of work fits within your overall process.

One of the things I've been doing a lot with my clients lately is working on client road mapping exercises, creating clear materials for their firm to use in client communications and expectation setting, and it's often graphical. We're doing flow charts or we're doing other sort of visual signals of what the overall process looks like so that when we assign client homework for example, they understand what the context is for that.

It's funny because I used to refer to this as sort of the TurboTax menu that helps people where they are in the tax filing process. But I've had more than one client tell me that it's a lot like the Domino's Pizza tracker where you can sort of see where things are in the Domino's process.

I maybe like TurboTax better because it's interactive. I have worked when I'm doing TurboTax, with Domino's I've just sort of chucked it over the fence and I'm waiting on other people to do it, but you get the idea. The context of where something fits can be really helpful. And that then helps them engage with the work in a more effective way.

Another thing, and I've talked about this in a couple of other episodes, episode six, which was what clients really want from lawyers. And then episode 13 around more effective communications, is to set clear expectations for the response time. And also what the completeness looks like, what the definition of done or what the deliverables are from a particular piece of work.

Obviously this is another place where the client facing flowchart or roadmap really helps because it gives clients context. It can also help them plan for the work that is coming up next and give them the ability to sort of plan for that coming up. And in episode 13, I talked about setting clear deadlines via your email communications.

But this is another one of those things that I actually think you're way better off negotiating with people and especially clients in real time instead of asynchronously. And the reason why is that the goal is not necessarily to just set the deadline. The goal is to obtain the other person's commitment to that deadline.

And people are much more likely to feel a sense of commitment to something that they've communicated face-to-face about than something that they've grudgingly said, "Yeah, okay", via an email, or even worse, a task that was just assigned to them. They don't actually commit to that task, except to the extent that you're using your management authority to assign it to them. But that's a very extrinsic form of commitment. And that is far less good than people having a more intrinsic commitment because they understand how it actually fits.

Alright, so the third thing I want to talk about is strategies for reducing those handoffs to future you, these are the tricky ones. And there's a few things to keep in mind. I won't go too, too deep on any of them. But number one is just be aware of the fact that the optimism bias is real. You will look at your future you and think that they're going to have more time and attention than they actually will. You're also going to look at that work and think that it's going to be easier for that future you to do. These are the ways that the optimism bias sort of cuts at us twice.

And so I want you to be a lot more intentional about that honest reckoning with capacity that I keep talking about, that then forces you into this brutal assessment of priorities. And really the biggest source of demand on future you, are all of those little administrative things. And so hopefully you're starting to see this as a theme where we're really working on reducing sources of demand, we're reducing the types of work that comes back to you and creates failure demand.

And then you're being a little bit more intentional about that prioritization to make sure that the truly important things and using the classes of service we talked about in last week's episode. To make sure that you're really getting the most important work out the door at the right time. Another thing is to obviously break the work down as best as you can. The clearer you are with these definitions of done. The more you have manageable and well defined tasks and clear deliverables the more accurate you're going to be in terms of your assessment of how long something's going to take.

And so again, it's that little ounce of prevention, it takes more work to do that upfront, but that work is worth it. It pays dividends down the road. And part of where I'm going with this is that I want you to be able to estimate what your time commitment is going to be, what your energy commitment is going to be. How much of your capacity you're going to use when you do a set of tasks.

And if you are passing it down to your future you, at least be a good delegator so that you're being really clear upfront about what it's going to take and don't try to sort of hide the ball from yourself. One of the things that I'm a big fan of and I haven't talked about it a lot yet, but there is this notion of calendar blocking. So when you have a chunk of work to do, it's a really good practice to number one, do your best to estimate how long it's going to take you to do that thing.

And then number two, block off time on your calendar to do it and make sure that you actually honor that commitment. I'm going to give you one kind of nerdy suggestion. And I do this with a little bit of hesitation because I've had some clients think that this is way too nerdy for them. Others kind of like it, so I'm going to go for it. If this doesn't resonate with you, that's fine, you can ignore it.

But one of the tricks that we use in the agile methodology is, we estimate our effort, the amount of time and energy and everything that it's going to take to do a chunk of work using a Fibonacci sequence or a modified Fibonacci sequence. And for those of you that are far removed from math class, the Fibonacci sequence is that sort of numerical thing where you start with the number one and you say 1 + 1 is 2. And then from that forward you add the previous two numbers, so 2 + 1 is 3, that's your next available thing, 3 + 2 is 5, 5 + 3 is 8, 8 + 5 is 13 and it grows in a very consistent and mostly predictable way.

And one of the reasons we use the Fibonacci method or a modified Fibonacci to estimate effort is that we get worse and worse at estimating bigger and bigger chunks of work, bigger and bigger things. And so we might be able to pretty accurately identify something that is going to take us about 15 minutes and we might be pretty accurate about something that's going to take 30 but distinguishing between 30 and 45 gets harder.

And so using a modified Fibonacci, I might say in your time estimates, start at 15, then 30, then an hour, then maybe 90 minutes. But beyond 90 minutes you really only get hours. So two hours, if you want to be sort of true to the method, you might skip three and go straight to four. There's different ways of thinking about it but really estimate in big chunks.

And if you're just a little bit over, if you think something is going to take you two hours and 15 minutes, you're better off blocking off three hours on your calendar. Because unless you're really, really clear and you've got a lot of history with this thing that you know, yeah, I can land this plane in exactly that amount of time. I think you're better off overestimating and making sure that you don't wind up in this place where you have to put it down and pass it off to future you yet another time. We want work to get all the way to done.

A couple of other little things. I talked about this again in episode 13. Really be careful around minimizing distractions and interruptions. Those dings that come in, those, “Hey, you got a minute”, questions whether they’re in person or via Slack or Teams or via email, those are death to productivity. So when you calendar block a chunk of time to do work on a thing, whatever that thing is, I really encourage you to put ‘do not disturb’ on your devices, turn off your email, even close out the program.

Get it out of your place where your brain is going to maybe get a little distracted and want to check it. The more you can do those things, the better you’re going to be able to stay in that mono tasking zone.

And one last thing, and this is sort of a close cousin of calendar blocking and it’s related to the intangible service item types or sometimes even the standard work types that I talked about last week in episode 14. Where maybe they’re not urgent, there’s not a deadline coming up, but you want to make sure you’re hitting them on a regular basis. And that’s what I call calendar bucketing.

And I think that that can be a really effective way to make sure that when that time comes up on your calendar you’re going to go to your list of items, your backlog. It might be a column on your Kanban board. It might be a separate Kanban board that contains the tasks associated with that particular bucket of time you’ve blocked off and you’re going to knock those out. So I think I talked about before, I use a Finance Friday technique.

I have got 90 minutes blocked off on my calendar every Friday morning to make sure that all of the little financial things that I need to take care of are actually getting touched on a regular basis. Very few of them are urgent in that they would need to get my attention during the course of a week. But if

I were to let them go longer than a week then they might start to become urgent and I'm trying to prevent that.

And so the difference between a calendar block and a calendar bucket is that a calendar block has a one-to-one relationship with a chunk of work. A calendar bucket is more like reserving a section of your calendar for a particular time of work. I know people that do client meetings this way or intake meetings and they say, "Look, I'm only available at these times on these days to do these client meetings." And that can be a really effective way to do it, assuming obviously that clients are also available during those times.

So to wrap this off, just I want you to take away that of course, handoffs are inevitable. They can even be a good thing because they can help you balance loads. But we want them to happen in a way that keeps the work moving as much as possible and that means having as few back and froths as possible.

Whenever you can, hand things off face-to-face in a real time conversation or via Zoom or phone. That not only gives the other person, it fosters a stronger sense of their commitment to the work. It shows respect for the other person's agency over their own finite capacity. And it also provides an opportunity to clarify and make sure that there aren't any assumptions that are being looked at not quite the right way or other just sort of missed signals in that handoff.

And I think if you do those things, just reduce the number of back and froths and specifically as a tool for reducing back and froths, be clear about communication upfront, definitions of ready, definitions of done, what's the purpose, what's the context. I think you will find that the work itself starts to flow a lot more smoothly through your overall systems.

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